

Reader Aids

Federal Register

Vol. 70, No. 169

Thursday, September 1, 2005

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids **202-741-6000**

Laws **741-6000**

Presidential Documents

Executive orders and proclamations **741-6000**

The United States Government Manual **741-6000**

Other Services

Electronic and on-line services (voice) **741-6020**

Privacy Act Compilation **741-6064**

Public Laws Update Service (numbers, dates, etc.) **741-6043**

TTY for the deaf-and-hard-of-hearing **741-6086**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: <http://www.gpoaccess.gov/nara/index.html>

Federal Register information and research tools, including Public Inspection List, indexes, and links to GPO Access are located at: http://www.archives.gov/federal_register/

E-mail

FEDREGTOC-L (Federal Register Table of Contents LISTSERV) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to <http://listserv.access.gpo.gov> and select *Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings)*; then follow the instructions.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to <http://listserv.gsa.gov/archives/publaws-l.html> and select *Join or leave the list (or change settings)*; then follow the instructions.

FEDREGTOC-L and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: fedreg.info@nara.gov

The Federal Register staff cannot interpret specific documents or regulations.

FEDERAL REGISTER PAGES AND DATE, SEPTEMBER

51999-52282..... 1

CFR PARTS AFFECTED DURING SEPTEMBER

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

RULES GOING INTO EFFECT SEPTEMBER 1, 2005

AGRICULTURE DEPARTMENT**Agricultural Marketing Service**

Nectarines and peaches grown in—
California; published 8-2-05
Oranges and grapefruit grown in—
Texas; published 8-31-05

AGRICULTURE DEPARTMENT**Federal Crop Insurance Corporation**

Administrative regulations:
Policies, provisions of policies, and rates of premium; submission procedures for reinsurance and subsidy approval; published 8-2-05

COMMERCE DEPARTMENT National Oceanic and Atmospheric Administration

Fishery conservation and management:
Alaska; fisheries of Exclusive Economic Zone—
Bering Sea and Aleutian Islands pollock and chinook salmon; published 8-15-05

FINE ARTS COMMISSION Commission of Fine Arts

Practice and procedure:
Consent calendar; published 8-23-05

DEFENSE DEPARTMENT

Acquisition regulations:
Contractors; levy on payment; published 9-1-05
Defense Energy Support Center; contract administration exception; published 9-1-05
Totally enclosed lifeboat survival systems; restrictions; published 9-1-05

Acquisition regulations:
Contractor personnel interacting with detainees; training; published 9-1-05

FEDERAL DEPOSIT INSURANCE CORPORATION

Community Reinvestment Act; implementation:

Small banks; lending, investment, and service tests; eligibility requirements evaluation; published 8-2-05

FEDERAL RESERVE SYSTEM

Community Reinvestment Act; implementation:
Small banks; lending, investment, and service tests; eligibility requirements evaluation; published 8-2-05
Correction; published 8-22-05

FEDERAL TRADE COMMISSION

Appliances, consumer; energy consumption and water use information in labeling and advertising:
Comparability ranges—
Water heaters, room air conditioners, furnaces, boilers and pool heaters; published 6-3-05

Telemarketing Sales Rule:
National do not call registry; fees; published 7-27-05

INTERIOR DEPARTMENT Land Management Bureau Minerals management:

Mining claim and site maintenance and location fees; fee adjustment; published 9-1-05

INTERIOR DEPARTMENT Fish and Wildlife Service

Migratory bird hunting:
Early seasons and bag and possession limits for certain migratory game birds; published 8-31-05
Federal Indian reservations; off-reservation trust lands and ceded lands; early season hunting; published 8-31-05

PENSION BENEFIT GUARANTY CORPORATION

Single-employer plans:
Allocation of assets—
Interest assumptions for valuing and paying benefits; published 8-15-05

PERSONNEL MANAGEMENT OFFICE

Excepted service, and career and career-conditional employment:
Federal Career Intern Program; staffing provisions; published 8-2-05

