

Rules and Regulations

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FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 338

RIN 3064–AF89

Fair Housing Rule, Consumer Protection in Sales of Insurance Rule; Technical Correction

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Technical correction.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC) is making a technical correction to the FDIC's Fair Housing Rule to reinsert a previous instruction regarding the Equal Housing Lending Poster.

DATES: Effective on June 23, 2023.

FOR FURTHER INFORMATION CONTACT: Alys V. Brown, Senior Attorney, Legal Division, alybrown@fdic.gov; Thaddeus J. King, Policy Analyst, Division of Depositor and Consumer Protection, 202–898–3541, thking@fdic.gov.

SUPPLEMENTARY INFORMATION:

Background

The Fair Housing Rule prohibits FDIC-supervised institutions from engaging in discriminatory advertising involving residential real estate-related transactions. The rule was last amended in August 2022 through a technical correction to reflect a reorganization and change in the name of the FDIC's former Consumer Response Center to the National Center for Consumer and Depositor Assistance and to add web addresses.¹

In February 2021, the FDIC amended part 338 to make it applicable to State savings associations, and revised § 338.4 by removing the mailing address for the former Consumer Response Center and replacing it with a bracketed instruction to insert on the Equal Housing Lending Poster the address for the former

Consumer Response Center as stated on the FDIC's website at www.fdic.gov.² Historically, the required language for the Equal Housing Lending Poster included only the mailing address for the former Consumer Response Center, now renamed the National Center for Consumer and Depositor Assistance.

In August 2022, the FDIC updated 12 CFR part 338 through a technical correction to replace the reference to "Consumer Response Center" in the bracketed instruction with its new name, the "National Center for Consumer and Depositor Assistance," and to add the web address for the National Center for Consumer and Depositor Assistance complaint portal. When updating 12 CFR part 338 in August 2022, the bracketed instruction to include the mailing address was inadvertently removed.

Therefore, the FDIC is making a further technical correction to 12 CFR part 338 to reinsert the bracketed instruction for FDIC-supervised institutions to insert on their Equal Housing Lending Posters the mailing address for the National Center for Consumer and Depositor Assistance as stated on the FDIC's website at www.fdic.gov. Including the instruction for FDIC-supervised banks to insert the mailing address, rather than listing the National Center for Consumer and Depositor Assistance's current mailing address, helps ensure that posters contain the Center's up-to-date mailing address. Banks (and the public) can find the National Center for Consumer and Depositor Assistance's current mailing address by visiting www.fdic.gov and searching for "National Center for Consumer and Depositor Assistance" with the website's search tool. Banks that experience difficulty in determining the appropriate mailing address for the National Center for Consumer and Depositor Assistance for inclusion on the Equal Housing Lending Poster may contact the FDIC for assistance.

List of Subjects in 12 CFR Part 338

Aged, Banks, Banking, Civil rights, Credit, Fair housing, Individuals with disabilities, Marital status discrimination, Mortgages, Religious discrimination, Reporting and recordkeeping requirements, Savings

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associations, Sex discrimination, Signs and symbols.

Authority and Issuance

For the reasons stated in the preamble, the FDIC amends 12 CFR part 338 as follows:

PART 338—FAIR HOUSING

■ 1. The authority citation for part 338 continues to read:

Authority: 12 U.S.C. 1817, 1818, 1819, 1820(b), 2801 *et seq.*; 15 U.S.C. 1691 *et seq.*; 42 U.S.C. 3605, 3608; 12 CFR parts 1002, 1003; 24 CFR part 110.

■ 2. Amend § 338.4 by revising paragraph (b) to read as follows:

§ 338.4 Fair housing poster.

* * * * *

(b) The Equal Housing Lender Poster shall be at least 11 by 14 inches in size and have the following text:

We Do Business in Accordance with Federal Fair Lending Laws.

UNDER THE FEDERAL FAIR HOUSING ACT, IT IS ILLEGAL, ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, HANDICAP, OR FAMILIAL STATUS (HAVING CHILDREN UNDER THE AGE OF 18) TO:

- Deny a loan for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling or to deny any loan secured by a dwelling; or
- Discriminate in fixing the amount, interest rate, duration, application procedures, or other terms or conditions of such a loan or in appraising property.

IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST, YOU SHOULD SEND A COMPLAINT TO:

Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, Washington, DC 20410, for processing under the Federal Fair Housing Act;

AND TO:

Federal Deposit Insurance Corporation, National Center for Consumer and Depositor Assistance, [FDIC-supervised institution should insert mailing address for National Center for Consumer and Depositor Assistance found at www.fdic.gov], <https://ask.fdic.gov/fdicinformationandsupportcenter>, for processing under the FDIC Regulations.

UNDER THE EQUAL CREDIT OPPORTUNITY ACT, IT IS ILLEGAL

¹ 87 FR 48079 (Aug. 8, 2022); 87 FR 49767 (Aug. 12, 2022).

² See 86 FR 8088 (Feb. 3, 2021).

TO DISCRIMINATE IN ANY CREDIT TRANSACTION:

- On the basis of race, color, national origin, religion, sex, marital status, or age;
- Because income is from public assistance; or
- Because a right has been exercised under the Consumer Credit Protection Act.

IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST, YOU SHOULD SEND A COMPLAINT TO:

Federal Deposit Insurance Corporation, National Center for Consumer and Depositor Assistance, [FDIC-supervised institution should insert mailing address for National Center for Consumer and Depositor Assistance found at www.fdic.gov], <https://ask.fdic.gov/fdicinformationandsupportcenter>.

* * * * *

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on April 18, 2023.

James P. Sheesley,
Assistant Executive Secretary.

[FR Doc. 2023-08609 Filed 4-21-23; 8:45 am]

BILLING CODE 6714-01-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2022-0815; Project Identifier AD-2021-00679-T; Amendment 39-22401; AD 2023-06-15]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes. This AD was prompted by reports of missing shims, a wrong type of shim, shanked fasteners, fastener head gaps, and incorrect hole sizes common to the left and right sides at a certain station (STA) frame inner chord and web. This AD requires inspecting for existing repairs, inspecting the area for cracking, and performing applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective May 30, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain publications listed in this AD as of May 30, 2023.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2022-0815; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; website myboeingfleet.com.

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at regulations.gov under Docket No. FAA-2022-0815.

FOR FURTHER INFORMATION CONTACT: Bill Ashforth, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3520; email: bill.ashforth@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes. The NPRM published in the **Federal Register** on September 9, 2022 (87 FR 55325). The NPRM was prompted by reports of missing shims, a wrong type of shim, shanked fasteners, fastener head gaps, and incorrect hole sizes common to the left and right sides at a certain station (STA) frame inner chord and web. In the NPRM, the FAA proposed to require inspecting for existing repairs, inspecting the area for cracking, and performing applicable on-condition actions. The FAA is issuing this AD to address cracking in the left and right sides of STA 727 frame inner chord and S-18A web before the

cracking reaches a critical length. This condition, if not addressed, could result in cracks in fatigue critical baseline structure (FCBS) and the inability of a principal structural element (PSE) to sustain limit load, which could adversely affect the structural integrity of the airplane.

Discussion of Final Airworthiness Directive**Comments**

The FAA received comments from six commenters, including American Airlines (AAL), Aviation Partners Boeing (APB), Boeing, Southwest Airlines (SWA), United Airlines (UAL), and one individual. The following presents the comments received on the NPRM and the FAA's response to each comment, except the comment from an individual, which was outside the scope of this AD.

Request To Include Revised Service Information

SWA, UAL, and AAL noted that Boeing planned to issue Revision 1 of Boeing Requirements Bulletin 737-53A1402 RB, and requested consideration for its incorporation into the final rule.

SWA requested that the FAA issue a global AMOC for use of Revision 1 for the requirements.

AAL and UAL noted that the original requirements bulletin had two issues of concern:

- Figures 3, 4, 5, and 6 identify fastener part number (P/N) BACN11E4 as a replacement part. The commenters noted that the fastener has been superseded, and the alternative part, P/N BACN11E4V, is not listed in the Boeing Structural Repair Manual.

- Figures 5 and 6 specify installing a shim regardless of the measured gap, but also state that a gap of 0.006 inch is acceptable after shimming. AAL added that the original requirements bulletin does not give any instructions if the gap is 0.006 inch or less prior to shim installation.

The commenters noted that Revision 1 addresses both issues, and requested that the FAA either (1) delay issuance of the final rule pending release of Revision 1 or (2) revise the proposed AD to allow use of the alternative fasteners and forgo installation of a shim for a gap of 0.006 inch or less prior to shim installation.

The FAA agrees with the request. Boeing has confirmed that P/N BACN11E4 is no longer available, and the new replacement P/N is BACN11E4V. The FAA has reviewed Boeing Alert Requirements Bulletin