

high-technology weapons of mass destruction, or who are working on nuclear, chemical, biological, or other high-technology defense projects, as defined by the Secretary of Homeland Security, that are clearly applicable to the design, development, and production of ballistic missiles, nuclear, biological, chemical, or other high-technology weapons of mass destruction.

*Independent states of the former Soviet Union* means the sovereign nations of Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

(c) *Filing requirements.* (1) *Application form and time limits.* A petition to classify an alien under section 203(b)(2)(A) of the Act as a scientist from the eligible independent states of the former Soviet Union or the Baltic states must be filed on Form I-140, Immigrant Petition for Alien Worker. The petition may be filed by the alien, or by anyone on the alien's behalf. Such petition must be properly filed with all initial evidence described in paragraph (e) of this section by September 30, 2006 or before the limit of 950 visas has been reached, whichever is earliest. To clarify that the petition is for a Soviet scientist, the petitioner should clearly print the words "SOVIET SCIENTIST" in Part 2 of Form I-140 and check block "d", indicating the petition is for a member of the professions holding an advanced degree or an alien of exceptional ability.

(2) *Jurisdiction.* Form I-140 must be filed with the service center having jurisdiction over the alien's place of intended residence in the United States.

(d) *Priority date.* The priority date of any petition filed for this classification is the date the completed, signed petition (including all initial evidence as defined in paragraph (e) of this section and the correct fee) is properly filed with the USCIS.

(e) *Initial evidence.* The petition must be accompanied by:

(1) Evidence that the alien is a national of one of the independent states of the former Soviet Union or one of the Baltic States as defined in paragraph (b) of this section. Such evidence may include, but is not limited to, identifying page(s) from a passport issued by the former Soviet Union, or by one of the independent or Baltic states; and

(2) A letter from the Department of State, Bureau of Nonproliferation that verifies that the alien possesses expertise in nuclear, chemical, biological, or other high-technology field or who has prior or current work

experience in high-technology defense projects which are clearly applicable to the design, development, or production of ballistic missiles, nuclear, biological, chemical, or other high-technology weapons of mass destruction and endorses the applicant as having exceptional ability in one or more of these fields. Such endorsement shall establish that the alien possesses exceptional ability in the relevant field.

(f) *No offer of employment required.* Neither an offer of employment nor a labor certification is required for this classification.

(g) *Consultation with other United States Government agencies.* USCIS may consult with other United States Government agencies, such as the Departments of Defense and Energy or other relevant agencies with expertise in nuclear, chemical, biological, or other high-technology defense projects. USCIS may, in its discretion, accept a favorable report from such agencies as evidence in addition to the documentation prescribed under paragraph (e) of this section.

(h) *Aliens previously granted permanent residence.* No alien previously granted lawful permanent residence may request or be granted classification or any benefits under this provision.

(i) *Decision.* (1) *Approval.* If the petition is approved and the beneficiary is outside the United States the applicant will be notified of the decision and the petition will be forwarded to the National Visa Center. If the beneficiary is in the United States and seeks to apply for adjustment of status, the petition will be retained by USCIS.

(2) *Denial.* If the petition is denied, the petitioner will be advised of the decision and of the right to appeal in accordance with 8 CFR part 103.

(j) *Rejection.* Petitions filed under this provision on or after September 30, 2006 or after the limit of 950 visas has been reached will be rejected and the fee refunded.

Dated: April 15, 2005.

**Michael Chertoff,**  
Secretary.

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**BILLING CODE 4410-10-P**

## FEDERAL RESERVE SYSTEM

### 12 CFR Part 229

[Regulation CC; Docket No. R-1228]

#### Availability of Funds and Collection of Checks

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Board of Governors is amending appendix A of Regulation CC to delete the reference to the Salt Lake City branch office of the Federal Reserve Bank of San Francisco and reassign the Federal Reserve routing symbols currently listed under that office to the Denver branch office of the Federal Reserve Bank of Kansas City. These amendments will ensure that the information in appendix A accurately describes the actual structure of check processing operations within the Federal Reserve System.

**DATES:** The final rule will become effective on June 18, 2005.

**FOR FURTHER INFORMATION CONTACT:** Jack K. Walton II, Assistant Director (202/452-2660), or Joseph P. Baressi, Senior Financial Services Analyst (202/452-3959), Division of Reserve Bank Operations and Payment Systems; or Adrienne G. Threatt, Counsel (202/452-3554), Legal Division. For users of Telecommunications Devices for the Deaf (TDD) only, contact 202/263-4869.

**SUPPLEMENTARY INFORMATION:** Regulation CC establishes the maximum period a depository bank may wait between receiving a deposit and making the deposited funds available for withdrawal.<sup>1</sup> A depository bank generally must provide faster availability for funds deposited by a local check than by a nonlocal check. A check drawn on a bank is considered local if it is payable by or at a bank located in the same Federal Reserve check processing region as the depository bank. A check drawn on a nonbank is considered local if it is payable through a bank located in the same Federal Reserve check processing region as the depository bank. Checks that do not meet the requirements for local checks are considered nonlocal.