POSTAL SERVICE

Information release regulations; information privacy; published 9-1-05

TRANSPORTATION DEPARTMENT**Federal Aviation Administration**

Airworthiness directives:
Boeing; published 7-28-05
IFR altitudes; correction; published 9-1-05
McDonnell Douglas; published 7-28-05
Area navigation instrument flight rules terminal transition routes; published 6-15-05
Area navigation instrument flight rules termination transition routes; correction; published 8-23-05
Area navigation routes; published 6-2-05
Class E airspace; published 4-25-05
Correction; published 7-7-05
IFR altitudes; published 8-2-05
Reporting points; published 7-29-05
Restricted areas; published 6-15-05
VOR Federal airways; published 5-18-05

TRANSPORTATION DEPARTMENT**National Highway Traffic Safety Administration**

Motor vehicle safety standards:
Occupant crash protection—
Advanced air bags; phase-in requirements; published 7-20-05
Integral lap/shoulder safety belts; rear seats requirement; published 12-8-04
Occupant protection in interior impact; head protection; reconsideration petitions; published 8-31-05
Power-operated window, partition, and roof panel systems; published 9-15-04
Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act; implementation—
Tire safety information; published 6-3-04
Tire safety information; correction; published 8-19-04
Tire safety information; technical amendment; published 3-22-05

TREASURY DEPARTMENT**Comptroller of the Currency**

Community Reinvestment Act; implementation:

Small banks; lending, investment, and service tests; eligibility requirements evaluation; published 8-2-05

VETERANS AFFAIRS DEPARTMENT

Organization, functions, and authority delegations:
Jurisdictions and addresses of regional counsels; published 9-1-05

COMMENTS DUE NEXT WEEK

AGENCY FOR INTERNATIONAL DEVELOPMENT

Assistance awards to U.S. non-Governmental organizations; marking requirements; Open for comments until further notice; published 8-26-05 [FR 05-16698]

AGRICULTURE DEPARTMENT**Agricultural Marketing Service**

Cotton classing, testing and standards:

Classification services to growers; 2004 user fees; Open for comments until further notice; published 5-28-04 [FR 04-12138]

Kiwifruit grown in—

California; comments due by 9-6-05; published 8-16-05 [FR 05-16207]

AGRICULTURE DEPARTMENT**Animal and Plant Health Inspection Service**

Plant-related quarantine, foreign:

Cut flowers from countries with chrysanthemum white rust; comments due by 9-6-05; published 7-7-05 [FR 05-13313]

AGRICULTURE DEPARTMENT**Commodity Credit Corporation**

Loan and purchase programs:
Conservation Security Program; comments due by 9-9-05; published 7-20-05 [FR 05-14297]

AGRICULTURE DEPARTMENT**Farm Service Agency**

Special programs:

Interest Assistance Program; correction; comments due by 9-6-05; published 8-11-05 [FR 05-15864]

AGRICULTURE DEPARTMENT**Grain Inspection, Packers and Stockyards Administration**

Graded commodities; review inspection requirements; comments due by 9-6-05; published 7-7-05 [FR 05-13297]

AGRICULTURE DEPARTMENT**Natural Resources Conservation Service**

Loan and purchase programs: Conservation Security Program; comments due by 9-9-05; published 7-20-05 [FR 05-14297]

Reports and guidance documents; availability, etc.: National Handbook of Conservation Practices; Open for comments until further notice; published 5-9-05 [FR 05-09150]

COMMERCE DEPARTMENT National Oceanic and Atmospheric Administration

Endangered and threatened species:

Recovery plans—

Pacific salmon and steelhead; 16 evolutionary significant units; comments due by 9-6-05; published 7-7-05 [FR 05-13394]

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone— Groundfish Observer Program; comments due by 9-7-05; published 8-8-05 [FR 05-15646]

Northeastern United States fisheries—

Northeast multispecies; comments due by 9-7-05; published 8-8-05 [FR 05-15644]

West Coast States and Western Pacific fisheries—

Pacific whiting; comments due by 9-6-05; published 8-22-05 [FR 05-16608]

COMMODITY FUTURES TRADING COMMISSION

Commodity Futures Modernization of 2000; implementation:

Trading facilities; exempt markets, derivatives transaction execution facilities and designated contract markets, etc.;

technical and clarifying amendments; comments due by 9-9-05; published 7-11-05 [FR 05-13467]

COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

Semi-annual agenda; Open for comments until further notice; published 12-22-03 [FR 03-25121]

DEFENSE DEPARTMENT

Acquisition regulations: Pilot Mentor-Protege Program; Open for comments until further notice; published 12-15-04 [FR 04-27351]

EDUCATION DEPARTMENT

Grants and cooperative agreements; availability, etc.: Vocational and adult education—

Smaller Learning Communities Program; Open for comments until further notice; published 2-25-05 [FR E5-00767]

Special education and rehabilitative services: Individuals with Disabilities Education Act (IDEA)— Children with disabilities programs; assistance to States; comments due by 9-6-05; published 6-21-05 [FR 05-11804]

ENERGY DEPARTMENT

Meetings: Environmental Management Site-Specific Advisory Board— Oak Ridge Reservation, TN; Open for comments until further notice; published 11-19-04 [FR 04-25693]

ENERGY DEPARTMENT Energy Efficiency and Renewable Energy Office

Commercial and industrial equipment; energy efficiency program:

Test procedures and efficiency standards— Commercial packaged boilers; Open for comments until further notice; published 10-21-04 [FR 04-17730]

ENERGY DEPARTMENT Federal Energy Regulatory Commission

Electric rate and corporate regulation filings: Virginia Electric & Power Co. et al.; Open for comments until further

notice; published 10-1-03 [FR 03-24818]

ENVIRONMENTAL PROTECTION AGENCY

Air pollutants, hazardous; national emission standards:

Cellulose products manufacturing; comments due by 9-9-05; published 8-10-05 [FR 05-15733]

Oil and natural gas production facilities; comments due by 9-6-05; published 7-8-05 [FR 05-13480]

Air pollution; standards of performance for new stationary sources:

Stationary compression ignition internal combustion engines; comments due by 9-9-05; published 7-11-05 [FR 05-13338]

Air quality implementation plans; approval and promulgation; various States:

California; comments due by 9-8-05; published 8-9-05 [FR 05-15741]

North Dakota; comments due by 9-7-05; published 8-8-05 [FR 05-15609]

Ohio; comments due by 9-8-05; published 8-9-05 [FR 05-15747]

Texas; comments due by 9-9-05; published 8-10-05 [FR 05-15830]

Environmental statements; availability, etc.:

Coastal nonpoint pollution control program— Minnesota and Texas; Open for comments until further notice; published 10-16-03 [FR 03-26087]

Pesticide programs:

Conventional chemicals; registration data requirements; comments due by 9-7-05; published 3-11-05 [FR 05-04466]

Pesticide, food, and feed additive petitions:

Interregional Research Project (No. 4); comments due by 9-9-05; published 8-10-05 [FR 05-15738]

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:

Alpha-cyclodextrin, etc.; comments due by 9-6-05; published 7-6-05 [FR 05-13263]

Fenpropathrin; comments due by 9-6-05; published 7-6-05 [FR 05-13174]

Superfund program:

National oil and hazardous substances contingency plan priorities list; comments due by 9-6-05; published 8-5-05 [FR 05-15435]

Water pollution control:

National Pollutant Discharge Elimination System— Concentrated animal feeding operations in New Mexico and Oklahoma; general permit for discharges; Open for comments until further notice; published 12-7-04 [FR 04-26817]

Water pollution; effluent guidelines for point source categories:

Iron and steel manufacturing; comments due by 9-9-05; published 8-10-05 [FR 05-15834]

Meat and poultry products processing facilities; Open for comments until further notice; published 9-8-04 [FR 04-12017]

FEDERAL COMMUNICATIONS COMMISSION

Committees; establishment, renewal, termination, etc.:

Technological Advisory Council; Open for comments until further notice; published 3-18-05 [FR 05-05403]

Common carrier services:

Interconnection— Incumbent local exchange carriers unbundling obligations; local competition provisions; wireline services offering advanced telecommunications capability; Open for comments until further notice; published 12-29-04 [FR 04-28531]

Satellite communications— Satellite licensing procedures; comments due by 9-6-05; published 6-8-05 [FR 05-11172]

