general aviation. The petitioners state the aerial threat may also entail explosives delivered via mortars and other means (*e.g.*, rocket propelled grenades) as deemed appropriate by the NRC. The petitioners assert that if the aerial hazards evaluation determines that all targets within a target set are likely to be disabled, at least three options are available to the plant's owner to remedy the vulnerability:

(1) Other equipment outside of and not affected by the impact zone could be added to the target set. Using the sample target sets, a fifth makeup water supply system could be added if it were outside the impact zone and could adequately cool the reactor core.

(2) Protection in place for at least one of the targets within the existing target set could be provided. Using Target Set 9 from the sample target sets, if an aircraft impact at the location of the low pressure supply system and the alternate low pressure supply system potentially caused collateral damage to the discharge pathway for the emergency high pressure supply system, it might be possible to install a shield wall or screen to protect the exposed pathway.

(3) Affected portions of a system could be relocated to a safe place outside the impact zone. Using Target Set 5 from the sample target sets, if the only part of the Emergency High Pressure Supply System within the impact zone was the power cable for the pump, that power cable could be rerouted.

The petitioners believe that while an aerial hazards analysis established adequate protection, for those that may not be at nuclear power plants, it would also provide the means to ensure that future changes to plant structures and procedures do not compromise that protection.

Conclusion

The petitioners believe that the proposed changes to 10 CFR 50.59 and 10 CFR 50.54(p) integrate the safety and security evaluations performed for proposed changes to plant safety equipment and procedures, thereby providing better protection against radiological sabotage. Also, the petitioners believe the proposed changes to part 50 provide a formal, structured approach for managing the risk from aerial hazards comparable to the regulatory approach already adopted for managing the risk from fire hazards. The petitioners state that if September 11, 2001, featured one of the hijacked aircraft hitting a U.S. nuclear power plant, the formal, structured approach being sought by this petition would have been undertaken as a necessary step to prevent another event. The petitioners state that if these changes are good measures to prevent recurrence, they represent even better measures to prevent occurrence in the first place.

Dated at Rockville, Maryland, this 10th day of June, 2003.

For the Nuclear Regulatory Commission.

Annette Vietti-Cook,

Secretary for the Commission.

[FR Doc. 03–15123 Filed 6–13–03; 8:45 am]

BILLING CODE 7590–01–U

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Chap. I

[Docket No. 03–10]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

12 CFR Chap. II

[Docket No. R–1151]

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Chap. III

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

12 CFR Chap. V

[No. 2003–20]

Regulatory Publication and Review Under the Economic Growth and Regulatory Paperwork Reduction Act of 1996

AGENCIES: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); Federal Deposit Insurance Corporation (FDIC); and Office of Thrift Supervision (OTS), Treasury.

ACTION: Notice of regulatory review; request for comments.

SUMMARY: The OCC, Board, FDIC, and OTS (''we'' or ''the Agencies'') are beginning a review of our regulations to reduce burden imposed on insured depository institutions, as required by section 2222 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996. We have categorized our regulations for the purpose of the review and propose to publish 12 categories of regulations for review between now and 2006. The categories, and the regulations that the Agencies consider to be part of those categories, are detailed below. This review presents a significant opportunity to consider the possibilities for burden reduction among groups of similar regulations. We welcome comment on the categories, the order of review, and all other aspects of the project in order to maximize its effectiveness.

Today, we are publishing our first in a series of public releases, comprising three of the categories—''Applications and Reporting,'' ''Powers and Activities,'' and ''International Operations''—for public comment so as to identify outdated, unnecessary, or unduly burdensome regulatory requirements imposed on insured depository institutions. Since we will publish a series of releases containing requests for comment on the remaining categories, it is not recommended that burden reduction comments be submitted now for any regulations in other categories.

DATES: Written comments must be received no later than September 15, 2003.

ADDRESSES: Due to delays in paper mail delivery in the Washington area, commenters may prefer to submit their comments by alternate means. Comments should be directed to:

OCC: Public Information Room, Office of the Comptroller of the Currency, 250 E Street, SW., Mailstop 1–5, Washington, DC 20219, Attention: Docket No. 03–10. Comments will be available for public inspection and photocopying at the same location. You can make an appointment to inspect the comments by calling (202) 874–5043. *Facsimiles:* Send facsimile transmissions to FAX Number (202) 874–4448. *E-mail:* Send e-mails to *regs.comments@occ.treas.gov*.

Board: Comments should refer to Docket No. R–1151 and should be mailed to Ms. Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551, or mailed electronically to *regs.comments@federalreserve.gov*. Members of the public may inspect comments in Room MP–500 of the Martin Building between 9 a.m. and 5 p.m. on weekdays in accordance with the Board's Rules Regarding Availability of Information, 12 CFR part 261.

FDIC: Mail: Written comments should be addressed to Robert E. Feldman, Executive Secretary, Attention: Comments, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429. *Delivery:* Comments may be hand delivered to the guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7 a.m. and 5 p.m. You also may

electronically mail comments to *comments@fdic.gov*. Public Inspection: Comments may be inspected and photocopied in the FDIC Public Information Center, Room 100, 801 17th Street, NW., Washington, DC 20429, between 9 a.m. and 4:30 p.m. on business days.

OTS: Mail: Send comments to Regulation Comments, Chief Counsel's Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, Attention: No.2003–20. *Delivery:* Hand deliver comments to the Guard's Desk, East Lobby Entrance, 1700 G Street, NW., from 9 a.m. to 4 p.m. on business days, Attention: Regulation Comments, Chief Counsel's Office, Attention: No. 2003–20. *Facsimiles:* Send facsimile transmissions to FAX Number (202) 906—6518, Attention: No. 2003–20. *E-Mail:* Send e-mails to *regs.comments@ots.treas.gov*, Attention: No. 2003–20 and include your name and telephone number. *Availability of Comments:* OTS will post comments and the related index on the OTS Internet site at *www.ots.treas.gov*. In addition, you may inspect comments at the Public Reading Room, 1700 G Street, NW., by appointment. To make an appointment for access, call (202) 906–5922, send an e-mail to *public.info@ots.treas.gov*, or send a facsimile transmission to (202) 906–7755. (Please identify the material you would like to inspect to assist us in serving you.)

