

Reader Aids

Federal Register

Vol. 70, No. 52

Friday, March 18, 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, MARCH

9843-10020.....	1
10021-10312.....	2
10313-10484.....	3
10485-10860.....	4
10861-11108.....	7
11109-11530.....	8
11531-11826.....	9
11827-12110.....	10
12111-12400.....	11
12401-12582.....	14
12585-12786.....	15
12787-12960.....	16
12961-13088.....	17
13089-13342.....	18

CFR PARTS AFFECTED DURING MARCH

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.

3 CFR

Proclamations:	
7871.....	10483
7872.....	10857
7873.....	11531
7874.....	11533
Executive Orders:	
11926 (Amended by EO 13373).....	12579
12293 (Amended by 13374).....	12961
12957 (See Notice of March 10, 2005).....	12581
12959 (See Notice of March 10, 2005).....	12581
13059 (See Notice of March 10, 2005).....	12581
13286 (See EO 13373).....	12579
13288 (See Notice of March 2, 2005).....	10859
13325 (Revoked by 13374).....	12961
13373.....	12579
13374.....	12961

Administrative Orders:

Memorandums:		
Memorandum of February 18, 2005.....		11109
Notices:		
Notice of March 2, 2005.....		10859
Notice of March 10, 2005.....		12581
Presidential Determinations:		
No 2005-21 of February 15, 2005.....		10313

5 CFR

Ch. XIV.....	11535, 12583
2634.....	12111
2635.....	12111
Proposed Rules:	
213.....	12812

7 CFR

301.....	10315, 10861, 11111
331.....	13242
925.....	11112
955.....	11114
983.....	9843
987.....	11117
1131.....	9846
1160.....	11535
1924.....	10862
Proposed Rules:	
56.....	9883
70.....	9883
319.....	11886
927.....	11155
1033.....	10337

8 CFR

Proposed Rules:	
214.....	11585

9 CFR

94.....	12112
95.....	12112
121.....	13242
Proposed Rules:	
113.....	12813, 12814
381.....	12420

10 CFR

Proposed Rules:	
50.....	10901
727.....	12974

11 CFR

100.....	13089
104.....	13089
300.....	12787

12 CFR

208.....	11827
225.....	11827
509.....	10021
563e.....	10023
622.....	12583
Proposed Rules:	
25.....	12148
228.....	12148
345.....	12148
210.....	10509
229.....	10509

14 CFR

23.....	11838, 11841
39.....	9848, 9851, 9853, 10030, 10032, 10034, 10035, 10485, 11536, 11844, 11846, 11848, 12113, 12115, 12117, 12119, 12120, 12124, 12125, 12401, 12402, 12404, 12406, 12408, 12410, 12790, 12791, 12963, 13074, 13092, 13094
71.....	10318, 10862, 11850, 11851, 11852, 11853, 11854, 11855, 11857, 12127, 12128, 12129, 12130, 12412, 12414, 13240
97.....	12131, 13095
1214.....	12966
1310.....	10037

Proposed Rules:

39.....	10337, 10339, 10342, 10344, 10513, 10517, 11165, 11166, 11168, 11170, 11172, 11585, 11588, 12421, 12612, 12614, 12616, 12618, 12815, 12816, 12819, 12978, 12981, 12982, 12986
71.....	10346, 10917, 11886,

12161, 12162, 12423, 12428,
12619
413.....9885
415.....9885
417.....9885

15 CFR

700.....10864
740.....11858
744.....10865, 11858
772.....11858
774.....11858
902.....9856, 10174, 13097

16 CFR

801.....11502
802.....11502
803.....11502

Proposed Rules:

320.....12823

17 CFR

210.....11528
228.....11528
229.....11528
240.....11528
249.....11528
270.....13328

Proposed Rules:

150.....12621
239.....10521
240.....10521
274.....10521

19 CFR

10.....10868
12.....11539
24.....10868
162.....10868
163.....10868
178.....10868
191.....10868
360.....12133

20 CFR

404.....11863
1002.....12106

Proposed Rules:

418.....10558
655.....11592

21 CFR

101.....12414
510.....11120, 13098
520.....13098
573.....13099
862.....11865, 11867

