

Actions	Compliance	Procedures
(2) <i>For airplanes previously affected by AD 2003-24-13:</i> do the following: (i) Change the unit part number by attaching flavor sticker, part number (P/N) 057-02203-0003, on the unit's serial tag; (ii) Attach an M decal, P/N 057-02984-0501, in front of the unit serial number (this indicates that the unit's P/N has been changed); and (iii) Attach a software mod tag, P/N 057-05287-0301, in place of the old tag to indicate the software change to SW MOD 03/01	Prior to further flight after installing the update to the KC 140 autopilot computer system operating software as specified in paragraph (e)(1) of this AD, unless already done.	Follow Honeywell Service Bulletin No: KC 140-M1, dated August 2002, as specified in Cessna Service Bulletin SB02-22-01, dated November 25, 2002.
(3) <i>For airplanes not affected by AD 2003-24-13:</i> install and update the KC 140 autopilot computer system operating software.	Within the next 100 hours time-in-service (TIS) after the effective date of this AD.	Follow Honeywell Installation Bulletin No. 491, Rev. 3, dated April 2003; Cessna Service Bulletin SB02-22-01, dated November 25, 2002; Honeywell Service Bulletin No: KC 140-M1, dated August 2002; and Cessna Single Engine Service Bulletin SB98-22-01, dated May 18, 1988, as applicable.
(4) <i>For all affected airplanes:</i> install only KC 140 autopilot computer systems, part number (P/N) 065-00176-2501, P/N 065-00176-2602, P/N 065-00176-5001, P/N 065-00176-5101, P/N 065-00176-5201, P/N 065-00176-5402, or P/N 065-00176-7702, that have been modified as specified in paragraphs (e)(1), (e)(2), and (e)(3) of this AD.	As of the effective date of this AD .....	Not applicable.

(f) You may request a revised flight manual supplement from Cessna or at the address specified in paragraph (h) of this AD.

#### May I Request an Alternative Method of Compliance?

(g) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19.

(1) Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Wichita Aircraft Certification (ACO), FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4196; facsimile: (316) 946-4407.

(2) Alternative methods of compliance approved in accordance with AD 2003-24-13, which is superseded by this AD, are approved as alternative methods of compliance with this AD.

#### May I Get Copies of the Documents Referenced in This AD?

(h) You may get copies of the documents referenced in this AD from Cessna Aircraft Company, Product Support, P.O. Box 7706, Wichita, Kansas 67277; telephone: (316) 517-5800; facsimile: (316) 942-9006 and Honeywell, Business, Regional, and General Aviation, 23500 W. 105th Street, Olathe, Kansas 66061. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on March 4, 2004.

**Sandra J. Campbell,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Part 990

[Docket No. FR-4874-N-04]

#### Operating Fund Program; Establishment of Negotiated Rulemaking Committee and Notice of First Meeting

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Establishment of negotiated rulemaking advisory committee and first meeting.

**SUMMARY:** HUD announces the establishment of a negotiated rulemaking advisory committee under the Federal Advisory Committee Act and the Negotiated Rulemaking Act of 1990. The purpose of the committee is to provide advice and recommendations on developing a rule for effectuating changes to the Public Housing Operating Fund Program in response to the Harvard University Graduate School of Design's "Public Housing Operating

Cost Study." The Consolidated Appropriations Act, 2004 requires publication of a final rule developed under the Negotiated Rulemaking Act of 1990, by July 1, 2004. The committee consists of representatives with an interest in the outcome of the changes. This document announces the committee members and the dates, location, and agenda for the first committee meeting.

**DATES:** The first committee meeting will be held on March 30-April 1, 2004. On each day, the meeting will start at approximately 8:30 a.m. and run until approximately 5 p.m., unless the committee agrees otherwise.

**ADDRESSES:** The first committee meeting will take place at the HUD Headquarters Building (Basement Rooms 176, 178, and 180), 451 Seventh Street, SW., Washington, DC 20410. Committee members and the public are to enter the HUD Headquarters Building through the entrance at the corner of Seventh and D Streets, SW. (the North entrance). Committee members and the public should arrive early to ensure timely access to the building. A photo ID is required.

**FOR FURTHER INFORMATION CONTACT:** Chris Kubacki, Director, Funding and Financial Management Division, Public and Indian Housing—Real Estate Assessment Center, Suite 800, Department of Housing and Urban Development, 1280 Maryland Ave., SW., Washington, DC 20024-2135;

telephone (202) 708-4932 (this telephone number is not toll-free). Individuals with speech or hearing impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Statutory Background

HUD currently uses a formula approach called the Operating Fund Formula to distribute operating subsidies to public housing agencies (PHAs). A regulatory description of the Operating Fund Formula can be found at 24 CFR part 990. The Operating Fund Formula regulations were developed through negotiated rulemaking procedures. Negotiated rulemaking for an Operating Fund Formula was initiated in March 1999, and resulted in a proposed rule, published on July 10, 2000 (65 FR 42488), which was followed by an interim rule published on March 29, 2001 (66 FR 17276). The March 29, 2001, interim rule established the Operating Fund Formula that is currently in effect.