FOR FURTHER INFORMATION CONTACT:

OCC: Mark Tenhundfeld, Assistant Director, Legislative and Regulatory Activities Division, (202) 874–5090; Lee Walzer, Counsel, Legislative and Regulatory Activities Division, (202) 874–5090, Office of the Comptroller of the Currency, 250 E St., SW., Washington, DC 20219.

Board: Patricia A. Robinson, Senior Counsel, Legal Division, (202) 452–3005; Michael J. O'Rourke, Counsel, Legal Division, (202) 452–3288; David G. Adkins, Supervisory Financial Analyst, Division of Banking Supervision and Regulation, (202) 452–5259; Federal Reserve Board, 20th St. and Constitution Ave., NW., Washington, DC 20551.

FDIC: Claude A. Rollin, Special Assistant to the Vice Chairman, (202) 898–8741; Steven D. Fritts, Associate Director, Division of Supervision and Consumer Protection, (202) 898–3723; Ruth R. Amberg, Senior Counsel, Legal Division, (202) 898–3736; Thomas Nixon, Senior Attorney, Legal Division, (202) 898–8766; Federal Deposit Insurance Corporation, 550 17th St., NW., Washington, DC 20429.

OTS: Robyn Dennis, Manager, Thrift Policy, Supervision Policy (202) 906–5751; Karen Osterloh, Special Counsel, Regulations and Legislation Division, Chief Counsel's Office, (202) 906–6639; Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION:

I. Introduction

Congress enacted section 2222 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (Pub. L. 104–208, Sept. 30, 1996) (EGRPRA), as part of an effort to minimize unnecessary government regulation consistent with safety and soundness, consumer protection, and other public policy goals. Under section 2222, 12 U.S.C. 3311, the Agencies,[1] jointly or individually, must categorize regulations by type, such as ''consumer regulations'' or ''safety and soundness'' regulations. Once we have established the categories, we must provide notice and ask for public comment on them. In particular, section 2222 requires that we ask the public to identify areas of the regulations that are outdated, unnecessary, or unduly burdensome. The Agencies must issue these publications for comment at regular intervals such that all of the Agencies' categories of regulations are published for such comment within a 10 year cycle. The first publication cycle will end in September 2006. The EGRPRA review supplements and complements the reviews of regulations that the Agencies conduct under other laws and their internal policies.

Section 2222 requires a two-part regulatory response. First, the Agencies must publish in the **Federal Register** a summary of the comments received, identifying the significant issues raised and discussing those issues. Second, the Agencies must ''eliminate unnecessary regulations to the extent that such action is appropriate.'' The Agencies may prepare the regulatory response individually or jointly.

Section 2222 further requires the FFIEC to submit a report to the Congress within 30 days after the Agencies publish the comment summary and discussion in the **Federal Register**. This report must summarize any significant issues raised by the public comments and the relative merits of those issues. The report also must analyze whether the appropriate Federal banking agency involved is able to address the regulatory burdens associated with the issues by regulation, or whether the burdens must be addressed by legislation.

II. The EGRPRA Review's Special Focus

The regulatory review required by section 2222 provides a significant opportunity for the public and the Agencies to step back and look at groups of related regulations and identify possibilities for streamlining. The EGRPRA review's overall focus on the 'forest' of regulations will, we hope, offer a new perspective in identifying opportunities to reduce regulatory burden. Of course, reducing regulatory burden must be consistent with ensuring the continued safety and soundness of insured depository institutions and appropriate consumer protections.

EGRPRA also recognizes that burden reduction must be consistent with our statutory mandates, many of which currently require certain regulations. One of the significant aspects of the EGRPRA review program is the recognition that effective burden reduction in certain areas may require legislative change. We will be soliciting comment on, and reviewing the comments and regulations carefully for, the relationship among burden reduction, regulatory requirements, and statutory mandates. This will be a key aspect of the FFIEC report to the Congress.[2]

The combination of considering the relationship of regulatory and statutory change on regulatory burden with the section 2222 requirement for grouping regulations by type provides the possibility for particularly effective burden reduction. It may be possible to identify statutes and regulations that share similar goals or complementary methods such that the regulatory requirements could be combined and overlapping requirements could be

[1] The National Credit Union Administration (NCUA) has participated in the EGRPRA planning process and will separately issue a request for comment. Since the Federal Financial Institutions Examination Council (FFIEC) has not issued regulations that impose burden on insured institutions, we have not separately captioned the FFIEC in this notice.

[2] Institutions are also subject to regulations issued by other non-banking agencies, such as rules issued by the Department of Housing and Urban Development (under Real Estate Settlement Procedures Act of 1974) and by the Department of the Treasury (under the Bank Secrecy Act including rules required by the USA PATRIOT Act). The rules of these other agencies are beyond the scope of the EGRPRA review and the Agencies' jurisdictions. To the extent the Agencies receive comments raising significant issues regarding these related rules, however, we intend to identify the issues in the Report to Congress and will also notify the related agencies of the substance of the relevant comments.

eliminated. For example, it may be possible to combine certain types of applications to eliminate duplication.

The EGRPRA review will complement the review to reduce burden and to increase uniformity of regulations among the Agencies, pursuant to section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994 (Pub. L. 103–325, Sept. 23, 1994, 12 U.S.C. 4803) (CDRI). The Agencies' section 2222 review will continue to try to eliminate inconsistencies among their regulations, although complete uniformity is not possible in light of differences in the types of regulated entities and the statutes that apply to them.

The EGRPRA review can also significantly contribute to the Agencies' ongoing efforts to reduce regulatory burden. For example, since 1979, a formally adopted Federal Reserve policy has required the Board to review each of its regulations at least once every five years with a view toward eliminating, simplifying, or otherwise easing the burden of each regulation.[3] The FDIC has a similar requirement, described in its policy ''Development and Review of FDIC Regulations and Policies.''[4] *See also:* FDIC Chairman Powell's initiative ''Reducing Regulatory Burden'' at *http://www.fdic.gov.* Under OCC policy in effect since the OCC undertook a comprehensive review of all of its regulations to reduce regulatory burden in the mid-1990s, the agency's regulation-writing process has sought to eliminate ''regulatory requirements that are not necessary to ensure the safety and soundness of national banks, to support consumers' access to financial services, or to accomplish other aspects of the OCC's regulatory mission.''[5] *See also,* ''Remarks by John D. Hawke, Jr., Comptroller of the Currency, Before the Independent Community Bankers of America, Orlando, Florida, March 4, 2003'' at *http://www.occ.treas.gov/ftp/release/2003–17a.pdf.* Since the early 1990s OTS has worked to reduce regulatory burden through various regulatory review projects as well as Thrift Financial Report changes and revisions to Applications forms. OTS strives to produce risk-focused, efficient, and proactive regulations. OTS also, whenever possible, tailors its regulations to risks posed by particular institutions and writes its regulations and guidance in plain language.

