

### Corrective Action

(b) If any crack, fracture, or corrosion is found during any inspection required by paragraph (a) of this AD: Before further flight, do the applicable actions for that spindle as specified in paragraph (b)(1) or (b)(2) of this AD, per the Work Instructions of Boeing Alert Service Bulletin 737-57A1277, dated July 25, 2002. Then repeat the inspections required by paragraph (a) of this AD every 12,000 flight cycles or 8 years, whichever is first; on the overhauled or replaced spindle only until paragraph (d) or (f) of this AD is done.

(1) If any corrosion is found in the carriage spindle, overhaul the spindle.

(2) If any crack or fracture is found in the carriage spindle, replace with a new or overhauled carriage spindle.

### New Actions Required by This AD

#### Compliance Times for New Actions

(c) The tables in paragraph 1.E., "Compliance" of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003, specify the compliance times for this AD. For carriage spindles that have accumulated the number of flight cycles or years in service specified in the "Threshold" column of the tables, accomplish the gap check and NDT and general visual inspections specified in paragraphs (d) and (f) of this AD within the corresponding interval after the effective date of this AD, as specified in the "Interval" column. Repeat the gap check and NDT and general visual inspections at the same intervals, except:

(1) The gap check does not have to be done at the same time as an NDT inspection; after doing an NDT inspection, the interval for doing the next gap check can be measured from the NDT inspection; and

(2) As carriage spindles gain flight cycles or years in service and move from one category in the "Threshold" column to another, they are subject to the repetitive inspection intervals corresponding to the new threshold category.

#### Work Package 2: Gap Check

(d) Perform a gap check of the inboard and outboard carriage of the left and right outboard mid-flaps to determine if there is a positive indication of a severed carriage spindle, in accordance with Work Package 2 of paragraph 3.B., "Work Instructions" of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003. Accomplishment of the gap check terminates the repetitive inspection requirements of paragraphs (a) and (b) of this AD.

#### Work Package 2: Corrective Actions

(e) If there is a positive indication of a severed carriage spindle during the gap check required by paragraph (d) of this AD, before further flight, remove the carriage spindle and install a new or serviceable carriage spindle in accordance with Work Package 2 of paragraph 3.B., "Work Instructions" of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003. If, as a result of the detailed inspection described in paragraph 4.b. of Work Package 2 of the service bulletin, a carriage spindle is found

not to be severed and no corrosion or crack is present, it can be reinstalled on the mid-flap per the service bulletin.

#### Work Package 1: Inspections

(f) Perform a NDT inspection and general visual inspection for each carriage spindle of the left and right outboard mid-flaps to detect cracks, corrosion, or severed carriage spindles, in accordance with Work Package 1 of paragraph 3.B., "Work Instructions" of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003. Accomplishment of these inspections terminates the repetitive inspection requirements of paragraphs (a) and (b) of this AD.

#### Work Package 1: Corrective Actions

(g) If any corroded, cracked, or severed carriage spindle is found during any inspection required by paragraph (f) of this AD, before further flight, remove the carriage spindle and install a new or serviceable carriage spindle in accordance with Work Package 1 of paragraph 3.B., "Work Instructions" of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003.

#### Parts Installation

(h) Except as provided in paragraph (e) of this AD: As of the effective date of this AD, no person may install on any airplane a carriage spindle that has been removed as required by paragraph (e) or (g) of this AD, unless it has been overhauled per paragraph 3.B., "Work Instructions" of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003; except that, to be eligible for installation under this paragraph, the carriage spindle must have been overhauled per the requirements of paragraph (i) of this AD.

(i) During accomplishment of any overhaul specified in paragraph (h) of this AD, use the procedures specified in paragraphs (i)(1) and (i)(2) of this AD during application of the nickel plating to the carriage spindle in addition to those specified in Boeing 737 Standard Overhaul Practices Manual, Chapter 20-42-09.

(1) The maximum deposition rate of the nickel plating in any one plating/baking cycle must not exceed 0.002-inches-per-hour.

(2) Begin the hydrogen embrittlement relief bake within 10 hours after application of the plating, or less than 24 hours after the current was first applied to the part, whichever is first.

