

contacted the FAA after obtaining the TC for their aircraft.

*Discussion:* The basis for issuance of a TC for a Restricted Category helicopter not only includes various reports and data, it requires that the applicant submit information about periodic inspections and maintenance to assure the continued operational safety of the helicopter. These TC holders are also required to meet certain COS requirements regardless of who owns or operates the aircraft. The FAA continues to monitor the safety performance of a helicopter design even after the type design is approved and the aircraft is introduced into service. This is accomplished through post-certification design reviews, various safety reports and data, discussions with operators, and reports from the TC holder.

COS oversight and management is a safety requirement for every individual helicopter. This action is part of the FAA's continuing effort to oversee TC holder COS management of the aircraft on their TCs issued in the restricted category and to provide current information to the public as to the status of these TCs.

The COS responsibilities of aircraft certificated by the FAA require that the TC holder remain in contact with all owners and operators of their aircraft in order to meet their regulatory safety obligations. For example, 14 CFR 21.3 requires that the TC holder report certain failures, malfunctions, or defects to the FAA within 24 hours after it has been determined to be a reportable occurrence. That regulation also requires that if action is required to correct the defect, the data necessary for the issuance of an appropriate airworthiness directive shall also be submitted. In addition, the regulations make it clear that Instructions for Continuing Airworthiness, as well as appropriate approved design changes to a type-certificated aircraft that will contribute to the safety of a product, shall be made available to all owners and operators of that product.

Since several TC holders cannot be located or contacted, the FAA cannot perform its auditing oversight function and determine whether the TC holder is in compliance with the regulatory requirements. Therefore, the TC holders that can not be located and are not properly managing the COS aspects of the helicopters listed on their TC are in default of their FAA regulatory obligations. Hence, the FAA proposes to "flag" their TC and consider it abandoned. This notice is intended as notification to the public that the FAA intends to designate those TCs as abandoned and no additional original

airworthiness certificates will be issued against these TCs designated as abandoned. There are FAA procedures in place to accommodate the transfer or surrender of a TC.

To properly transfer a TC, FAA order 8110.4B, dated April 24, 2000, and 14 CFR 21.47 requires that the grantor, within thirty (30) days after the transfer of the TC, shall notify in writing the appropriate FAA Aircraft Certification Office. This notification must state the name and address of the transferee or licensee, date of the transaction, and in the case of a licensing agreement, the extent of authority granted the licensee. The recipient of a transferred TC accedes to all the privileges and all the responsibilities of the transferring TC holder, which includes the continued airworthiness responsibilities for all aircraft covered by that TC. Also, when a TC is transferred, FAA Order 8110.4B, dated April 24, 2000, states that the TC will be reissued. The proper procedures for transferring a TC are contained in FAA Order 8110.4B, dated April 24, 2000.

The surrender of a TC for cancellation renders it ineffective. Upon surrender of a TC for cancellation, all associated privileges, such as those stated in 14 CFR 21.45, are extinguished. If a TC is surrendered for cancellation, no further aircraft may be placed on the TC. However, the TC surrender does not affect adversely the *eligibility* of any aircraft to seek conformity to another TC or eligibility for issuance of an airworthiness certificate if conformity can be established. To be airworthy, an aircraft must conform to its TC (or Supplemental Type Certificate), including its approved type design and applicable airworthiness directives, and must be in a condition for safe operation (49 USC 44704(d); 14 CFR 21.41).

In order to meet the COS requirements of the FAA regulations, any owner or operator of a helicopter certificated under any of the cited type certificates that the FAA designates as abandoned, is encouraged to apply for their own type certificate in accordance with the applicable FAA Regulations or they may, with concurrence from another TC holder, conform their helicopter to that TC and add it to that COS-managed TC.

Dated: Issued in Fort Worth, Texas on July 23, 2003.

**Kim Smith,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

[FR Doc. 03-19527 Filed 8-7-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34383]

#### **Fremont Northwestern Railroad Company—Lease and Operation Exemption—Rail Line of the Eastern Nebraska Chapter National Railway Historical Society**

Fremont Northwestern Railroad Company (FNW), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate a 9.5-mile rail line owned by the Eastern Nebraska Chapter National Railway Historical Society (ENC) extending from milepost 0.69, a point of connection with a rail line of Union Pacific Railroad Company in Fremont, to milepost 10.01, a point 2 miles north of Nickerson, in Dodge County, NE. FNW certifies that its projected annual revenues will not exceed those that would qualify it as a Class III rail carrier and will not exceed \$5 million.

FNW states that an agreement with ENC was reached on July 15, 2003, wherein FNW was given exclusive rights to provide freight service on the line. The line is currently being used only for tourist passenger train service that is operated by the Fremont & Elkhorn Valley Railroad (FEVR),<sup>1</sup> a tourist/museum carrier. FEVR will have no freight rights or freight responsibilities on the line.

The transaction was due to be consummated on or after July 29, 2003, the effective date of the exemption (7 days after the exemption was filed).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34383, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Lee Wilmart, President, Fremont Northwestern Railroad Company, P.O. Box 185, Fremont, NE 68026-0185.

Board decisions and notices are available on our website at <http://www.stb.dot.gov>.

Decided: August 1, 2003.