Further, the Agencies address the issue of regulatory burden every time they propose and adopt a rule. Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and internal agency policies, the Agencies examine each rulemaking to minimize the burdens it might impose on the industry and consider various alternatives.[6]

The Agencies also will use both the EGRPRA review and the individual reviews to identify and reduce burdens on small institutions. More than half of insured depository institutions are small—having $150 million in assets or less—as defined by the Small Business Administration. We are particularly concerned about burden on small institutions. When a new regulation is created or an old regulation is changed, small institutions must devote a large percentage of their staffs' time to review the regulation to determine if and how it will affect them. Compliance with a regulation also can take large amounts of time that cannot be devoted to serving customers or business planning. In a large institution, ensuring regulatory compliance can take many more hours; however, those hours make up a much smaller percentage of the institution's resources. In situations where a regulation is aimed at an activity engaged in primarily by large institutions, the compliance burden on small institutions can outweigh its benefit.

Section 610 of the Regulatory Flexibility Act imposes a continuing requirement on agencies to review regulations that may have a significant economic impact on a substantial number of small entities, within 10 years after a final rulemaking is published. Although not all of the Agencies' rules must be reviewed pursuant to section 610, the Agencies are undertaking to review rules to the extent possible under the section 610 review criteria because of the importance of burden reduction to the many small institutions we regulate.

III. The Agencies' Proposed Plan

The Agencies must categorize their regulations by type. Section 2222 gives us authority to determine categories, and suggests two possible categories: ''consumer regulations'' and ''safety and soundness.'' The Agencies have regulations on more than 100 subjects covering a wide variety of topics from capital maintenance to the privacy of consumer financial information. Some of these regulations have been issued jointly and are as uniform as possible. Others were issued separately by the Agencies but implement common statutes or policies. These rules are listed as interagency rules to facilitate comparisons. Some regulations are issued by a single agency but are applicable to all types of insured institutions, such as the Board's Equal Credit Opportunity regulation or the FDIC's Deposit Insurance regulation. Other regulations are issued by a single agency and have more limited applicability. These rules are listed under the name of the issuing agency.

The Agencies propose to seek public comment on 12 categories of their regulations that impose burden on insured institutions between now and 2006.[7] The categories, in alphabetical order, are: Applications and Reporting; Banking Operations; Capital; Community Reinvestment Act; Consumer Protection; Directors, Officers and Employees; International Operations; Money Laundering; Powers and Activities; Rules of Procedure; Safety and Soundness; and Securities. We believe that these categories are logical groupings that are not so broad that the number of regulations presented in any one category would overwhelm potential commenters. The categories also reflect recognized areas of industry interest and specialization, or are particularly critical to the health of the banking system. We recognize that our regulations could be categorized in other ways and welcome recommendations about the categories and the regulations placed within them.

Although joint publication is not required by section 2222, the Agencies believe that joint publication of the regulation categories for public comment will be the most effective method for achieving EGRPRA's burden reduction goals. Joint publication and review also will help maintain the uniformity of regulations among the Agencies where possible. We are publishing three categories of rules for burden reduction comment today and plan to publish the remaining nine categories in roughly semiannual intervals, with 90-day comment periods for categories under review, throughout

[3] Board Statement of Policy Regarding Expanded Rulemaking Procedures, 44 FR 3957, Jan. 19, 1979.

[4] FDIC Law, Regulations and Related Acts, pp. 5057–5058.

[5] OCC Bulletin 97–8 (January 7, 1997). Moreover, the OCC recognizes that a ''one-size-fits-all'' approach to regulation can be ineffective and burdensome, and tailors its regulations accordingly, taking into account factors such as the size of an institution. *Id.*

[6] The OCC and OTS also review regulations pursuant to Executive Order 12866 and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

[7] Consistent with section 2222's focus on reducing burden on insured institutions, the Agencies' EGRPRA review will not involve their internal organizational or operational regulations to the extent that those regulations impose no, or minimal, burden on insured institutions.

the review period. We welcome recommendations on grouping the remaining categories and the order in which to publish them.

After the conclusion of the comment period for each EGRPRA review notice published in the **Federal Register**, the Agencies will review the comments we have received and decide whether further action is appropriate with respect to the categories of regulations included in that notice. That decision will be made by the Agencies jointly in the case of rules that we have issued jointly. Any rulemaking to amend or revise those rules would similarly be undertaken jointly and the public will be provided with an opportunity to comment on any proposed amendment. This interagency rulemaking process will not, however, include rules issued by only one agency. Comments that address specific provisions of such a regulation will be carefully reviewed and incorporated in the detailed review of the relevant regulation conducted by the agency issuing the rule. Each agency will separately determine whether amendments to its own rules are appropriate in light of comments submitted during the EGRPRA review and, if so, will separately initiate rulemakings to modify its rules. Consistent with the spirit of CDRI, however, where individual agency rules implement common statutory or supervisory policies, the Agencies will work jointly to achieve uniformity.

The Agencies have prepared three charts to assist public understanding of the organization of our section 2222 review. Chart A presents the three categories of regulations about which we are requesting burden reduction recommendations starting today. Chart B identifies regulations affecting United States (U.S.) branches, agencies, and representative offices of foreign banks, while Chart C presents the remaining nine categories on which we will seek comment. The categories in each of the charts are shown in numbered and shaded horizontal bands. In each, the left column divides the categories into more specific subject matter areas. The remaining columns are headed by the different types of financial institutions (*e.g.*, national banks, etc. * * *).

Generally, by reading down a column, a particular type of institution may identify the citation of the rule that applies to it. When one agency's regulation applies to institutions for which it is not the primary regulator, the citation for the subject is repeated across the columns.[8] Interagency regulations are listed first, followed by regulations issued by the OCC, Board, FDIC, and OTS.