#### Exception to Reporting Recommendations in Service Bulletins

(j) Although the service bulletins recommend that operators report inspection findings to the manufacturer, this AD does not contain such a reporting requirement.

#### Alternative Methods of Compliance

(k)(1) In accordance with 14 CFR 39.19, the Manager, Seattle Aircraft Certification Office (ACO), FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

(2) Alternative methods of compliance, approved previously per AD 2002-22-05, amendment 39-12929, are approved as

alternative methods of compliance for paragraphs (a) and (b) of this AD.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

#### Incorporation by Reference

(l) Unless otherwise specified in this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 737-57A1277, dated July 25, 2002; and Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003.

(1) The incorporation by reference of Boeing Alert Service Bulletin 737-57A1277, Revision 1, dated November 25, 2003, is approved by the Director of the Federal Register, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Boeing Alert Service Bulletin 737-57A1277, dated July 25, 2002, was approved previously by the Director of the Federal Register as of November 15, 2002 (67 FR 66316, October 31, 2002).

(3) Copies may be obtained from Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### Effective Date

(m) This amendment becomes effective on December 4, 2003.

Issued in Renton, Washington, on November 24, 2003.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 03-29784 Filed 11-25-03; 11:56 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 742 and 774

[Docket No. 030806193-3193-01]

**RIN 0694-AC88**

#### Revisions and Clarifications to the Export Administration Regulations—Chemical and Biological Weapons Controls: Australia Group; Chemical Weapons Convention; Correction

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule; correction.

**SUMMARY:** On Tuesday, June 10, 2003, the Bureau of Industry and Security (BIS) published a final rule that

amended the Export Administration Regulations (EAR) to implement the understandings reached at the June 2002 plenary meeting of the Australia Group (AG). The June 10, 2003, final rule contained errors in the List of Items Controlled for Export Control Classification Numbers (ECCNs) 2E001 and 2E002 on the Commerce Control List (CCL), as well as an error in the licensing policy provisions of the EAR that apply to items identified on the AG lists. This document corrects those errors.

**DATES:** This correction is effective December 1, 2003.

**FOR FURTHER INFORMATION CONTACT:** James Seevaratnam, Office of Nonproliferation Controls and Treaty Compliance, Bureau of Industry and Security, Telephone: (202) 482-3343.

**SUPPLEMENTARY INFORMATION:** This document corrects the errors contained in the final rule that was published by the Bureau of Industry and Security (BIS) on June 10, 2003 (68 FR 34526). The June 10, 2003, final rule amended the Export Administration Regulations (EAR) (15 CFR Parts 730-799) to implement the understandings reached at the June 2002 plenary meeting of the Australia Group (AG).

Specifically, this document corrects a minor typographical error contained in § 742.2(b)(1) of the EAR, which describes the licensing policies that apply to items identified on the AG lists. In the first sentence of § 742.2(b)(1), the phrase “use of chemical of biological weapons” is corrected to read “use of chemical or biological weapons.”

This document also corrects the errors contained in Export Control Classification Numbers (ECCNs) 2E001 and 2E002 on the Commerce Control List (CCL) (Supplement No. 1 to Part 774 of the EAR). In the heading of ECCN 2E001, the first parenthetical phrase “(except 2A991, 2A993, or 2A994)” is corrected to read “(except 2A983, 2A991, or 2A994)” and the third parenthetical phrase “(except 2D991, 2D992, or 2D994)” is corrected to read “(except 2D983, 2D991, 2D992, or 2D994)”. In the heading of ECCN 2E002, the first parenthetical phrase “(except 2A991, 2A993, or 2A994)” is corrected to read “(except 2A983, 2A991, or 2A994)”. The corrections to the headings of ECCNs 2E001 and 2E002 are being made, because the June 10, 2003, final rule inadvertently referenced one ECCN (*i.e.*, ECCN 2A993) that had been removed from the CCL by a previous rule and did not reference two other ECCNs (*i.e.*, ECCNs 2A983 and 2D983) that were added to the CCL by that same

rule. The rule that removed ECCN 2A993 and added new ECCNs 2A983 and 2D983 amended the EAR to expand controls on explosives detection equipment and related software and technology and was published by BIS on April 3, 2003 (68 FR 16208).