Radio stations; table of assignments:

Texas; comments due by 9-6-05; published 8-3-05 [FR 05-14963]

HEALTH AND HUMAN SERVICES DEPARTMENT Centers for Medicare & Medicaid Services

Medicare and Medicaid:

Outpatient drugs and biologicals under part B;

competitive acquisition; comments due by 9-6-05; published 7-6-05 [FR 05-12938]

Medicare:
Home health prospective payment system; 2006 CY rates update; comments due by 9-6-05; published 7-14-05 [FR 05-13674]

HEALTH AND HUMAN SERVICES DEPARTMENT Food and Drug Administration

Reports and guidance documents; availability, etc.:
Evaluating safety of antimicrobial new animal drugs with regard to their microbiological effects on bacteria of human health concern; Open for comments until further notice; published 10-27-03 [FR 03-27113]

Medical devices—
Dental noble metal alloys and base metal alloys; Class II special controls; Open for comments until further notice; published 8-23-04 [FR 04-19179]

HOMELAND SECURITY DEPARTMENT

Customs and Border Protection Bureau

Organization, functions; field organization, ports of entry, etc.:
New River Valley, VA; port establishment; comments due by 9-6-05; published 7-5-05 [FR 05-13120]

HOMELAND SECURITY DEPARTMENT

Coast Guard

Anchor regulations:
Maryland; Open for comments until further notice; published 1-14-04 [FR 04-00749]

Drawbridge operations:
New Jersey; comments due by 9-6-05; published 7-21-05 [FR 05-14322]

Inspection and certification:
Potable water on inspected vessels; availability; comments due by 9-9-05; published 7-11-05 [FR 05-13074]

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Grants and cooperative agreements; availability, etc.:
Homeless assistance; excess and surplus Federal properties; Open for comments until further

notice; published 8-5-05 [FR 05-15251]

INTERIOR DEPARTMENT Fish and Wildlife Service

Endangered and threatened species permit applications
Recovery plans—
Paiute cutthroat trout; Open for comments until further notice; published 9-10-04 [FR 04-20517]

Endangered and threatened species:
Findings on petitions, etc.—
American eel; comments due by 9-6-05; published 7-6-05 [FR 05-12971]

JUSTICE DEPARTMENT

Federal Bureau of Investigation

Privacy Act; implementation; comments due by 9-6-05; published 7-28-05 [FR 05-14850]

JUSTICE DEPARTMENT

Justice for All Act:

Crime victims' rights obligation; compliance procedures; comments due by 9-6-05; published 7-7-05 [FR 05-13322]

LABOR DEPARTMENT

Occupational Safety and Health Administration

Construction safety and health standards:
Lead in construction; comments due by 9-6-05; published 6-6-05 [FR 05-11149]

NUCLEAR REGULATORY COMMISSION

Environmental statements; availability, etc.:
Fort Wayne State Developmental Center; Open for comments until further notice; published 5-10-04 [FR 04-10516]

SMALL BUSINESS ADMINISTRATION

Cosponsorship, fee and non-fee based SBA-sponsored activities and gifts; implementation and minimum requirements; comments due by 9-9-05; published 7-11-05 [FR 05-13508]

Disaster loan areas:
Maine; Open for comments until further notice; published 2-17-04 [FR 04-03374]

SOCIAL SECURITY ADMINISTRATION

Supplemental security income:

Aged, blind and disabled—
Plans to achieve self-support; time limit criteria; comments due by 9-9-05; published 7-11-05 [FR 05-13584]

OFFICE OF UNITED STATES TRADE REPRESENTATIVE Trade Representative, Office of United States

Generalized System of Preferences:
2003 Annual Product Review, 2002 Annual Country Practices Review, and previously deferred product decisions; petitions disposition; Open for comments until further notice; published 7-6-04 [FR 04-15361]

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:
Airbus; comments due by 9-7-05; published 8-8-05 [FR 05-15594]

Bell; comments due by 9-6-05; published 7-6-05 [FR 05-13237]

Boeing; comments due by 9-6-05; published 7-21-05 [FR 05-14395]