Foreign banks. Foreign banks operate in the U.S. both directly, through branches and agencies, and indirectly, through bank and nonbank subsidiaries. The U.S. operations of foreign banks as a whole do not fit neatly into the categories of Charts A and C. Consequently, Chart B supplements the International Operations category of Chart A by identifying the major regulations that apply only to U.S. branches, agencies, or representative offices of foreign banks. We have also footnoted the ''Holding Company'' column of Chart A to include foreign banks. (If a foreign bank operates a branch, agency or subsidiary commercial lending company in the U.S., it is subject to the Bank Holding Company Act as if it were a bank holding company.)[9]

IV. Request for Burden Reduction Recommendations About the First Three Categories of Regulations: ''Applications and Reporting,'' ''Powers and Activities,'' and ''International Operations''

The Agencies are asking the public to identify and comment upon areas of regulations within three categories—''Applications and Reporting,'' ''Powers and Activities,'' and ''International Operations''—that impose outdated, unnecessary, or unduly burdensome regulatory requirements on insured depository institutions. It is not necessary for the public to provide burden reduction recommendations about categories of rules other than these three categories at this time since we will publish the remaining categories before the end of the first review cycle in 2006. Comments that cite particular provisions or language, and provide reasons why such provisions should be changed, would be most helpful to the Agencies' review efforts. Suggested alternative provisions or language, where appropriate, would also be helpful. If the implementation of a comment would require modifying a statute that underlies the regulation, the comment should, if possible, identify the needed statutory change.

Specific issues for commenters to consider. While all comments related to any aspect of section 2222 are welcome, the Agencies specifically invite comment on the following issues:

- *Need for statutory change.* Do the statutes impose unnecessary requirements? Are any of the statutory requirements underlying these categories imposing redundant, conflicting or otherwise unduly burdensome regulatory requirements?
- *Need and purpose of the regulations.* Do the regulations in these categories fulfill current needs? Have industry or other circumstances changed since a regulation was written such that the regulation is no longer necessary? Have there been shifts within the industry or consumer actions that suggest a re-focus of the underlying regulations? Do any of the regulations in these categories impose burdens not required by their authorizing statutes?
- *Overarching approaches / flexibility of the regulatory standards.* Generally, is there a different approach to regulating that the Agencies could use that would achieve statutory goals while imposing less burden? Do any of the regulations in these categories or the statutes underlying them impose unnecessarily inflexible requirements?
- *Effect of the regulations on competition.* Do any of the regulations in these categories or the statutes underlying them create competitive disadvantages for one part of the financial services industry compared to another?
- *Reporting, recordkeeping and disclosure requirements.* Do any of the regulations in these categories or the statutes underlying them impose particularly burdensome reporting, recordkeeping or disclosure requirements? Are any of these requirements similar enough in purpose and use so that they could be consolidated? Which, if any, of these requirements could be fulfilled electronically to reduce their burden?
- *Consistency and redundancy.* Do any of the regulations in these categories impose inconsistent or redundant regulatory requirements that are not warranted by the circumstances?
- *Clarity.* Are the regulations in these categories and the underlying statutes drafted in clear and easily understood language? Are there specific regulations or underlying statutes that need clarification?
- *Burden on small insured institutions.* The Agencies have a particular interest in minimizing burden on small insured institutions (those with assets of $150 million or less). The Agencies solicit comment on whether any regulations within these categories should be continued without change, or

[8] The charts have been provided as a convenience for the reader and should not be treated as a comprehensive listing of all rules applicable to a particular institution.

[9] There are a number of regulations that apply to branch or agency operations because of the type of activity in which the office engages rather than because it is a branch or agency. These regulations govern such areas as consumer protection, customer privacy, and securities regulation. Foreign banks may wish to comment on these regulations at such time as they are published for comment.

amended or rescinded in order to minimize any significant economic impact the regulations may have on a substantial number of small insured institutions.

BILLING CODE 4810–33, 6210–01, 6714–01, 6720–01–P

V. Charts[1]

Chart A. Regulations about which Burden Reduction Recommendations Are Requested Currently

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank[2] - - - - - - - - Thrift
1. Applications and Reporting					
Interagency Regulations					
Bank Merger Act	12 CFR 5.33	12 CFR 262.3 (application processing and notice provisions only)	12 CFR 303.60	12 CFR 563.22 (also includes bulk asset transfers and thrift-to-bank conversions)	
Change in Bank Control	12 CFR 5.50	12 CFR Part 225, Subpart E [Reg. Y]	12 CFR 303.80, 308.110- 118	12 CFR Part 574 (includes control under the Savings and Loan Holding Company Act); See also: 12 CFR 563.181 (Change of Control of Mutual Savings Associations)	12 CFR Part 225, Subpart E [Reg. Y] ---------- 12 CFR Part 574 (control under the Savings and Loan Holding Company Act)

[1] The Agencies have attempted to make these charts as user friendly as possible. Inevitably, some oversimplification may have occurred. The Agencies have developed these charts solely to facilitate the comment process.

[2] Foreign banking organizations that conduct banking operations in the U.S., either directly through branches and agencies or indirectly through U.S. bank subsidiaries or commercial lending company subsidiaries, generally are subject to the same regulatory regime as domestic bank holding companies.