Proposed Rules:

864.....11887
1310.....9889

25 CFR

15.....11804

Proposed Rules:

542.....11893

26 CFR

1...9869, 10037, 10319, 10488,
11121, 12439, 12793, 13100
301.....10885, 12140
602.....10319

Proposed Rules:

1.....10062, 10349, 11903
31.....12164
301.....10572, 12166

27 CFR

Proposed Rules:

9.....11174, 11178

28 CFR

28.....10886
67.....12141
83.....12141

29 CFR

4000.....11540
4010.....11540
4022.....12585
4044.....12585

Proposed Rules:

2200.....10574
2204.....10574
2520.....12046
2550.....12046
2578.....12046
4000.....11592
4007.....11592
4044.....12429

30 CFR

206.....11869
917.....11121

Proposed Rules:

250.....12626
256.....12626
816.....13076
817.....13076

32 CFR

199.....12798
725.....12966

33 CFR

100.....10887, 10889
117.....12805, 13101
165.....11546, 11549, 12416
166.....11551
174.....13102
401.....12967

Proposed Rules:

Ch. I.....11912
100.....13122
110.....9892
117.....9895, 10349
165.....11595, 11598

36 CFR

Proposed Rules:

7.....12988

37 CFR

1.....10488
102.....10488
104.....10488
150.....10488

Proposed Rules:

270.....12631

40 CFR

52.....11123, 11125, 11552,
11553, 11879, 11882, 12416,
12587, 13105
62.....9872, 10490, 10891,
12591
63.....13108
81.....11553, 11882
122.....11560
180.....11563, 11572
228.....10041
260.....10776

261.....10776
262.....10776
263.....10776
264.....10776
265.....10776
271.....10776, 12416, 12593,
12973
272.....11132

Proposed Rules:

51.....9897
52.....11179, 11913, 12632,
13124, 13125
62.....9901, 10581, 10918
63.....13127
78.....9897
97.....9897
152.....12276
158.....12276
194.....11913
228.....12632
271.....12435, 12634, 13127
372.....10919
721.....9902

41 CFR

302-17.....12598

42 CFR

72.....13294
73.....13294
401.....11420
405.....11420
1003.....13294

Proposed Rules:

414.....10746

43 CFR

4.....11804

44 CFR

64.....12600

Proposed Rules:

67.....10582, 10583

45 CFR

1611.....10327

Proposed Rules:

1801.....12436

46 CFR

401.....12083
502.....10328
503.....10328
515.....10328
520.....10328
530.....10328
535.....10328
540.....10328
550.....10328
555.....10328
560.....10328

47 CFR

Ch. 1.....12601
54.....10057
64.....9875, 10894, 12605
73.....9876, 10895, 10896,
12807, 13116

Proposed Rules:

Ch. 1.....12828
15.....13139
22.....11916
64.....10930
73.....10351, 10352, 12832,
12833, 12834, 13001, 13002,

13003, 13004, 13139
76.....11314
90.....13143

48 CFR

Ch. 1.....11736, 11764
2.....11737
6.....11739
8.....11737
13.....11740
16.....11737
19.....11740
25.....11742
28.....11763
30.....11743
31.....11763
36.....11737
42.....11763
44.....11761, 11762
52.....11740, 11743, 11761,
11763
Ch. 3.....11583

Proposed Rules:

546.....12167, 13005
552.....12167, 13005
904.....12974
952.....12974

49 CFR

190.....11135
191.....11135
192.....10332, 11135
193.....11135
194.....11135
195.....10332, 11135
198.....11135
199.....11135
209.....11052
222.....13117
229.....13117
234.....11052
236.....11052
1540.....9877

Proposed Rules:

107.....11768
171.....11768
172.....11768
173.....11768
178.....11768
180.....11768
541.....10066
544.....12635
571.....11184, 11186
572.....11189

50 CFR

17.....10493, 11140
622.....9879, 13117
635.....10896, 12142
648.....11584, 12808
660.....13118
679...9856, 9880, 9881, 10174,
10507, 10508, 11884, 12143,
12808, 12809, 12810, 12811,
13119, 13120
680.....10174

Proposed Rules:

223.....13151
224.....13151
622.....10931, 10933, 11600,
13152
635.....11190, 11922
648.....10585, 12168, 12639,
13156

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 MARCH 18, 2005**COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration**

Fishery conservation and management:
West Coast States and Western Pacific fisheries—
Pacific Coast groundfish; correction; published 3-18-05

HEALTH AND HUMAN SERVICES DEPARTMENT**Food and Drug Administration**

Animal drugs, feeds, and related products:
Poly(2-vinylpyridine-co-styrene) and salts of volatile fatty acids; technical amendment; published 3-18-05
Tiamulin soluble powder; published 3-18-05

HOMELAND SECURITY DEPARTMENT**Coast Guard**

Drawbridge operations:
New Jersey; published 2-22-05

TRANSPORTATION DEPARTMENT**Federal Aviation Administration**

Airworthiness directives:
Bell; published 2-11-05
Boeing; published 2-11-05
Standard instrument approach procedures; published 3-18-05

**TREASURY DEPARTMENT
Internal Revenue Service**

Income taxes:
Qualified dividend income; election to treat as investment income; published 3-18-05

RULES GOING INTO EFFECT MARCH 19, 2005**COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration**

Fishery conservation and management:

Northeastern United States fisheries—
Tilefish; published 3-16-05

COMMENTS DUE NEXT WEEK**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]
Olives grown in—
California; comments due by 3-24-05; published 2-22-05 [FR 05-03234]
Potatoes (Irish) grown in—
Idaho and Oregon; comments due by 3-25-05; published 1-24-05 [FR 05-01178]

AGRICULTURE DEPARTMENT**Foreign Agricultural Service**

Sugar and sugar-containing products re-export programs; comments due by 3-22-05; published 1-21-05 [FR 05-01068]

AGRICULTURE DEPARTMENT**Forest Service**

Alaska National Interest Lands Conservation Act; Title VIII implementation (subsistence priority):
Fish and shellfish; subsistence taking; comments due by 3-25-05; published 1-6-05 [FR 05-00270]

**COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration**

Fishery conservation and management:
Atlantic highly migratory species—
Atlantic commercial shark; comments due by 3-25-05; published 3-10-05 [FR 05-04743]
Caribbean, Gulf, and South Atlantic fisheries—
Gulf of Mexico deep-water and shallow-water grouper; comments due by 3-21-05; published 2-17-05 [FR 05-03092]
Northeastern United States fisheries—
Seafood dealer reporting and recordkeeping requirements; comments

due by 3-21-05; published 3-4-05 [FR 05-04145]

Marine mammals:

Southern Resident killer whales; threatened status listing; comments due by 3-22-05; published 12-22-04 [FR 04-27929]

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]

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 programs:

Stratospheric ozone protection—
Essential use allowances allocation; comments due by 3-25-05; published 2-23-05 [FR 05-03451]

Air quality implementation plans;
Preparation, adoption, and submittal—
8-hour ozone national ambient air quality standard; implementation; reconsideration and public hearing; comments due by 3-21-05; published 2-3-05 [FR 05-01997]

Air quality implementation plans; approval and promulgation; various States:
California; comments due by 3-24-05; published 2-22-05 [FR 05-03185]
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]

Hazardous waste program authorizations:
Georgia; comments due by 3-20-05; published 3-17-05 [FR 05-05320]
Mississippi; comments due by 3-25-05; published 2-23-05 [FR 05-03363]
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]

Cooling water intake structures at Phase III facilities; requirements; comments due by 3-24-05; published 11-24-04 [FR 04-24913]
Water pollution; effluent guidelines for point source categories:
Meat and poultry products processing facilities; Open for comments until further notice; published 9-8-04 [FR 04-12017]

FARM CREDIT ADMINISTRATION

Corporate governance; comments due by 3-21-05;

published 1-19-05 [FR 05-00913]

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 unbounding obligations; local competition provisions; wireline services offering advanced telecommunications capability; Open for comments until further notice; published 12-29-04 [FR 04-28531]

Radio stations; table of assignments:

North Carolina; comments due by 3-21-05; published 2-11-05 [FR 05-02704]