Appendix A to Regulation CC contains a routing number guide that assists banks in identifying local and nonlocal banks and thereby determining the maximum permissible hold periods

<sup>1</sup> For purposes of Regulation CC, the term "bank" refers to any depository institution, including commercial banks, savings institutions, and credit unions.

for most deposited checks. The appendix includes a list of each Federal Reserve check processing office and the first four digits of the routing number, known as the Federal Reserve routing symbol, of each bank that is served by that office for check processing purposes. Banks whose Federal Reserve routing symbols are grouped under the same office are in the same check processing region and thus are local to one another.

As explained in detail in the Board's final rule published in the **Federal Register** on September 28, 2004, the Federal Reserve Banks have decided to reduce further the number of locations at which they process checks.<sup>2</sup> The amendments set forth in this notice are part of a series of appendix A amendments related to that decision, and the Board will issue separate notices for each phase of the restructuring.<sup>3</sup>

As part of the restructuring process, the Salt Lake City branch office of the Federal Reserve Bank of San Francisco will cease processing checks on June 18, 2005, and banks with routing symbols currently assigned to that office for check processing purposes will be reassigned to the Denver branch office of the Federal Reserve Bank of Kansas City. As a result of these changes, some checks that are drawn on and deposited at banks located in the affected check processing regions and that currently are nonlocal checks will become local checks subject to faster availability schedules. Because the Denver branch office check processing region will serve banks located in more than one Federal Reserve District, banks located in the expanded Denver check processing region cannot determine that a check is nonlocal solely because the paying bank for that check is located in another Federal Reserve district.

To assist banks in identifying local and nonlocal banks, the Board accordingly is amending the lists of routing symbols associated with the Federal Reserve Banks of San Francisco and Kansas City to conform to the transfer of operations from the San Francisco Reserve Bank's Salt Lake City branch office to the Kansas City Reserve Bank's Denver branch office. To coincide with the effective date of the

underlying check processing changes, the amendments are effective June 18, 2005. The Board is providing advance notice of these amendments to give affected banks ample time to make any needed processing changes. The advance notice also will enable affected banks to amend their availability schedules and related disclosures, if necessary, and provide their customers with notice of these changes.<sup>4</sup> The Federal Reserve routing symbols assigned to all other Federal Reserve branches and offices will remain the same at this time. The Board of Governors, however, intends to issue similar notices at least sixty days prior to the elimination of check operations at some other Reserve Bank offices, as described in the September 2004 **Federal Register** document.

#### Administrative Procedure Act

The Board has not followed the provisions of 5 U.S.C. 553(b) relating to notice and public participation in connection with the adoption of this final rule. The revisions to the appendix are technical in nature, and the routing symbol revisions are required by the statutory and regulatory definitions of "check-processing region." Because there is no substantive change on which to seek public input, the Board has determined that the section 553(b) notice and comment procedures are unnecessary.

#### Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; 5 CFR part 1320 Appendix A.1), the Board has reviewed the final rule under authority delegated to the Board by the Office of Management and Budget. These technical amendments to appendix A of Regulation CC will delete the reference to the Salt Lake City branch office of the Federal Reserve Bank of San Francisco and reassign the routing symbols listed under that office to the Denver branch office of the Federal Reserve Bank of Kansas City. The depository institutions that are located in the affected check processing regions and that include the routing numbers in their disclosure statements would be required to notify customers of the resulting change in availability under § 229.18(e). However, because all paperwork collection procedures associated with Regulation CC already are in place, the Board anticipates that

<sup>4</sup> Section 229.18(e) of Regulation CC requires that banks notify account holders who are consumers within 30 days after implementing a change that improves the availability of funds.

no additional burden will be imposed as a result of this rulemaking.

## 12 CFR Chapter II

### List of Subjects in 12 CFR Part 229

Banks, Banking, Reporting and recordkeeping requirements.