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
1. Applications and Reporting (continued)					
Interagency Regulations (continued)					
Notice of Addition or Change of Directors	12 CFR 5.51	12 CFR Part 225, Subpart H [Reg. Y]	12 CFR Part 303, Subpart F	12 CFR Part 563, Subpart H; See also: 12 CFR 563.183 (Change of Officer or Director After a Change in Control)	12 CFR Part 225, Subpart H [Reg. Y] ---------- 12 CFR Part 563, Subpart H; See also 12 CFR 563.183 (Change of Officer or Director After a Change in Control)
OCC Regulations					
Rules, Policies, and Procedures for Corporate Activities	12 CFR Part 5 (Generally)				
Board Regulations					
Holding Companies – Formations, Acquisitions and Nonbanking Activities					12 CFR Part 225, Subparts A, B, C, D, and I, App. C [Reg. Y]; 12 CFR 262.3 ----------
State Member Banks		12 CFR Part 208, Subparts A, B, and G [Reg. H]; 12 CFR Part 209 [Reg. I]; 12 CFR 262.3			
FDIC Regulations					
Call Reports and Other Forms, Instructions and Reports	12 CFR Part 304 (excluding 304.3(d))	12 CFR Part 304 (excluding 304.3(d))	12 CFR Part 304		
Deposit Insurance Filing Procedures	12 CFR Part 303, Subpart B	12 CFR Part 303, Subpart B	12 CFR Part 303, Subpart B	12 CFR Part 303, Subpart B	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
1. Applications and Reporting (continued)					
FDIC Regulations (continued)					
Extension of Corporate Powers – General Character of Business			12 CFR 333.1-.2		
Filing Procedures and Delegations of Authority			12 CFR Part 303		
Mutual-to-stock conversion			12 CFR Part 303, Subparts H and I; 12 CFR 333.4		
OTS Regulations					
Application Processing Procedures				12 CFR Part 516 (Additional OTS application and notice requirements are associated with specific regulations included elsewhere on this list. E.g., fiduciary powers applications, 12 CFR Part 550; subsidiary activities, 12 CFR Part 559)	---------- 12 CFR Part 516 (Additional OTS application and notice requirements are associated with specific regulations included elsewhere on this list. E.g., holding company applications 12 CFR Parts 574, 575, 584)
Capital Distributions				12 CFR Part 563, Subpart E	
Federal Mutual Savings Associations – Incorporation, Organization and Conversion; or Merger, Dissolution, Reorganization and Conversion				12 CFR Parts 543, 546	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
1. Applications and Reporting (continued)					
OTS Regulations (continued)					
Federal Stock Savings Associations–Incorporation, Organization and Conversion				12 CFR Part 552	
Mutual to Stock Conversions				12 CFR Part 563b	
Offices				12 CFR 545.92-.96	
Regulatory Reporting Standards; Other Reporting Requirements; and Recordkeeping				12 CFR Part 562; 12 CFR 563.170; 12 CFR 563.180	---------- 12 CFR Part 562; 12 CFR 563.180(b); 12 CFR 563.170
2. Powers and Activities					
OCC Regulations					
Bank Activities and Operations	12 CFR Part 7, Subparts A, D, and E				
Community Development Corporations, Community Development Projects, and Other Public Welfare Investments	12 CFR Part 24				
Debt Cancellation Contracts and Debt Suspension Agreements	12 CFR Part 37				
Fiduciary Activities of National Banks	12 CFR Part 9				
Investment in Bank Premises	12 CFR 5.37				
Investment Securities	12 CFR Part 1	12 CFR Part 1			
Leasing	12 CFR Part 23				
Real Estate Lending	12 CFR Part 34, Subparts A and B				
Sales of Credit Life Insurance	12 CFR Part 2				

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank -------- Thrift
2. Powers and Activities (continued)					
Board Regulations					
Bank Holding Companies and Financial Holding Companies					12 CFR Part 225, Subparts A, B, C, F, I, and J [Reg. Y] ----------
State Member Banks		12 CFR Part 208, Subparts A, B, and G [Reg. H]			
FDIC Regulations					
Activities of Insured State Banks		12 CFR Part 362, Subpart A; 12 CFR Part 303, Subpart G	12 CFR Part 362, Subparts A, B, and E; 12 CFR Part 303, Subpart G		
Activities of Insured State Savings Associations				12 CFR Part 362, Subparts C and D; 12 CFR Part 303, Subpart H	
OTS Regulations					
Deposits				12 CFR Parts 557, 561 (definitions)	
Electronic Operations				12 CFR Part 555	
Fiduciary Powers of Savings Associations				12 CFR Part 550	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
2. Powers and Activities (continued)					
OTS Regulations (continued)					
General				12 CFR Part 545; See also: provisions on chartering, organization and bylaws at 12 CFR Part 552 (Federal Stock Savings Associations); 12 CFR Parts 543, 544, 546 (Federal Mutual Savings Associations)	
Lending and Investment				12 CFR Part 560	
Mutual Holding Companies					---------- 12 CFR Part 575
Preemption of State Due-On-Sale Laws (Implementation of Garn-St Germain)	12 CFR Part 591	12 CFR Part 591	12 CFR Part 591	12 CFR Part 591	12 CFR Part 591 ---------- 12 CFR Part 591
Preemption of State Usury Laws (Implementation of DIDMCA)	12 CFR Part 590	12 CFR Part 590	12 CFR Part 590	12 CFR Part 590	12 CFR Part 590 ---------- 12 CFR Part 590
Savings and Loan Holding Companies					---------- 12 CFR Parts 583, 584

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
2. Powers and Activities (continued)					
OTS Regulations (continued)					
Subordinate Organizations				12 CFR Part 559	
3. International Operations[3]					
Interagency Regulations					
International Lending Supervision	12 CFR Part 28, Subpart C	12 CFR Part 211, Subpart D [Reg. K]	12 CFR Part 347, Subpart C		12 CFR Part 211, Subpart D [Reg. K]
OCC Regulations					
Foreign Operations of National Banks	12 CFR Part 28, Subpart A				
Board Regulations					
International Operations of U.S. Banking Organizations	12 CFR 211.1-.4, 211.8-.13 [Reg. K, Subpart A]	12 CFR 211.8-.13 [Reg. K, Subpart A]			12 CFR 211.1-.4, 211.8-.13 [Reg. K, Subpart A]
Edge and Agreement Corporations	12 CFR 211.5-.7 [Reg. K, Subpart A]	12 CFR 211.5-.7 [Reg. K, Subpart A]			12 CFR 211.5-.7 [Reg. K, Subpart A]
Foreign Banking Organizations					12 CFR Part 211, Subpart B [Reg. K]
Export Trading Companies					12 CFR Part 211, Subpart C [Reg. K]
FDIC Regulations					
Foreign Branching and Investment by Insured State Nonmember Banks			12 CFR Part 347, Subpart A; 12 CFR Part 303, Subpart J		

[3] Regulations applicable solely to U.S. branches and agencies of foreign banks are addressed in Chart B.