Generally, the amount of subsidy received by a PHA is the difference between an "allowable expense level" and projected rental income. Each PHA calculates its Operating Fund Formula eligibility annually and submits a request for funding as part of its budget process. The amount of subsidy can vary from one year to the next as a result of the annual appropriations process and accounts for approximately 57 percent of a PHA's total operating revenue, the balance coming from rents and other sources (e.g., fees). For fiscal year 2003, HUD distributed over \$3.34 billion in operating subsidies to PHAs.

On January 28, 2004 (69 FR 4212), HUD published a document announcing its intent to establish an advisory committee to provide advice and recommendations on developing a rule for effectuating changes to the Operating Fund Program in response to the Harvard University Graduate School of Design's "Public Housing Operating Cost Study" (Harvard Cost Study). A correction to the document was published on February 6, 2004 (69 FR 5796), which corrected an error in the list of proposed committee members. During the negotiated rulemaking for the Operating Fund Formula, Congress in the Conference Report (H. Rept. 106-379, October 13, 1999) accompanying HUD's Fiscal Year (FY) 2000 Appropriation Act (Pub. L. 106-74, approved October 20, 1999) directed HUD to contract with the Harvard University Graduate School of Design (Harvard GSD) to conduct a study on the

costs incurred in operating well-run public housing. Harvard GSD issued a final report, the Harvard Cost Study, on June 6, 2003. In Section 222 of the Consolidated Appropriations Act, 2004 (Pub. L. 108-199, approved January 23, 2004), Congress directed the Secretary to conduct negotiated rulemaking with the publication of a final rule by July 1, 2004. HUD's January 28, 2004, document: (1) Advised the public of HUD's intent to establish the negotiated rulemaking committee; (2) solicited public comments on the proposed membership of the committee; and (3) explained how persons could be nominated for membership on the committee.

##### II. HUD's Negotiated Rulemaking Advisory Committee on the Operating Fund Program

This document announces HUD's establishment of the Negotiated Rulemaking Advisory Committee on the Operating Fund Program. The purpose of the committee is to provide advice and recommendations on developing a rule for effectuating changes to the Public Housing Operating Fund Program in response to the Harvard Cost Study. As noted above, the January 28, 2004, document tentatively identified a list of possible interests and parties to be represented on the negotiated rulemaking committee, and requested public comment on the proposed committee membership. The public comment period on the January 28, 2004, document closed on February 27, 2004. HUD received 30 comments on the document, including comments from PHAs, PHA associations, nonprofit organizations, and other interested parties. After careful consideration of all the comments received on the January 28, 2004, document HUD has revised the proposed list of committee members by adding the following members to the committee:

- Meade County Housing and Redevelopment Commission, Sturgis, SD.
  - Veronica Sledge, President of Resident Advisory Board and President of Victory Point RMC, Jacksonville, FL.
- The final list of committee members includes representatives of PHAs, PHA organizations, tenant groups, other interested parties, and HUD. HUD believes the group as a whole represents a proper balance of interests that are willing and able to work within a consensus framework on the new Operating Fund Program. The PHA representatives on the committee have been selected to reflect the diversity of PHAs in terms of size, location, and special circumstances.

The final list of members for the Negotiated Rulemaking Advisory Committee on the Operating Fund Program is as follows:

- Housing Agencies
  1. Atlanta Housing Authority, Atlanta, GA
  2. New York City Housing Authority, NYC, NY
  3. Puerto Rico Housing Authority, San Juan, PR
  4. Chicago Housing Authority, Chicago, IL
  5. Dallas Housing Authority, Dallas, TX
  6. Anne Arundel Housing Authority, Anne Arundel, MD
  7. Indianapolis Housing Authority, Indianapolis, IN
  8. Albany Housing Authority, Albany, NY
  9. Jackson Housing Authority, Jackson, MS
  10. Boise City/Ada County Housing Authority, Boise City, ID
  11. Reno Housing Authority, Reno, NV
  12. Alameda County Housing Authority, Hayward, CA
  13. Athens Housing Authority, Athens, GA
  14. Housing Authority of East Baton Rouge, Baton Rouge, LA
  15. Housing Authority of the City of Montgomery, Montgomery, AL
  16. Meade County Housing and Redevelopment Commission, Sturgis, SD
- Tenant Organizations
  1. Jack Cooper, Massachusetts Union of Public Housing Tenants, Boston, MA
- Public Housing Tenant
  1. Veronica Sledge, President of Resident Advisory Board and President of Victory Point RMC, Jacksonville, FL
- Other Interests/Policy Groups
  1. Ned Epstein, Housing Partners, Inc.
  2. Howard Husock, Director of Kennedy School Case Program
  3. Greg Byrne, Project Director for Harvard Cost Study
  4. Dan Anderson, Bank of America
  5. David Land, Lindsey and Company
  6. Council of Large Public Housing Agencies
  7. National Association of Housing and Redevelopment Officials
  8. Public Housing Authorities Directors Association
  9. National Organization of African Americans in Housing
- Federal Government
  1. Assistant Secretary Michael Liu, U.S. Department of Housing and Urban Development

