

Reader Aids

Federal Register

Vol. 69, No. 82

Wednesday, April 28, 2004

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, APRIL

17033-17282.....	1
17283-17584.....	2
17585-17898.....	5
17899-18244.....	6
18245-18470.....	7
18471-18800.....	8
18801-19076.....	9
19077-19310.....	12
19311-19752.....	13
19753-19920.....	14
19921-20536.....	15
20537-20804.....	16
20805-21038.....	19
21039-21392.....	20
21393-21688.....	21
21689-21940.....	22
21941-22376.....	23
22377-22716.....	26
22717-23086.....	27
23087-23414.....	28

CFR PARTS AFFECTED DURING APRIL

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.

1 CFR	1126.....	21950
	1131.....	21950
51	18801	
3 CFR		
Proclamations:		
7765.....	18465	
7766.....	18467	
7767.....	18469	
7768.....	19077	
7769.....	19307	
7770.....	19751	
7771.....	20537	
7772.....	21683	
7773.....	21685	
7774.....	21687	
7775.....	23085	
Executive Orders:		
13334.....	19917	
Administrative Orders:		
Presidential		
Determinations:		
No. 2004-26 of March		
24, 2004.....	21675	
No. 2004-27 of April 6,		
2004.....	21677	
No. 2004-28 of April		
14, 2004.....	21679	
5 CFR		
537.....	21039	
Proposed Rules:		
1650.....	18294	
1653.....	18294	
1655.....	18294	
1690.....	18294	
7 CFR		
301.....	21039	
319.....	21941	
701.....	22377	
772.....	18471	
905.....	19079	
916.....	19753	
917.....	19753	
925.....	21689	
929.....	18803	
956.....	22377	
979.....	21947	
981.....	21692	
982.....	19082	
983.....	17844	
984.....	17899	
989.....	21695	
1000.....	21950	
1001.....	21950	
1005.....	21950	
1006.....	21950	
1007.....	21950	
1030.....	21950	
1032.....	21950	
1033.....	21950	
1124.....	21950	
8 CFR		
103.....	20528	
Proposed Rules:		
103.....	18296	
9 CFR		
1.....	17899	
2.....	17899	
3.....	17899	
53.....	23087	
77.....	20805	
93.....	21040	
94.....	21042	
98.....	21042	
301.....	18245	
309.....	18245	
310.....	18245	
311.....	18245	
313.....	18245	
318.....	18245	
319.....	18245	
320.....	18245, 21047	
381.....	21047	
10 CFR		
170.....	22664	