Various States; comments due by 3-21-05; published 2-11-05 [FR 05-02703]

GENERAL SERVICES ADMINISTRATION

Acquisition regulations:

Commercial item contracts, consequential damages waiver and post award audit provisions; comments due by 3-25-05; published 3-11-05 [FR 05-04766]

HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

Scholar accountability policy; comments due by 3-22-05; published 1-21-05 [FR 05-01045]

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Food additives:

Direct food additives—
Acacia (gum arabic); comments due by 3-21-05; published 2-17-05 [FR 05-03026]

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

Coast Guard

Anchorage regulations:

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

Drawbridge operations:

Washington; comments due by 3-22-05; published 1-21-05 [FR 05-01057]

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Public and Indian housing:

Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee; intent to establish and request nominations; comments due by 3-24-05; published 2-22-05 [FR 05-03091]

INTERIOR DEPARTMENT

Fish and Wildlife Service

Alaska National Interest Lands Conservation Act; Title VIII implementation (subsistence priority):

Fish and shellfish; subsistence taking; comments due by 3-25-05; published 1-6-05 [FR 05-00270]

Endangered and threatened species permit applications Recovery plans—

Paiute cutthroat trout; Open for comments until further notice; published 9-10-04 [FR 04-20517]

NATIONAL CRIME PREVENTION AND PRIVACY COMPACT COUNCIL

Interstate Identification Index (III) System; compliant conduct and responsible use for noncriminal justice purposes; Compact Council procedures; comments due by 3-21-05; published 2-17-05 [FR 05-03045]

State criminal history record screening standards; comments due by 3-21-05; published 2-17-05 [FR 05-03041]

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]

Fee schedules revision; 90% fee recovery (2005 FY); comments due by 3-24-05; published 2-22-05 [FR 05-03128]

SMALL BUSINESS ADMINISTRATION

Disaster loan areas:

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

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

Committees; establishment, renewal, termination, etc.:

Driver's Licenses and Personal Identification Cards Negotiated Rulemaking Advisory Committee; comments due by 3-25-05; published 2-23-05 [FR 05-03458]

Economic regulations:

Foreign direct air carriers; charter operations; comments due by 3-22-05; published 1-21-05 [FR 05-01107]

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Advisory circulars; availability, etc.:

Repair Station Training Program; comments due by 3-22-05; published 1-21-05 [FR 05-01130]

Airworthiness directives:

Boeing; Open for comments until further notice; published 8-16-04 [FR 04-18641]

Dornier; comments due by 3-24-05; published 2-22-05 [FR 05-03286]

McDonnell Douglas; comments due by 3-25-05; published 1-24-05 [FR 05-01206]

Raytheon; comments due by 3-21-05; published 2-2-05 [FR 05-01925]

Special conditions—

Boeing; comments due by 3-25-05; published 2-8-05 [FR 05-02319]

Area navigation routes; comments due by 3-24-05; published 2-7-05 [FR 05-02221]

Class E airspace; comments due by 3-24-05; published 2-7-05 [FR 05-02226]

TRANSPORTATION DEPARTMENT

Research and Special Programs Administration

Pipeline safety:

Safety regulation; periodic updates; correction; comments due by 3-22-05; published 1-21-05 [FR 05-01062]

TREASURY DEPARTMENT Internal Revenue Service

Income taxes:

S corporations; section 1374 effective dates; cross-reference; comments due by 3-22-05; published 12-22-04 [FR 04-28012]

TREASURY DEPARTMENT

Alcohol and Tobacco Tax and Trade Bureau

Alcohol; viticultural area designations:

High Valley; Lake County, CA; comments due by 3-25-05; published 1-24-05 [FR 05-01191]

Horse Heaven Hills; Klickitat, Yakima, and Benton Counties, WA; comments due by 3-25-05; published 1-24-05 [FR 05-01190]

Santa Lucia Highlands and Arroyo Seco; Monterey County, CA; comments due by 3-25-05; published 1-24-05 [FR 05-01192]

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 "PLUS" (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.

S. 5/P.L. 109-2

Class Action Fairness Act of 2005 (Feb. 18, 2005; 119 Stat. 4)

Last List January 12, 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](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.