2. Deputy Assistant Secretary William Russell, U.S. Department of Housing and Urban Development

### III. First Committee Meeting

The first meeting of the Negotiated Rulemaking Committee on the Operating Fund Program will be held on March 30, March 31, and April 1, 2004. On each day, the meeting will start at approximately 8:30 a.m. and run until approximately 5 p.m., unless the committee agrees otherwise. On all three days, the meetings will take place at the HUD Headquarters Building (Basement Rooms 176, 178, and 180), 451 Seventh Street SW., Washington, DC 20410. The agenda planned for the meeting includes: (1) Orienting members to the negotiated rulemaking process; (2) establishing a basic set of understandings and ground rules (protocols) regarding the process that will be followed in seeking a consensus; and (3) discussion of the issues relating to the development of changes in response to the Harvard Cost Study.

The meeting will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may make statements during the meeting, to the extent time permits, and file written statements with the committee for its consideration. Written statements should be submitted to the address listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Summaries of committee meetings will be available for public inspection and copying at the address in the same section.

### IV. Future Committee Meetings

A second meeting is scheduled for April 13–15, 2004, at the same location. Each day of the April meeting is tentatively scheduled to begin at approximately 8:30 a.m. and run until 5 p.m., unless the committee agrees otherwise. Notices of all future meetings will be published in the **Federal Register**. HUD will make every effort to publish such notices at least 15 calendar days prior to each meeting.

Dated: March 4, 2004.

**Paula O. Blunt,**

*General Deputy Assistant Secretary for Public and Indian Housing.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD07–04–010]

RIN 1625–AA09

#### Drawbridge Operation Regulations; Palm Beach County Bridges, Atlantic Intracoastal Waterway, Palm Beach County, Florida

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the regulations governing the operation of most of the Palm Beach County bridges across the Atlantic Intracoastal Waterway, Palm Beach County, Florida. The proposed rule would require these bridges to open twice an hour with the Boca Club, Camino Real bridge opening three times per hour. The proposed schedule is based on a test the Coast Guard held from March, 2003, until June, 2003. The proposed schedules would meet the reasonable needs of navigation while accommodating increased vehicular traffic throughout the county.

**DATES:** Comments and related material must reach the Coast Guard on or before May 10, 2004.

**ADDRESSES:** You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 SE. 1st Avenue, Room 432, Miami, Florida 33131. Commander (obr) maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of [CGD07–04–010] and will be available for inspection or copying at Commander (obr), Seventh Coast Guard District, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Barry Dragon, Seventh Coast Guard District, Bridge Branch, telephone number 305–415–6743.

#### **SUPPLEMENTARY INFORMATION:**

#### **Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07–04–010], indicate the specific section of this document to which each comment applies, and give the reason for each

comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

#### **Public Meeting**

We do not now plan to hold a public meeting. However, you may submit a request for a meeting by writing to Bridge Branch, Seventh Coast Guard District, at the address under **ADDRESSES**, explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

#### **Background and Purpose**

The Coast Guard performed a test of the proposed schedule on the Palm Beach County bridges in the spring of 2003 that was published in the **Federal Register**, March 19, 2003, (68 FR 13227)(CGD07–03–031). The test was for 90 days to collect data to determine the feasibility of changing the regulations on most of the bridges in Palm Beach County to meet the increased demands of vehicular traffic but still provide for the reasonable needs of navigation. The test results indicated that the proposed schedule would improve vehicular traffic flow while still meeting the reasonable needs of navigation. During the test period, vessel requests for openings remained at or below an average of two per hour with the exception of Camino Real bridge. A computer modeling of that bridge prescribed an opening schedule of three times per hour as an optimum for a combination of vehicular and vessel traffic. The schedules allowed both vehicular and vessel traffic the opportunity to predict on a scheduled basis, when the bridges would possibly be in the open position. We received 2,541 comments, 1,560 were in favor of the test schedules, 965 were in favor of keeping the existing schedules and 16 comments provided an optional modification of existing schedules. Two petitions were received with 1,018 signatures for the new test schedule, 840 were opposed to the new test schedule. We received one form letter from 138 commentators who were for the new test schedule. We received 9 comments for the new schedule from local government agencies and 529 from individual citizens, 404 were for the new schedules and 125 were opposed to the new schedule. Of all the comments,