171.....22664	17989, 17991, 17993, 17996, 18304, 18306, 18843, 18845, 18848, 19132, 19135, 19777, 19950, 19952, 19954, 19956, 20566, 21444, 21766, 21768, 21771, 21774, 22459, 22461, 22743, 22745, 23161	250.....18728	103.....19093, 19098
Proposed Rules:		312.....17927	240.....17272
9.....22737		314.....18728	
71.....21978		520.....21956	32 CFR
11 CFR		522.....17585	199.....17035
Proposed Rules:		573.....19320	719.....20540
110.....18301, 18841	61.....21073	600.....18728	725.....20540
12 CFR	61.....18308, 18309, 18508, 19359, 19360, 19958, 19960, 19961, 19962, 19963, 20834, 20835, 20837, 21447, 21448, 21449, 23161	601.....18728	727.....20541
3.....22382	91.....21073	606.....18255	752.....20542
208.....22382	119.....21073	610.....18255	1602.....20542
225.....22382	121.....21073	807.....18472	1605.....20542
229.....19921	135.....21073	1308.....17034	1609.....20542
325.....22382	136.....21073	Proposed Rules:	1656.....20542
335.....19085	399.....21450	Ch. 1.....17615	2001.....17052
567.....22382	15 CFR	101.....20838	Proposed Rules:
609.....21699	738.....21055	201.....21778	519.....18314
611.....21699	740.....21055	208.....21778	
612.....21699	774.....17926	209.....21778	33 CFR
614.....21699	16 CFR	22 CFR	101.....17927
615.....21699	316.....21024	126.....18810	104.....17927
617.....21699	1210.....19762	24 CFR	117.....17055, 17057, 17595, 17597, 18473, 19103, 19325, 20544, 21061, 21062, 21064, 21956, 22733
1700.....18808	Proposed Rules:	Proposed Rules:	147.....19933, 21065
Proposed Rules:	316.....18851	30.....19906	165.....18473, 19326, 21067, 23101
32.....21978	603.....23370	200.....21036	167.....18476
41.....23380	613.....23370	203.....19906	334.....20545, 20546, 20547
222.....19123, 23380	614.....23370	320.....19746	402.....18811
303.....20558	682.....21388	25 CFR	Proposed Rules:
334.....23380	801.....18686	Proposed Rules:	100.....18002
571.....23380	802.....18686	30.....20839	110.....17119, 20568
701.....21439	803.....18686	37.....20839	117.....17122, 17616, 17618, 18004, 22749
705.....21443		39.....20839	165.....18794, 18797, 21981, 22751, 22753
717.....23380		42.....20839	334.....20570
742.....21439		44.....20839	34 CFR
1710.....19126		47.....20839	99.....21670
13 CFR		26 CFR	36 CFR
102.....21952	17 CFR	1.....17586, 21405, 22399	223.....18813
14 CFR	200.....21057	Proposed Rules:	400.....17928
11.....22385	232.....21954, 22704	1.....17117, 17477, 18314, 21454, 22463	Proposed Rules:
23.....22717	239.....22300, 22704	20.....20840	13.....17355
25.....18246, 19311, 22720	249.....22704	301.....17117, 20840	242.....19964
39.....17033, 17034, 17901, 17903, 17905, 17906, 17909, 17911, 17913, 17914, 17915, 17917, 17918, 17919, 17921, 17924, 17925, 18250, 19313, 19618, 19756, 19758, 19759, 20539, 20809, 20811, 20815, 20817, 20818, 21049, 21393, 21395, 21397, 21401, 21402, 21699, 21701, 22386, 22388, 22389, 22392, 23090, 23093, 23095, 23098, 23099	259.....22704	27 CFR	292.....21796
71.....17283, 19314, 19315, 19316, 19317, 19318, 19319, 19922, 19923, 20820, 20821, 20822, 20823, 21404, 22394, 22395, 22396, 22397, 22398, 22599, 22730	269.....22704	9.....20823	37 CFR
73.....18471, 21053	274.....22300, 22704	28 CFR	1.....21704
77.....22732	Proposed Rules:	803.....21058	401.....17299
91.....21953	30.....17998	804.....21059	38 CFR
97.....17284	230.....21650	29 CFR	20.....19935, 21068
121.....19761	232.....17864	35.....17570	Proposed Rules:
135.....18472	239.....21650	541.....22122	3.....22757
1260.....21703	240.....17864, 21650	1952.....20826, 20828	4.....22757
Proposed Rules:	249.....17864, 21650	1981.....17587	17.....21075
39.....17072, 17073, 17076, 17077, 17080, 17082, 17084, 17086, 17088, 17091, 17095, 17097, 17101, 17103, 17105, 17107, 17109, 17111, 17113, 17115, 17610, 17984, 17987,	18 CFR	4022.....19925	39 CFR
	Proposed Rules:	4044.....19925, 22599	111.....17059, 22401
	1.....21777	Proposed Rules:	Proposed Rules:
	19 CFR	1910.....17774	111.....19363, 20841, 21455, 22464
	Proposed Rules:	1917.....19361	40 CFR
	24.....18296	1918.....19361	9.....19105, 22402
	20 CFR	1926.....20840, 22748	51.....21604
	404.....19924	30 CFR	52.....17302, 17929, 18815, 19937, 19939, 20548, 21711, 21713, 21715, 21717, 21731, 22441, 22443, 22445, 22447, 23103, 23109, 23110
	641.....19014	75.....17480	
	Proposed Rules:	925.....19927	
	404.....18310	931.....19321	
	21 CFR	Proposed Rules:	
	Ch. 1.....17285	200.....19137	
	1.....19763, 19765, 19766	917.....21075	
	20.....19766	31 CFR	
	173.....17297	1.....17298	
	201.....18255		
	206.....18728		

