

#### IV. Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the FCA hereby certifies that the final rule will not have a significant economic impact on a substantial number of small entities. Each of the banks in the System, considered together with its affiliated associations, has assets and annual income in excess of the amounts that would qualify them as small entities. Therefore, System institutions are not "small entities" as defined in the Regulatory Flexibility Act.

#### List of Subjects in 12 CFR Part 617

Banks, banking, Criminal referrals, Criminal transactions, Embezzlement, Insider abuse, Investigations, Money laundering, Theft.

■ For the reasons stated in the preamble, part 617, chapter VI, title 12 of the Code of Federal Regulations is amended as follows:

#### PART 617—BORROWER RIGHTS

■ 1. The authority citation for part 617 continues to read as follows:

**Authority:** Secs. 4.13, 4.13A, 4.13B, 4.14, 4.14A, 4.14C, 4.14D, 4.14E, 4.36, 5.9, 5.17 of the Farm Credit Act (12 U.S.C. 2199, 2200, 2201, 2202, 2202a, 2202c, 2202d, 2202e, 2219a, 2243, 2252).

#### Subpart A—General

■ 2. In § 617.7010:

- a. Paragraph (a) is amended by removing the reference, "paragraph (b)" and adding in its place, the reference "paragraphs (b) and (c)";
- b. Paragraphs (b) and (c) are revised to read as follows:

#### § 617.7010 May borrower rights be waived?

\* \* \* \* \*

(b) A borrower may waive rights relating to distressed loan restructuring, credit reviews, and the right of first refusal when a loan is guaranteed by the Small Business Administration or in connection with a loan sale as provided in § 617.7015. Waivers obtained pursuant to this paragraph must be voluntary and in writing. The document evidencing the waiver must clearly explain the rights the borrower is being asked to waive.

(c) A borrower may waive all borrower rights provided for in part 617 of these regulations in connection with a loan syndication transaction with non-System lenders that are otherwise not required by section 4.14A(a)(6) of the Act to provide borrower rights. For purposes of this paragraph, a "loan

syndication" is a multi-lender transaction in which each member of the lending syndicate has a direct contractual relationship with the borrower, but does not include a transaction created for the primary purpose of avoiding borrower rights. Waivers obtained pursuant to this paragraph must be voluntary and in writing. The document evidencing the waiver must clearly disclose the rights the borrower is waiving. Additionally, the borrower's written waiver must contain a statement that the borrower was represented by legal counsel in connection with execution of the waiver.

Dated: April 5, 2005.

**Jeanette C. Brinkley,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. 05-7233 Filed 4-11-05; 8:45 am]

**BILLING CODE 6705-01-P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-20235; Airspace Docket No. 05-ASO-1]

#### Amendment of Class E Airspace; Parsons, TN

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E5 airspace at Parsons, TN. The Beech River Regional Airport is being constructed at Parsons, TN. As a result, airspace must be established to contain the Area Navigation (RNAV) Global Positioning System (GPS) Runway (RWY) 19 Standard Instrument Approach Procedure (SIAP) to Beech River Regional Airport. Controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain the SIAP.

**DATES:** *Effective Date:* 0901 UTC, July 7, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Ward, Manager, Airspace and Operations Branch, Eastern En Route and Oceanic Service Area, Federal Aviation Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

**SUPPLEMENTARY INFORMATION:**

#### History

On February 25, 2005, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by amending Class E5 airspace

at Parsons, TN, (70 FR 9257). This action provides adequate Class E5 airspace for IFR operations at Parsons, TN, Beech River Regional Airport. Designations for Class E are published in FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR part 71.1. The class E designations listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends Class E5 airspace at Parsons, TN.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**ASO TN E5 Parsons, TN [Revised]**

Parsons, Scott Field Airport, TN  
(Lat. 35°38'16" N., long. 88°07'41" W.)  
Beech River Regional Airport, TN  
(Lat. 35°39'20" N., long. 88°11'45" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Scott Field Airport, and that airspace within a 6.5-mile radius of Beech River Regional Airport; excluding that airspace within the Lexington, TN, Class E airspace area.