Empresa Brasileira de Aeronautica S.A. (EMBRAER); comments due by 9-6-05; published 8-11-05 [FR 05-15880]

Empresa Brasileira de Aeronautica S.A. (EMBRAER); comments due by 9-7-05; published 8-8-05 [FR 05-15592]

Hamilton Sundstrand Power Systems; comments due by 9-6-05; published 7-5-05 [FR 05-13134]

Rolls-Royce Deutschland Ltd. & Co. KG; comments due by 9-6-05; published 7-5-05 [FR 05-13135]

Rolls-Royce plc; comments due by 9-6-05; published 7-8-05 [FR 05-13425]

TRANSPORTATION DEPARTMENT

Federal Highway Administration

Engineering and traffic operations:
Preconstruction procedures; project authorizations and agreements; comments due by 9-9-05; published 7-11-05 [FR 05-13514]

TRANSPORTATION DEPARTMENT

Pipeline and Hazardous Materials Safety Administration

Hazardous materials:

Transportation—

Cylinders and multi-element gas containers; design, construction, maintenance, and use; United Nations recommended standards adoption; comment extension; comments due by 9-6-05; published 6-23-05 [FR 05-12459]

VETERANS AFFAIRS DEPARTMENT

Adjudication; pensions, compensation, dependency, etc.:
Military retired pay and veterans disability compensation for certain military retirees; full concurrent receipt phase-in; comments due by 9-6-05; published 7-7-05 [FR 05-13396]

LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with "PLU S" (Public Laws Update Service) on 202-741-6043. This list is also available online at http://www.archives.gov/federal_register/public_laws/public_laws.html.

The text of laws is not published in the **Federal Register** but may be ordered in "slip law" (individual pamphlet) form from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202-512-1808). The text will also be made available on the Internet from GPO Access at <http://www.gpoaccess.gov/plaws/index.html>. Some laws may not yet be available.

H.R. 3423/P.L. 109-43

Medical Device User Fee Stabilization Act of 2005 (Aug. 1, 2005; 119 Stat. 439)

H.R. 38/P.L. 109-44

Upper White Salmon Wild and Scenic Rivers Act (Aug. 2, 2005; 119 Stat. 443)

H.R. 481/P.L. 109-45

Sand Creek Massacre National Historic Site Trust Act of 2005 (Aug. 2, 2005; 119 Stat. 445)

H.R. 541/P.L. 109-46

To direct the Secretary of Agriculture to convey certain

land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries. (Aug. 2, 2005; 119 Stat. 448)

H.R. 794/P.L. 109-47

Colorado River Indian Reservation Boundary Correction Act (Aug. 2, 2005; 119 Stat. 451)

H.R. 1046/P.L. 109-48

To authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming. (Aug. 2, 2005; 119 Stat. 455)

H.J. Res. 59/P.L. 109-49

Expressing the sense of Congress with respect to the women suffragists who fought for and won the right of women to vote in the United

States. (Aug. 2, 2005; 119 Stat. 457)

S. 571/P.L. 109-50

To designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building". (Aug. 2, 2005; 119 Stat. 459)

S. 775/P.L. 109-51

To designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office". (Aug. 2, 2005; 119 Stat. 460)

S. 904/P.L. 109-52

To designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building". (Aug. 2, 2005; 119 Stat. 461)

H.R. 3045/P.L. 109-53

Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Aug. 2, 2005; 119 Stat. 462)

H.R. 2361/P.L. 109-54

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Aug. 2, 2005; 119 Stat. 499)

H.R. 2985/P.L. 109-55

Legislative Branch Appropriations Act, 2006 (Aug. 2, 2005; 119 Stat. 565)

S. 45/P.L. 109-56

To amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and for other purposes. (Aug. 2, 2005; 119 Stat. 591)

S. 1395/P.L. 109-57

Controlled Substances Export Reform Act of 2005 (Aug. 2, 2005; 119 Stat. 592)

Last List August 2, 2005

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly enacted public laws. To subscribe, go to <http://listserv.gsa.gov/archives/publaws-l.html>

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service.

PENS cannot respond to specific inquiries sent to this address.