#### Authority and Issuance

■ For the reasons set forth in the preamble, the Board is amending 12 CFR part 229 to read as follows:

### PART 229—AVAILABILITY OF FUNDS AND COLLECTION OF CHECKS (REGULATION CC)

■ 1. The authority citation for part 229 continues to read as follows:

**Authority:** 12 U.S.C. 4001–4010, 12 U.S.C. 5001–5018.

■ 2. The Tenth and Twelfth Federal Reserve District routing symbol lists in appendix A are revised to read as follows:

#### Appendix A to Part 229—Routing Number Guide to Next-Day Availability Checks and Local Checks

\* \* \* \* \*

##### Tenth Federal Reserve District

[Federal Reserve Bank of Kansas City]

###### Head Office

1010	3010
1011	3011
1012	3012
1019	3019

###### Denver Branch

1020	3020
1021	3021
1022	3022
1023	3023
1070	3070
1240	3240
1241	3241
1242	3242
1243	3243

###### Oklahoma City Branch

1030	3030
1031	3031
1039	3039

\* \* \* \* \*

##### Twelfth Federal Reserve District

[Federal Reserve Bank of San Francisco]

###### Head Office

1210	3210
1211	3211
1212	3212
1213	3213

###### Los Angeles Branch

1220	3220
1221	3221
1222	3222
1223	3223
1224	3224

<sup>2</sup> See 69 FR 57837, September 28, 2004.

<sup>3</sup> In addition to the general advance notice of future amendments provided by the Board, and the Board's notices of final amendments, the Reserve Banks are striving to inform affected depository institutions of the exact date of each office transition at least 120 days in advance. The Reserve Banks' communications to affected depository institutions are available at <http://www.frb-services.org>.

*Portland Branch*

1230	3230
1231	3231
1232	3232
1233	3233

*Seattle Branch*

1250	3250
1251	3251
1252	3252

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, acting through the Secretary of the Board under delegated authority, April 19, 2005.

**Jennifer J. Johnson,***Secretary of the Board.*

[FR Doc. 05-8152 Filed 4-22-05; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39****[Docket No. 2003-CE-57-AD; Amendment 39-14066; AD 2005-08-14]****RIN 2120-AA64****Airworthiness Directives; LET a.s. Model Blanik L-13 AC Sailplanes****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

**SUMMARY:** The FAA adopts a new airworthiness directive (AD) for all LET a.s. (formerly LET n.p.) (LET) Model Blanik L-13 AC sailplanes. This AD requires you to replace the original control bridge with the new strengthened control column mounting bridge. This AD is the result of a report of one case of cracks in the attachment of control levers on the control bridge. We are issuing this AD to correct cracks in the bedding of the front and rear control levers, which could result in failure of the control bridge for the sailplane. This failure could lead to loss of sailplane control.

**DATES:** This AD becomes effective on June 6, 2005.

As of June 6, 2005, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

**ADDRESSES:** You may get the service information identified in this AD from LET a.s., Kunovice 686 04, Czech Republic; telephone: +420 572 817 650; facsimile: +420 572 617 653.

You may view the AD docket at FAA, Central Region, Office of the Regional

Counsel, Attention: Rules Docket No. 2003-CE-57-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Office hours are 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:****Discussion***What Events Have Caused This AD?*

The Civil Aviation Authority (CAA), which is the airworthiness authority for the Czech Republic, recently notified FAA that an unsafe condition may exist on certain LET Model Blanik L-13 AC sailplanes. The CAA reports one case of cracks in the attachment of control levers on the control bridge (Drawing No. A71 210N) on a Model Blanik L-13 AC sailplane after 130 hours time-in-service (TIS) of aerobatics. The cracks are because of material fatigue.

*What Is the Potential Impact if FAA Took No Action?*

Failure of the control bridge for the sailplane could lead to loss of sailplane control.

*Has FAA Taken Any Action to This Point?*

We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all LET a.s. (formerly LET n.p.) (LET) Model Blanik L-13 AC sailplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on March 9, 2004 (69 FR 10939). The NPRM proposed to require you to repetitively inspect the bedding of the front and rear control levers for cracks, and, if any cracks are found, replace with parts found free of cracks.

You would have to do the proposed actions following Letecke Zavody Mandatory Bulletin No.: L13/095a, dated October 18, 2001.

Since issuance of the NPRM, LET has issued the new Letecke Zavody Mandatory Bulletin No.: L13AC/014a, dated July 17, 2003. This service bulletin removes the repetitive inspection, requires the replacement of parts, and changes the serial numbers affected.

The CAA has not amended the Czech AD to reflect this service information. However, FAA has evaluated the new service information and determined that

the NPRM should be changed to reflect the requirements in the new LET service bulletin.

A supplemental NPRM proposal was published in the **Federal Register** on October 7, 2004 (69 FR 60106). The supplemental NPRM proposed to require you to replace the original control bridge with the new strengthened control column mounting bridge.

**Comments***Was the Public Invited To Comment?*

We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

**Conclusion***What Is FAA's Final Determination on This Issue?*

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

**Changes to 14 CFR Part 39—Effect on the AD***How Does the Revision to 14 CFR Part 39 Affect This AD?*

On July 10, 2002, the FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

**Costs of Compliance***How Many Sailplanes Does This AD Impact?*

We estimate that this AD affects 5 sailplanes in the U.S. registry.

*What Is the Cost Impact of This AD on Owners/Operators of the Affected Sailplanes?*

We estimate the following costs to do the replacement: