

unlikely to occur and takes appropriate steps to safeguard the interests of affected members.

- An employee of the credit union has obtained unauthorized access to sensitive member information maintained in either paper or electronic form;
- A cyber intruder has broken into an credit union's unencrypted database that contains sensitive member information;
- Computer equipment such as a laptop computer, floppy disk, CD-ROM, or other electronic media containing sensitive member information has been lost or stolen;
- A credit union has not properly disposed of member records containing sensitive member information; or
- The credit union's third party service provider has experienced any of the incidents described above, in connection with the credit union's sensitive member information.

#### *Examples of When Notice Is Not Expected*

A credit union is not expected to give notice when it becomes aware of an incident of unauthorized access to member information, and the credit union, after an appropriate investigation, can reasonably conclude that misuse of the information is unlikely to occur and takes appropriate steps to safeguard the interests of affected members. For example, a credit union would not need to notify affected members in connection with the following incidents:

- The credit union is able to retrieve sensitive member information that has been stolen, and reasonably concludes, based upon its investigation of the incident, that it has done so before the information has been copied, misused or transferred to another person who could misuse it;
- The credit union determines that sensitive member information was improperly disposed of, but can establish that the information was not retrieved or used before it was destroyed;
- A hacker accessed files that contain only member names and addresses; or
- A laptop computer containing sensitive member information is lost, but the data is encrypted and may only be accessed with a secure token or similarly secure access device.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-CE-38-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Pacific Aerospace Corporation, Ltd. Models FU24-954 and FU24A-954 Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Pacific Aerospace Corporation, Ltd. Models FU24-954 and FU24A-954 airplanes. This proposed AD would require you to perform repetitive detailed visual inspections of the forward vertical fin base for cracks. If any cracks or discrepancies are found, you must repair the structure before further flight and notify the FAA. This proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for New Zealand. We are issuing this proposed AD to detect and correct cracks in the vertical fin base, which could result in loss of the fin and loss of aircraft control.

**DATES:** We must receive any comments on this proposed AD by December 8, 2003.

**ADDRESSES:** Use one of the following to submit comments on this proposed AD:

- *By mail:* FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-38-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.
- *By fax:* (816) 329-3771.
- *By e-mail:* 9-ACE-7-

*Docket@faa.gov.* Comments sent electronically must contain "Docket No. 2003-CE-38-AD" in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in Microsoft Word 97 for Windows or ASCII.

You may view the AD docket at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-38-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Office hours are 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, Small Airplane Directorate, 901 Locust, Room 302, Kansas City, MO 64106; telephone: 816-329-4146; facsimile: 816-329-4090.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

##### *How Do I Comment on This Proposed AD?*

We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. 2003-CE-38-AD" in the subject line of your comments. If you want us to acknowledge receipt of your mailed comments, send us a self-addressed,

stamped postcard with the docket number written on it. We will date-stamp your postcard and mail it back to you.

##### *Are There Any Specific Portions of This Proposed AD I Should Pay Attention to?*

We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. If you contact us through a nonwritten communication and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend this proposed AD in light of those comments and contacts.

#### **Discussion**

##### *What Events Have Caused This Proposed AD?*

The CAA, which is the airworthiness authority for New Zealand, notified the FAA of an unsafe condition that may exist on all Pacific Aerospace Corporation, Ltd. Models FU24-954 and FU24A-954 airplanes. The CAA reports a recent fatal accident where the aircraft's fin separated in flight. Initial investigation of this accident indicates that the forward fin structure failed from fatigue cracks that were concealed beneath the rubber abrasion protection fitted to the fin.

##### *What Are the Consequences if the Condition Is Not Corrected?*

Failure to detect cracks in the vertical fin base could result in loss of the fin and loss of aircraft control.

##### *Is There Service Information That Applies to This Subject?*

No.

##### *What Action Did the CAA Take?*

The CAA issued New Zealand AD Number DCA/FU24/173, dated 23 April 2002, in order to ensure the continued airworthiness of these airplanes in New Zealand.

##### *Was This in Accordance With the Bilateral Airworthiness Agreement?*

These Pacific Aerospace Corporation, Ltd. Models FU24-954 and FU24A-954 airplanes are manufactured in New Zealand and are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Per this bilateral airworthiness agreement, the CAA has kept us