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 APRIL 28, 2004**COMMERCE DEPARTMENT****National Oceanic and Atmospheric Administration**

Fishery conservation and management:

- Northeastern United States fisheries—
- Summer flounder, scup and black sea bass; published 3-29-04

ENVIRONMENTAL PROTECTION AGENCY

Pesticides; emergency exemptions, etc.:

- Citronellol; published 4-28-04

Pesticides; emergency exemptions, etc.:

- Geraniol; published 4-28-04

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

- Antimicrobial formulations; published 4-28-04

LABOR DEPARTMENT**Labor-Management Standards Office**

Federal contractors and subcontractors:

- Employee rights concerning union dues or fees payment; published 3-29-04

TRANSPORTATION DEPARTMENT**Federal Aviation Administration**

Airworthiness directives:

- AeroSpace Technologies of Australia Pty Ltd.; published 3-31-04
- Dornier; published 3-24-04

TRANSPORTATION DEPARTMENT**Surface Transportation Board**

Fees:

- Licensing and related services; 2002 update; published 3-29-04

VETERANS AFFAIRS DEPARTMENT

State cemetery grants; published 3-29-04

COMMENTS DUE NEXT WEEK**AGRICULTURE DEPARTMENT****Agricultural Marketing Service**

Milk marketing orders:

- Northeast and other marketing areas; comments due by 5-3-04; published 3-2-04 [FR 04-04724]

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

Interstate transportation of animals and animal products (quarantine):

- Brucellosis in cattle—
- State and area classifications; comments due by 5-3-04; published 3-2-04 [FR 04-04599]

Plant-related quarantine, domestic:

- Asian longhorned beetle; comments due by 5-7-04; published 3-8-04 [FR 04-05128]

Plant-related quarantine, foreign:

- Karnal bunt; wheat importation; comments due by 5-3-04; published 3-3-04 [FR 04-04723]

AGRICULTURE DEPARTMENT**Farm Service Agency**

Special programs:

- Direct Farm Loan Programs; regulatory streamlining; comments due by 5-4-04; published 4-19-04 [FR 04-08772]

AGRICULTURE DEPARTMENT**Food Safety and Inspection Service**

Meat and poultry inspection:

- Bovine spongiform encephalopathy policies—
- Preliminary regulatory impact analysis for interim regulations; availability and comment request; comments due by 5-7-04; published 4-7-04 [FR 04-07925]

AGRICULTURE DEPARTMENT**Rural Utilities Service**

Electric loans:

- Electric System Emergency Restoration Plan;

comments due by 5-3-04; published 3-19-04 [FR 04-06167]

AGRICULTURE DEPARTMENT

Religious organizations; participation in USDA programs; equal treatment for faith-based organizations; comments due by 5-4-04; published 3-5-04 [FR 04-05092]

AMERICAN BATTLE MONUMENTS COMMISSION

Employee responsibilities and conduct; removal of superseded regulations and addition of residual cross references; comments due by 5-5-04; published 4-6-04 [FR 04-07675]

COMMERCE DEPARTMENT**National Oceanic and Atmospheric Administration**

Endangered and threatened species:

- Sea turtle conservation requirements—
- Shrimp trawling requirements; Atlantic Ocean and Gulf of Mexico; turtle excluder devices; comments due by 5-3-04; published 4-16-04 [FR 04-08698]