Chart B. U.S. Branches, Agencies, and Representative Offices of Foreign Banks

Subject	Federal Branches and Agencies	State Branches, Agencies, and Representative Offices	Federal and State Insured Branches
OCC Regulations			
12 CFR Part 28, Subpart B	x		
Board Regulations			
12 CFR Part 211, Subpart B	x (except for 12 CFR 211.28-.29)	x	x
FDIC Regulations			
12 CFR Part 347, Subpart B			x
12 CFR Part 303, Subpart J			x

Chart C. Categories and Regulations about which the Agencies Will Seek Comment Later

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank[4] - - - - - - - Thrift
1. Banking Operations					
Interagency Regulations					
Prohibition of Payment of Interest on Demand Deposits	12 CFR Part 217 [Reg. Q]	12 CFR Part 217 [Reg. Q]	12 CFR Part 329	12 CFR 561.16	
OCC Regulations					
Assessment of Fees	12 CFR Part 8				
Bank Operations	12 CFR Part 7, Subpart C				
Board Regulations					
Availability of Funds and Collection of Checks	12 CFR Part 229 [Reg. CC]	12 CFR Part 229 [Reg. CC]	12 CFR Part 229 [Reg. CC]	12 CFR Part 229 [Reg. CC]	
Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire	12 CFR Part 210 [Reg. J]	12 CFR Part 210 [Reg. J]	12 CFR Part 210 [Reg. J]	12 CFR Part 210 [Reg. J]	
Reimbursement for Providing Financial Records; Recordkeeping Requirements for Certain Financial Records	12 CFR Part 219 [Reg. S]	12 CFR Part 219 [Reg. S]	12 CFR Part 219 [Reg. S]	12 CFR Part 219 [Reg. S]	
Reserve Requirements of Depository Institutions	12 CFR Part 204 [Reg. D]	12 CFR Part 204 [Reg. D]	12 CFR Part 204 [Reg. D]	12 CFR Part 204 [Reg. D]	
The Payment System Risk Reduction Policy	Federal Reserve Regulatory Service 9-1000	Federal Reserve Regulatory Service 9-1000	Federal Reserve Regulatory Service 9-1000	Federal Reserve Regulatory Service 9-1000	

[4] Foreign banking organizations that conduct banking operations in the U.S., either directly through branches and agencies or indirectly through U.S. bank subsidiaries or commercial lending company subsidiaries, generally are subject to the same regulatory regime as domestic bank holding companies.

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank --- Thrift
1. Banking Operations (continued)					
FDIC Regulations					
Assessments	12 CFR Part 327	12 CFR Part 327	12 CFR Part 327	12 CFR Part 327	
Assessment of Fees upon Entrance to or Exit from the Bank Insurance Fund or the Savings Association Insurance Fund	12 CFR Part 312	12 CFR Part 312	12 CFR Part 312	12 CFR Part 312	
Determination of Economically Depressed Regions				12 CFR Part 357	
OTS Regulations					
Assessments and Fees				12 CFR Part 502	--- 12 CFR Part 502
2. Capital					
Interagency Regulations					
Prompt Corrective Action	12 CFR Part 6	12 CFR Part 208, Subpart D [Reg. H]; 12 CFR 263.201-.205	12 CFR Part 325, Subpart B	12 CFR Part 565	12 CFR 208.44(i); 12 CFR 263.201-.202, .205 --- 12 CFR 565.5(i); 12 CFR 565.7; 12 CFR 565.10
Risk-Based and Leverage Capital Adequacy Standards	12 CFR Part 3	12 CFR 208.4; 12 CFR Part 208, App. A, B, and E [Reg. H]; 12 CFR Part 263, Subpart E	12 CFR Part 325, Subpart A and all Appendices	12 CFR Part 567; 12 CFR 563.81	12 CFR Part 225, App. A, B, D, and E [Reg. Y]; 12 CFR Part 263, Subpart E ---

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
2. Capital (continued)					
OCC Regulations					
Changes in Permanent Capital; Subordinated Debt as Capital	12 CFR 5.46-.47				
3. Community Reinvestment Act[5]					
Interagency Regulations					
Community Reinvestment Act	12 CFR Part 25	12 CFR Part 228 [Reg. BB]	12 CFR Part 345	12 CFR Part 563e	12 CFR 228.29 ---------- 12 CFR 563e.29
Disclosure and Reporting of CRA-Related Agreements	12 CFR Part 35	12 CFR Part 207 [Reg. G]	12 CFR Part 346	12 CFR Part 533	12 CFR Part 207 [Reg. G] ---------- 12 CFR Part 533
4. Consumer Protection					
Interagency Regulations					
Consumer Protection in Sales of Insurance	12 CFR Part 14	12 CFR Part 208, Subpart H [Reg. H]	12 CFR Part 343	12 CFR Part 536	
Fair Housing	12 CFR Part 27		12 CFR Part 338	12 CFR Part 528 (including other nondiscrimination requirements)	
Loans in Identified Flood Hazard Areas	12 CFR Part 22	12 CFR 208.25 [Reg. H]	12 CFR Part 339	12 CFR Part 572	
Privacy of Consumer Financial Information	12 CFR Part 40	12 CFR Part 216 [Reg. P]	12 CFR Part 332	12 CFR Part 573	12 CFR Part 216 [Reg. P] ----------

[5] Community development regulations are being published for comment as part of the Powers and Activities category.

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
4. Consumer Protection (continued)					
Interagency Regulations (continued)					
Prohibition Against Use of Interstate Branches Primarily for Deposit Production	12 CFR Part 25, Subpart E	12 CFR 208.7 [Reg. H]	12 CFR Part 369		12 CFR 208.7 [Reg. H] ----------
Safeguarding Customer Information	12 CFR Part 30, App. B	12 CFR Part 208, App. D-2 [Reg. H]	12 CFR Part 364, App. B	12 CFR Part 570, App. B	12 CFR 225.4(h); 12 CFR Part 225, App. F ----------
Unfair or Deceptive Acts or Practices	12 CFR Part 227 [Reg. AA]	12 CFR Part 227 [Reg. AA]	12 CFR Part 227 [Reg. AA]	12 CFR Part 535	
Board Regulations					
Consumer Leasing	12 CFR Part 213 [Reg. M]	12 CFR Part 213 [Reg. M]	12 CFR Part 213 [Reg. M]	12 CFR Part 213 [Reg. M]	12 CFR Part 213 [Reg. M] ---------- 12 CFR Part 213 [Reg. M]
Electronic Fund Transfers	12 CFR Part 205 [Reg. E]	12 CFR Part 205 [Reg. E]	12 CFR Part 205 [Reg. E]	12 CFR Part 205 [Reg. E]	
Equal Credit Opportunity	12 CFR Part 202 [Reg. B]	12 CFR Part 202 [Reg. B]	12 CFR Part 202 [Reg. B]	12 CFR Part 202 [Reg. B]	12 CFR Part 202 [Reg. B] ---------- 12 CFR Part 202 [Reg. B]
Home Mortgage Disclosure Act	12 CFR Part 203 [Reg. C]	12 CFR Part 203 [Reg. C]	12 CFR Part 203 [Reg. C]	12 CFR Part 203 [Reg. C]	12 CFR Part 203 [Reg. C] ---------- 12 CFR Part 203 [Reg. C]