In addition, this document corrects errors made by the June 10, 2003, final rule in the missile technology (MT) controls paragraphs under the License Requirements sections of ECCNs 2E001 and 2E002. In the MT controls paragraph for ECCN 2E001, the phrase “2B117, 2D001 or 2D101 for MT reasons” is corrected to read “2B117, 2B119 to 2B122, 2D001, or 2D101 for MT reasons”. In the MT controls paragraph for ECCN 2E002, the phrase “2B116 or 2B117 for MT reasons” is corrected to read “2B116, 2B117, or 2B119 to 2B122 for MT reasons”. The corrections to these MT controls paragraphs are being made, because the June 10, 2003, final rule inadvertently omitted references to four new ECCNs (*i.e.*, ECCNs 2B119, 2B120, 2B121, and 2B122) that were added to the CCL by a previous rule. The rule that added these four new ECCNs to the CCL amended the EAR to conform the CCL with the reformatted Missile Technology Control Regime (MTCR) Annex of October 14, 1999, and was published by BIS on April 2, 2003 (68 FR 16144).

#### Rulemaking Requirements

1. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This rule contains collections of information subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under Control Numbers 0694-0088 and 0694-0117.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United

States (Sec. 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Willard Fisher, Regulatory Policy Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 2705, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230.

■ Accordingly, in the final rule, FR Doc. 03-14602, published at 68 FR 34526, make the following corrections:

#### PART 742—[CORRECTED]

##### § 742.2 [Corrected]

■ 1. On page 34529, first column, in § 742.2(b)(1), line 9, at the end of the first sentence, the phrase “use of chemical of biological weapons” is corrected to read “use of chemical or biological weapons”.

#### PART 774—[CORRECTED]

##### Supplement No. 1 to Part 774—[Corrected]

■ 2. On page 34532, third column, in ECCN 2E001, the ECCN heading and the MT controls paragraph in the chart of the License Requirements section of the ECCN are corrected to read as follows:

**2E001 “Technology according to the General Technology Note for the “development” of equipment or “software” controlled by 2A (except 2A983, 2A991, or 2A994), 2B (except 2B991, 2B993, 2B996 2B997 or 2B998), or 2D (except 2D983, 2D991, 2D992, or 2D994).**

##### License Requirements

* * * * *				
Control(s)			Country Chart	
* * *			* *	
MT applies to “technology” for items controlled by 2B004, 2B009, 2B018, 2B104, 2B105, 2B109, 2B116, 2B117, 2B119 to 2B122, 2D001 or 2D101 for MT reasons.			MT Column 1	

Control(s)	Country	Chart
* * *	* *	*

■ 3. On page 34533, first column, in ECCN 2E002, the ECCN heading and the MT controls paragraph in the chart of the License Requirements section of the ECCN are corrected to read as follows:

**2E002 “Technology” according to the General Technology Note for the “production” of equipment controlled by 2A (except 2A983, 2A991, or 2A994) or 2B (except 2B991, 2B993, 2B996, 2B997, or 2B998).**

#### License Requirements

Control(s)	Country	Chart
* * *	* *	*
MT applies to “technology” for equipment controlled by 2B004, 2B009, 2B018, 2B104, 2B105, 2B109, 2B116, 2B117, or 2B119 to 2B122 for MT reasons.	MT	Column 1
* * *	* *	*

Dated: September 4, 2003.

**Eileen M. Albanese,**

*Director, Office of Exporter Services, Export Administration.*

[FR Doc. 03–29835 Filed 11–28–03; 8:45 am]

**BILLING CODE 3510–33–P**

## DEPARTMENT OF STATE

### 22 CFR Part 126

[Public Notice 4546]

#### Amendment to the International Traffic in Arms Regulations; Correction

November 25, 2003.

**ACTION:** Correction of final rule.

**SUMMARY:** This document makes a correction to the final rule published on November 21, 2003 (68 FR 65633). The regulation made changes to the prohibited exports and sales to certain countries at 22 CFR 126.1.

**EFFECTIVE DATE:** November 21, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Mary Sweeney, Office of Defense Trade Controls Management, Bureau of Political-Military Affairs, Department of State (202) 663–2700.