<sup>1</sup> FEVR is a wholly owned subsidiary of ENC.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 03-20284 Filed 8-7-03; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Enrollment Program Advisory Committee

**AGENCY:** Internal Revenue Service, (IRS), Treasury.

**ACTION:** Notice.

**SUMMARY:** The Director of the Office of Professional Responsibility invites individuals and organizations to nominate candidates for membership on the Enrollment Program Advisory Committee. As of January 8, 2003, the newly created Office of Professional Responsibility replaced the former Office of the Director of Practice. The Director of the Office of Professional Responsibility exercises the authority of the former Director of Practice.

**DATES:** Submit nominations on or before September 15, 2003.

**ADDRESSES:** Mail or fax nominations to: Internal Revenue Service; Office of the Director of Professional Responsibility; SE:OPR, Attn: Michael Hahn, 1111 Constitution Ave., NW., Washington, DC 20224; fax number 202-694-1919.

**FOR FURTHER INFORMATION CONTACT:** Michael Hahn, Enrollment Program Advisory Committee, at 202-694-1823.

**SUPPLEMENTARY INFORMATION:** The Enrollment Program Advisory Committee ("EPAC"), which was formerly known as the "Special Enrollment Examination Advisory Committee," was established in 1999 under the terms of the Federal Advisory Committee Act ("FACA"), 5 U.S.C. App. The EPAC's charter expires January 16, 2005. It is expected that the EPAC will be renewed for another two-year period. Therefore, the Director of the Office of Professional Responsibility invites individuals and organizations to nominate candidates for membership.

Section 330 of 31 U.S.C. authorizes the Secretary of the Treasury to require that representatives before the Department demonstrate their "competency to advise and assist persons in presenting their cases." Pursuant to that statute, the Secretary has promulgated the regulations governing practice before the IRS, which are found at 31 CFR part 10, and are separately published in pamphlet form

as Treasury Department Circular No. 230 (to order call 1-800-829-3676).

The regulations provide that enrolled agents are among the classes of individuals eligible to practice before the IRS. The Director of the Office of Professional Responsibility is also authorized to pass upon applications for enrollment and to grant enrollment to applicants who demonstrate special competence in tax matters by written examination administered by the IRS. This written examination is the Special Enrollment Examination ("SEE"). More information concerning the SEE may be found on the Office of Professional Responsibility Web page: (1) Go to IRS Digital Daily, <http://www.irs.gov>; (2) click Tax Professional; and (3) click Enrolled Agents.

The objective of the EPAC is to advise, with respect to annual examinations testing the special competence in Federal tax matters of individuals who intend to apply for status as "enrolled agents," eligible to practice before the IRS. In meeting this objective, non-Federal members of the EPAC shall represent the various segments of the tax practitioner community. The EPAC's advisory functions will include, but will not necessarily be limited to: (1) Identifying Federal tax services sought by taxpayers, identifying the knowledge that would permit enrolled agents to provide such services, and developing examination topics and questions that will test for such knowledge; (2) recommending completed examinations for use in the SEE Program; and (3) reviewing the work product of any organization authorized by contract or otherwise to write, compile, administer and grade the SEE, report the scores to SEE candidates, and provide advice thereon to the Director.

FACA mandates that the membership of the Committee be fairly balanced in terms of the points of view presented and the functions to be performed. To that end, the Office of Professional Responsibility will consider nominations of all individuals who: (1) Are qualified to represent the views of a segment of the tax practitioner community; (2) possess professional or academic accomplishments sufficient to allow contributions to the EPAC's advisory functions; (3) are of good character and good reputation; and (4) are in compliance with the Federal tax laws. Current or former status as an enrolled agent is not a requirement for EPAC membership.

Individuals may nominate themselves; an individual may nominate other individuals; or professional associations or other

organizations may nominate individuals. A nomination may be in any format, but it must include: (1) A statement of which segment of the tax practitioner community the nominee is qualified to represent; (2) a description of the nominee's professional accomplishments, academic accomplishments, or both; and (3) a statement that the nominee is willing to accept an appointment to the EPAC. Nominations may include copies of articles from professional journals or other relevant publications, but such items cannot be returned.

Appointment to the Committee will be for a two-year term, providing that a member continues to fulfill his or her Committee responsibilities. The Committee is expected to meet up to four times a year. Members should be prepared to devote from 125 to 175 hours per year, including meetings, to the Committee's work. Members will be reimbursed, in accordance with Government regulations, for expenses (transportation, meals, and lodging) incurred in connection with Committee meetings.

If the SEE is to provide objective and fair indicia of special competence in Federal taxation, the SEE's specific topics and questions must not become publicly available prior to administration of the examination. Consequently, sessions of EPAC meetings dealing with specific SEE topics and questions will be closed to public participation. With respect to such closed sessions, EPAC members must be prepared to maintain the confidentiality of their deliberations and advice.

Dated: August 1, 2003.

**Brien T. Downing,**  
Director, Office of Professional Responsibility.  
[FR Doc. 03-20291 Filed 8-7-03; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Enrollment Program Advisory Committee

**AGENCY:** Internal Revenue Service, (IRS), Treasury.

**ACTION:** Notice.

**SUMMARY:** The Director of the Office of Professional Responsibility gives notice of the renewal of the Enrollment Program Advisory Committee. As of January 8, 2003, the newly created Office of Professional Responsibility replaced the former Office of the Director of Practice. The Director of the