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank --- Thrift
4. Consumer Protection (continued)					
Board Regulations (continued)					
Truth in Lending	12 CFR Part 226 [Reg. Z]	12 CFR Part 226 [Reg. Z]	12 CFR Part 226 [Reg. Z]	12 CFR Part 226 [Reg. Z]	12 CFR Part 226 [Reg. Z] --- 12 CFR Part 226 [Reg. Z]
Truth in Savings	12 CFR Part 230 [Reg. DD]	12 CFR Part 230 [Reg. DD]	12 CFR Part 230 [Reg. DD]	12 CFR Part 230 [Reg. DD]	
FDIC Regulations					
Advertisement of Membership	12 CFR Part 328	12 CFR Part 328	12 CFR Part 328	12 CFR Part 328	
Deposit Insurance Coverage	12 CFR Part 330	12 CFR Part 330	12 CFR Part 330	12 CFR Part 330	
Notification of Changes of Insured Status	12 CFR Part 307	12 CFR Part 307	12 CFR Part 307		
OTS Regulations					
Advertising				12 CFR 563.27	
Tying Restriction Exception				12 CFR 563.36	--- 12 CFR 563.36
5. Directors, Officers and Employees					
Interagency Regulations					
Disclosure of Financial Information	12 CFR Part 18		12 CFR Part 350		
Golden Parachute and Indemnification Programs	12 CFR Part 359	12 CFR Part 359	12 CFR Part 359	12 CFR Part 359; See also: 12 CFR 545.121	12 CFR Part 359 --- 12 CFR Part 359

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank --- Thrift
5. Directors, Officers and Employees (continued)					
Interagency Regulations (continued)					
Limits on Extensions of Credit to Executive Officers, Directors and Principal Shareholders; Related Disclosure Requirements	12 CFR Part 31	12 CFR Part 215 [Reg. O]	12 CFR 337.3; 12 CFR Part 349	12 CFR 563.43	
Management Official Interlocks	12 CFR Part 26	12 CFR Part 212 [Reg. L]	12 CFR Part 348	12 CFR Part 563f	12 CFR Part 212 [Reg. L] --- 12 CFR Part 563f
OCC Regulations					
Bank Activities and Operations – Corporate Practices	12 CFR Part 7, Subpart B				
OTS Regulations					
Board of Directors Composition				12 CFR 563.33	
Bond Coverage				12 CFR 563.190-.191	
Employment Contracts, Compensation, Pension Plans				12 CFR 563.39; 12 CFR 563.47; 12 CFR 563.161	
Restrictions on Transactions with Officers, Directors, and Others				12 CFR 560.130; 12 CFR 563.200-.201	--- 12 CFR 563.200-.201
6. Money Laundering					
Interagency Regulations					
Bank Secrecy Act Compliance	12 CFR Part 21, Subpart C	12 CFR 208.63 [Reg. H]	12 CFR Part 326, Subpart B	12 CFR 563.177	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
6. Money Laundering (continued)					
Interagency Regulations (continued)					
Reports of Crimes or Suspected Crimes	12 CFR Part 21, Subpart B	12 CFR 208.62-.63 [Reg. H]	12 CFR Part 353	12 CFR 563.180(d)	12 CFR 225.4(f) ----------
7. Rules of Procedure					
Interagency Regulations					
Uniform Rules of Practice and Procedure	12 CFR Part 19	12 CFR Part 263	12 CFR Part 308	12 CFR Part 509	12 CFR Part 263 ---------- 12 CFR Part 509
OCC Regulations					
Voluntary Liquidation	12 CFR 5.48				
FDIC Regulations					
Resolution and Receivership Rules	12 CFR Part 360	12 CFR Part 360	12 CFR Part 360	12 CFR Part 360	
Restrictions on Sale of Assets by the Federal Deposit Insurance Corporation	12 CFR Part 340	12 CFR Part 340	12 CFR Part 340	12 CFR Part 340	
OTS Regulations					
Investigative Proceedings and Formal Examinations				12 CFR Part 512	---------- 12 CFR Part 512
Possession by Conservators and Receivers for Federal and State Savings Associations				12 CFR Part 558	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
7. Rules of Procedure (continued)					
OTS Regulations (continued)					
Removals, Suspensions and Prohibitions Where a Crime is Charged or Proven				12 CFR Part 508	---------- 12 CFR Part 508
8. Safety and Soundness					
Interagency Regulations					
Appraisal Standards for Federally Related Transactions	12 CFR Part 34, Subpart C	12 CFR 208.50 [Reg. H]; 12 CFR Part 225, Subpart G [Reg. Y]	12 CFR Part 323	12 CFR Part 564	12 CFR Part 225, Subpart G [Reg. Y] ----------
Frequency of Safety and Soundness Examination	12 CFR 4.6-.7	12 CFR 208.64	12 CFR 337.12	12 CFR 563.171 (See also: 12 CFR 563.170)	
Lending Limits	12 CFR Part 32	12 CFR Part 215, Subpart A		12 CFR 560.93	
Real Estate Lending Standards	12 CFR Part 34, Subpart D	12 CFR Part 208, Subpart E and App. C [Reg. H]	12 CFR Part 365	12 CFR 560.100,; 12 CFR 563.101	
Security Devices and Procedures	12 CFR Part 21, Subpart A	12 CFR 208.61 [Reg. H]	12 CFR Part 326, Subpart A	12 CFR Part 568	
Standards for Safety and Soundness	12 CFR Part 30	12 CFR Part 208, App. D-1 [Reg. H]	12 CFR Part 364	12 CFR Part 570	
Transactions with Affiliates	12 CFR Part 223 [Reg. W]; 12 CFR Part 31	12 CFR Part 223 [Reg. W]		12 CFR 563.41	
OCC Regulations					
Other Real Estate Owned	12 CFR Part 34, Subpart E				