**SUPPLEMENTARY INFORMATION:** The Department of State published a final rule (Public Notice 4538) in the **Federal Register** of November 21, 2003,

amending § 126.1 of the International Traffic in Arms Regulations.

In rule FR Doc. 03–29158 published on November 21, 2003 (68 FR 65633), make the following corrections.

1. On page 65633, third column, **DATES:** November 21, 2003. Comments will be accepted at any time.” should read “**EFFECTIVE DATE:** November 21, 2003.”

2. On page 65633, third column, “**ADDRESSES:** Interested parties are invited to submit written comments to the Department of State, Directorate of Defense Trade Controls, Office of Defense Trade Controls Management, ATTN: Regulatory Change, Angola and Iraq, 12th Floor, SA–1, Washington, DC 20522–0112.” should read **ADDRESSES:** Interested parties are invited to submit written comments to the Department of State, Directorate of Defense Trade Controls, Office of Defense Trade Controls Management, ATTN: Regulatory Change, Angola and Iraq, 12th Floor, SA–1, Washington, DC 20522–0112. Comments will be accepted at any time.”

Dated: November 25, 2003.

**Holly West-Owen,**

*Federal Register Liaison, Department of State.*

[FR Doc. 03–29818 Filed 11–28–03; 8:45 am]

**BILLING CODE 4710–25–P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Parts 4011 and 4022

#### Disclosure to Participants; Benefits Payable in Terminated Single-employer Plans

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This rule amends appendix D to the Pension Benefit Guaranty Corporation’s regulation on Benefits Payable in Terminated Single-Employer Plans by adding the maximum guaranteeable pension benefit that may be paid by the PBGC with respect to a plan participant in a single-employer pension plan that terminates in 2004. This rule also amends the PBGC’s regulation on Disclosure to Participants by adding information on 2004 maximum guaranteed benefit amounts to Appendix B. The amendment is necessary because the maximum guarantee amount changes each year, based on changes in the contribution and benefit base under section 230 of the Social Security Act. The effect of the amendment is to advise plan participants and beneficiaries of the

increased maximum guarantee amount for 2004.

**EFFECTIVE DATE:** January 1, 2004.

#### FOR FURTHER INFORMATION CONTACT:

Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005–4026; 202–326–4024. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)

**SUPPLEMENTARY INFORMATION:** Section 4022(b) of the Employee Retirement Income Security Act of 1974 provides for certain limitations on benefits guaranteed by the PBGC in terminating single-employer pension plans covered under Title IV of ERISA. One of the limitations, set forth in section 4022(b)(3)(B), is a dollar ceiling on the amount of the monthly benefit that may be paid to a plan participant (in the form of a life annuity beginning at age 65) by the PBGC. The ceiling is equal to “\$750 multiplied by a fraction, the numerator of which is the contribution and benefit base (determined under section 230 of the Social Security Act) in effect at the time the plan terminates and the denominator of which is such contribution and benefit base in effect in calendar year 1974 [\$13,200].” This formula is also set forth in § 4022.22(b) of the PBGC’s regulation on Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022). Appendix D to part 4022 lists, for each year beginning with 1974, the maximum guaranteeable benefit payable by the PBGC to participants in single-employer plans that have terminated in that year. Section 230(d) of the Social Security Act (42 U.S.C. 430(d)) provides special rules for determining the contribution and benefit base for purposes of ERISA section 4022(b)(3)(B). Each year the Social Security Administration determines, and notifies the PBGC of, the contribution and benefit base to be used by the PBGC under these provisions, and the PBGC publishes an amendment to appendix D to part 4022 to add the guarantee limit for the coming year.

The PBGC has been notified by the Social Security Administration that, under section 230 of the Social Security Act, \$65,100 is the contribution and benefit base that is to be used to calculate the PBGC maximum guaranteeable benefit for 2004. Accordingly, the formula under section 4022(b)(3)(B) of ERISA and 29 CFR 4022.22(b) is: \$750 multiplied by \$65,100/\$13,200. Thus, the maximum monthly benefit guaranteeable by the PBGC in 2004 is \$3,698.86 per month in