

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2004-19333; Airspace Docket No. 04-ACE-62]

**Modification of Class E Airspace; Warrensburg, MO**

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by revising Class E airspace at Warrensburg, MO. A review of the Class E airspace area extending upward from 700 feet above the surface at Warrensburg, MO revealed it does not reflect the current Skyhaven Airport airport reference point (APR) and is not in compliance with established airspace criteria. This airspace area is enlarged and modified to conform to FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, January 20, 2005. Comments for inclusion in the Rules Docket must be received on or before November 30, 2004.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2004-19333/ Airspace Docket No. 04-ACE-62, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 modifies the Class E airspace area extending upward from 700 feet above the surface at Warrensburg, MO. An examination of controlled airspace for Warrensburg, MO revealed that the Skyhaven Airport

ARP used in the legal description for this Class E airspace area is incorrect and that the airspace area does not comply with airspace requirements for diverse departures as set forth in FAA Order 7400.2E, Procedures for Handling Airspace Matters. The examination also revealed that the Class E airspace area extension is no longer required in order for the airspace area to comply with airspace requirements in FAA Orders 7400.2E, and 8260.19C, Flight Procedures and Airspace. This action expands the Warrensburg, MO Class E airspace area extending upward from 700 feet above the surface from a 6-mile radius to a 7-mile radius of Skyhaven Airport, corrects the ARP in the legal description, deletes the airspace extension and brings the legal description of the airspace area into compliance with FAA Orders 7400.2E and 8620.19C. This area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

**Comments Invited**

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or

arguments, as they made desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2004-19333/Airspace Docket No. 04-ACE-62." The postcard will be date/time stamped and returned to the commenter.

**Agency Findings**

The regulations adopted herein will not have a substantial direct 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, 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**

■ Accordingly, the Federal Aviation Administration amends 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 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 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, 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.*

\* \* \* \* \*

**ACE MO E5 Warrensburg, MO**

Warrensburg, Skyhaven Airport, MO (Lat. 38°47'03" N., long 93°48'10" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Skyhaven Airport.

\* \* \* \* \*

Issued in Kansas City, MO, on October 21, 2004.

**Elizabeth S. Wallis,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 04–24260 Filed 10–28–04; 8:45 am]

**BILLING CODE 4910–13–M**

**List of Subjects in 32 CFR Part 1910**

Debarment and suspension procedures.

■ For the reasons stated in the preamble, the Central Intelligence Agency adds 32 CFR Part 1910 as follows:

**PART 1910—DEBARMENT AND SUSPENSION PROCEDURES**

Sec. 1910.1 General.

**Authority:** 50 U.S.C. 401–442; 50 U.S.C. 403a–403u; 48 CFR ch. 1, subpart 9.4.

**§ 1910.1 General.**

The Central Intelligence Agency (CIA), in accordance with its authorities under the Central Intelligence Agency Act of 1949, as amended, and the National Security Act of 1947, as amended, has an established debarment and suspension process in accordance with subpart 9.402(d) of the Federal Acquisition Regulation (FAR). This process and the causes for debarment and suspension are consistent with those found in FAR 9.406 and 9.407. The rights of CIA contractors in all matters involving debarment and suspension are hereby governed by the provisions of subpart 9.4 of the FAR.

Dated: October 14, 2004.

**Edmund Cohen,**

*Director of Information Management Services, Office of the Chief Information Officer.*

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**BILLING CODE 6310–02–P**

year. In the event of inclement weather, the alternate date is July 5th.

**DATES:** This rule is effective: November 29, 2004.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket are part of docket CGD05–04–052 and are available for inspection or copying at the Commander (obr), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704–5004, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Gary S. Heyer, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398–6227.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

On May 17, 2004, we published a notice of proposed rulemaking (NPRM) entitled “Drawbridge Operation Regulations; Spa Creek, Annapolis, MD” in the **Federal Register** (69 FR 27870). We received no comments on the proposed rule. No public meeting was requested or held.

**Background and Purpose**

The City of Annapolis Recreation and Parks Department (the Department) on behalf of Maryland Department of Transportation, who owns and operates the S181 Bridge, requested a change to the operating regulations set out in 33 CFR 117.571.

In accordance with 33 117.37(a) for reason of public safety or for public functions, the District Commander may authorize the opening and closing of a drawbridge for a specified period of time.

Due to the high volume of spectators that attend this annual event, it is necessary to close the draw span to vessels between the hours of 8:30 p.m. to 11 p.m. to help expedite exiting vehicular traffic from the City of Annapolis after the fireworks display. This will reduce vehicular traffic congestion and increase public safety.

Under this rule, the S181 Bridge will be allowed to remain in the closed position to vessels from 8:30 p.m. to 11 p.m. on July 4th, of every year. In the event of inclement weather, the alternate date is July 5th.

Since the Annapolis Fireworks Display is a well-known annual event, and it is publicly advertised, vessel operators can arrange their transits to minimize any impact caused by the closure. Vessels with a mast height less than 15 feet at high water can still

**CENTRAL INTELLIGENCE AGENCY**

**32 CFR Part 1910**

**Debarment and Suspension Procedures**

**AGENCY:** Central Intelligence Agency.

**ACTION:** Final rule.

**SUMMARY:** In accordance with its statutory procurement authorities, the Central Intelligence Agency (CIA) has established a policy whereby the rights of CIA contractors in all matters involving debarment and suspension will be governed by the debarment and suspension provisions of the Federal Acquisition Regulation.

**DATES:** Effective October 29, 2004.

**FOR FURTHER INFORMATION CONTACT:** Harvy P. Cooper, Legal Staff, Office of the Chief Information Officer, Central Intelligence Agency, telephone 703–613–1287.

**SUPPLEMENTARY INFORMATION:** None.

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[CGD05–04–052]

**RIN 1625–AA09**

**Drawbridge Operation Regulation; Spa Creek, Annapolis, MD**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is changing the regulations that govern the operation of the S181 Bridge, mile 0.4, across Spa Creek, at Annapolis, Maryland. These regulations are necessary to facilitate public safety and expedite vehicular traffic from the City of Annapolis after the annual firework display. This change to the drawbridge operation schedule will allow the S181 Bridge to remain in the closed position from 8:30 p.m. to 11 p.m. on July 4th, of every