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
8. Safety and Soundness (continued)					
Board Regulations					
Extensions of Credit by Federal Reserve Banks	12 CFR Part 201 [Reg. A]	12 CFR Part 201 [Reg. A]	12 CFR Part 201 [Reg. A]	12 CFR Part 201 [Reg. A]	
Limitations on Interbank Liabilities	12 CFR Part 206 [Reg. F]	12 CFR Part 206 [Reg. F]	12 CFR Part 206 [Reg. F]	12 CFR Part 206 [Reg. F]	
FDIC Regulations					
Annual Independent Audits and Reporting Requirements	12 CFR Part 363	12 CFR Part 363	12 CFR Part 363	12 CFR Part 363; See also: OTS, 12 CFR 562.4	
Unsafe and Unsound Banking Practices (Standby Letters of Credit and Brokered Deposits)			12 CFR 337.2; 12 CFR 337.6		
OTS Regulations					
Audits of Savings Associations and Savings Association Holding Companies				12 CFR 562.4, See also: FDIC, 12 CFR Part 363	---------- 12 CFR 562.4
Financial Management Policies				12 CFR Part 563, Subpart F	---------- 12 CFR 563.170
Lending and Investment – Additional Safety and Soundness Limitations				12 CFR Part 560	
9. Securities					
Interagency Regulations					
Banks as Registered Clearing Agencies	12 CFR 19.135	12 CFR 208.32-33 [Reg. H]	12 CFR Part 308, Subpart S		

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank - - - - - - - - Thrift
9. Securities (continued)					
Interagency Regulations (continued)					
Banks as Securities Transfer Agents	12 CFR 9.20	12 CFR 208.31 [Reg. H]	12 CFR Part 341		
Government Securities Sales Practices	12 CFR Part 13	12 CFR 208.37 [Reg. H]	12 CFR Part 368		
Recordkeeping and Confirmation of Securities Transactions Effected by Banks	12 CFR Part 12	12 CFR 208.34 [Reg. H]	12 CFR Part 344	12 CFR Part 551	
Reporting Requirements for Reported Securities Under the Securities Exchange Act of 1934	12 CFR Part 11	12 CFR 208.36 [Reg. H]	12 CFR Part 335	12 CFR Part 563d	
Securities Offerings	12 CFR Part 16			12 CFR Part 563g	
OCC Regulations					
Municipal Securities Dealer Activities of Banks	12 CFR Part 10				
Board Regulations					
Credit by Banks and Persons Other than Brokers or Dealers for the Purpose of Purchasing or Carrying Margin Stock	12 CFR Part 221 [Reg. U]	12 CFR Part 221 [Reg. U]	12 CFR Part 221 [Reg. U]	12 CFR Part 221 [Reg. U]	12 CFR Part 221 [Reg. U] ---------- 12 CFR Part 221 [Reg. U]
OTS Regulations					
Accounting Requirements/Financial Statements				12 CFR Part 563c	
Proxies				12 CFR Part 569	
Rules on the Issuance and Sale of Institution Securities				12 CFR 563.5; 12 CFR Part 563, Subpart C	

BILLING CODE 4810–33, 6210–01, 6714–01, 6720–01–C

Dated: June 3, 2003.

John D. Hawke, Jr.,

Comptroller of the Currency.

By order of the Board of Governors of the Federal Reserve System, June 9, 2003.

Jennifer J. Johnson,

Secretary of the Board.

By order of the Board of Directors.

Federal Deposit Insurance Corporation.

Dated in Washington, DC, this 10 day of June, 2003.

Robert E. Feldman,

Executive Secretary.

Dated: May 29, 2003.

James E. Gilleran,

Director, Office of Thrift Supervision.

[FR Doc. 03–15088 Filed 6–13–03; 8:45 am]

BILLING CODE 4810–33, 6210–01, 6714–01, 6720–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM249; Special Conditions No. 25–03–05–SC]

Special Conditions: Embraer Model ERJ–170 Series Airplanes; Electronic Flight Controls (Command Signal Integrity)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This notice proposes special conditions for the Embraer Model ERJ–170 series airplanes. These airplanes will have novel or unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. These design features are associated with electronic flight control systems. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for these design features. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards. Additional special conditions will be issued for this and other novel or unusual design features of Embraer Model 170 series airplanes.

DATES: Comments must be received on or before July 16, 2003.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attention: Rules Docket (ANM–113), Docket No. NM249, 1601 Lind Avenue SW., Renton, Washington 98055–4056; or delivered in duplicate to the Transport Airplane Directorate at the above address. All comments must be marked: Docket No. NM249. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Tom Groves, FAA, International Branch, ANM–116, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (425) 227–1503; facsimile (425) 227–1149; e-mail *tom.groves@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning these proposed special conditions. The docket is available for public inspection before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this notice between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

We will consider all comments we receive on or before the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change the proposed special conditions in light of the comments we receive.

If you want the FAA to acknowledge receipt of your comments on this proposal, include with your comments a pre-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it back to you.

Background

On May 20, 1999, Embraer applied for a type certificate for its new Model ERJ–170 airplane. Two basic versions of the Model ERJ–170 are included in the application. The ERJ–170–100 airplane is a 69–78 passenger, twin-engine regional jet with a maximum takeoff weight of 81,240 pounds. The ERJ–170–200 is a derivative with a lengthened fuselage. Passenger capacity for the ERJ–170–200 is increased to 86, and maximum takeoff weight is increased to 85,960 pounds.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Embraer must show that the Model ERJ–170 series airplanes meet the applicable provisions of 14 CFR part 25, as amended by Amendments 25–1 through 25–98.

If the Administrator finds that the applicable airworthiness regulations (*i.e.,* part 25, as amended) do not contain adequate or appropriate safety standards for Embraer Model ERJ–170 series airplanes because of novel or unusual design features, special conditions are prescribed under the provisions of § 21.16.

In addition to the applicable airworthiness regulations and special conditions, Embraer Model ERJ–170 series airplanes must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36, and the FAA must issue a finding of regulatory adequacy pursuant to § 611 of Public Law 93–574, the ''Noise Control Act of 1972.''

Special conditions, as defined in 14 CFR 11.19, are issued in accordance with § 11.38 and become part of the type certification basis in accordance with § 21.17(a)(2), Amendment 21–69, effective September 16, 1991.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design features, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1), Amendment 21–69, effective September 16, 1991.

Novel or Unusual Design Features

The ERJ–170 airplane will use fly-by-wire (FBW) technology as a means of sending command and control signals to the control surface actuators of the rudder, rudder trim, elevator, spoilers, horizontal stabilizer, and auto speedbrake. The ailerons will be controlled by a traditional cable linkage to the hydraulic actuators.