\* \* \* \* \*

Issued in College Park, Georgia, March 30, 2005

**Mark D. Ward,**

*Acting Area Director, Air Traffic Division,  
Southern Region.*

[FR Doc. 05-7316 Filed 4-11-05; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF DEFENSE****Department of the Army****32 CFR Part 634**

**RIN 0702-AA43**

**Motor Vehicle Traffic Supervision**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Army is publishing our rule concerning motor vehicle traffic supervision. The regulation prescribes policies and procedures on motor vehicle traffic supervision on military installations in the continental United States and overseas areas, including registration of privately owned vehicles; granting, suspending, or revoking the privilege to operate a privately owned vehicle on a military installation; administration of the vehicle registration program; driver improvement programs; police traffic supervision; and off-installation traffic activities.

**DATES:** *Effective Date:* May 12, 2005.

**ADDRESSES:** Headquarters, Department of the Army, Office of the Provost Marshal General, ATTN: DAPM-MPD-LE, 2800 Army Pentagon, Washington, DC 20310-2800.

**FOR FURTHER INFORMATION CONTACT:**

Nathan Evans, (703) 693-2126.

**SUPPLEMENTARY INFORMATION:****A. Background**

In the December 21, 2004, issue of the **Federal Register** (69 FR 76526) the Department of the Army issued a proposed rule to publish 32 CFR part 634. This final rule prescribes procedures and responsibilities for motor vehicle traffic supervision. The Department of the Army received a response from one commentator. No substantive changes were requested or made. The Department of the Army has added one section since the publication of this part as a proposed rule. Section 634.25(c)(3) was modified to incorporate Department of Defense guidance concerning driving while using a cell phone.

**B. Regulatory Flexibility Act**

The Department of the Army has determined that the Regulatory Flexibility Act does not apply because the final rule does not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601-612.

**C. Unfunded Mandates Reform Act**

The Department of the Army has determined that the Unfunded Mandates Reform Act does not apply because the final rule does not include a mandate that may result in estimated costs to State, local or tribal governments in the aggregate, or the private sector, of \$100 million or more.

**D. National Environmental Policy Act**

The Department of the Army has determined that the National Environmental Policy Act does not apply because the final rule does not have an adverse impact on the environment.

**E. Paperwork Reduction Act**

The Department of the Army has determined that the Paperwork Reduction Act does not apply because the final rule does not involve collection of information from the public.

**F. Executive Order 12630 (Government Actions and Interference With Constitutionally Protected Property Rights)**

The Department of the Army has determined that Executive Order 12630 does not apply because the final rule does not impair private property rights.

**G. Executive Order 12866 (Regulatory Planning and Review)**

The Department of the Army has determined that according to the criteria defined in Executive Order 12866 this final rule is not a significant regulatory action. As such, the final rule is not subject to Office of Management and Budget review under section 6(a)(3) of the Executive Order.

**H. Executive Order 13045 (Protection of Children From Environmental Health Risk and Safety Risks)**

The Department of the Army has determined that according to the criteria defined in Executive Order 13045 this final rule does not apply.

**I. Executive Order 13132 (Federalism)**

The Department of the Army has determined that according to the criteria defined in Executive Order 13132 this final rule does not apply because it will not have a substantial effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

**Jeffery B. Porter,**

*Chief, Law Enforcement Policy and Oversight Section.*

**List of Subjects in 32 CFR Part 634**

Crime, Investigations, Law, Law enforcement, Law enforcement officers, Military law, Penalties.

■ For reasons stated in the preamble the Department of the Army revises 32 CFR part 634 to read as follows:

**PART 634—MOTOR VEHICLE TRAFFIC SUPERVISION****Subpart A—Introduction**

Sec.

634.1 Purpose.

634.2 References.

634.3 Explanation of abbreviations and terms.

634.4 Responsibilities.

634.5 Program objectives.

**Subpart B—Driving Privileges**

634.6 Requirements for driving privileges.

634.7 Stopping and inspecting personnel or vehicles.

634.8 Implied consent.

634.9 Suspension or revocation of driving or privately owned vehicle registration privileges.

634.10 Remedial driver training programs.

634.11 Administrative due process for suspensions and revocations.

634.12 Army administrative actions against intoxicated drivers.

634.13 Alcohol and drug abuse programs.

634.14 Restoration of driving privileges upon acquittal of intoxicated driving.