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

Federal Acquisition Regulation (FAR):

- Hazardous material safety data; comments due by 5-3-04; published 3-3-04 [FR 04-04749]

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: Pulp and paper industry; comments due by 5-6-04; published 4-15-04 [FR 04-08582]

Air programs; approval and promulgation; State plans for designated facilities and pollutants:

Washington; comments due by 5-3-04; published 4-2-04 [FR 04-07470]

Air quality implementation plans; approval and promulgation; various States; air quality planning purposes; designation of areas:

- Pennsylvania; comments due by 5-3-04; published 4-2-04 [FR 04-07471]

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

- Florida; comments due by 5-6-04; published 4-6-04 [FR 04-07646]
- New Jersey; comments due by 5-7-04; published 4-7-04 [FR 04-07863]
- New York; comments due by 5-7-04; published 4-7-04 [FR 04-07862]

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]

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

- Gellan gum; comments due by 5-3-04; published 3-3-04 [FR 04-04707]
- Yeast extract hydrolysate from saccharomyces cerevisiae; comments due by 5-3-04; published 3-3-04 [FR 04-04706]

Solid wastes:

- Hazardous waste; identification and listing—
- Exclusions; comments due by 5-3-04; published 3-19-04 [FR 04-06216]

State solid waste landfill permit programs—

- Delaware and Maryland; comments due by 5-3-04; published 4-2-04 [FR 04-07468]
- Delaware and Maryland; comments due by 5-3-04; published 4-2-04 [FR 04-07469]

Superfund program:

- National oil and hazardous substances contingency plan—
- National priorities list update; comments due by 5-7-04; published 3-8-04 [FR 04-05109]

Water supply:

- National primary drinking water regulations—

- Long Term Enhanced Surface Water Treatment Rule, Surface Water Treatment Rule, etc.; corrections and clarification; comments due by 5-3-04; published 3-2-04 [FR 04-04464]
- EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**
Agency information collection activities; proposals, submissions, and approvals; comments due by 5-3-04; published 3-4-04 [FR 04-04090]
- FEDERAL COMMUNICATIONS COMMISSION**
Common carrier services:
International telecommunications service provisions; amendments; comments due by 5-6-04; published 3-22-04 [FR 04-06317]
Radio frequency devices:
Broadband power line systems; comments due by 5-3-04; published 3-17-04 [FR 04-05271]
Cognitive radio technologies and software defined radios; comments due by 5-3-04; published 2-17-04 [FR 04-03240]
Radio stations; table of assignments:
Georgia; comments due by 5-6-04; published 3-30-04 [FR 04-07096]
Massachusetts and New York; comments due by 5-3-04; published 3-29-04 [FR 04-06943]
- FEDERAL DEPOSIT INSURANCE CORPORATION**
Transactions with affiliates; filing procedures; comments due by 5-3-04; published 3-17-04 [FR 04-05928]
- FEDERAL ELECTION COMMISSION**
Contribution and expenditure limitations and prohibitions:
Foreign national donations acceptance; comments due by 5-7-04; published 4-7-04 [FR 04-07855]
- FEDERAL RETIREMENT THRIFT INVESTMENT BOARD**
Thrift Savings Plan:
Funds withdrawal; court orders and legal processes, and loan program; comments due by 5-7-04; published 4-7-04 [FR 04-07610]
- GENERAL SERVICES ADMINISTRATION**
Federal Acquisition Regulation (FAR):
- Hazardous material safety data; comments due by 5-3-04; published 3-3-04 [FR 04-04749]
- HEALTH AND HUMAN SERVICES DEPARTMENT**
Food and Drug Administration
Food additives:
Secondary direct food additives—
Cetylpyridinium chloride; comments due by 5-3-04; published 4-2-04 [FR 04-07399]
Human drugs:
Medicare Prescription Drug, Improvement, and Modernization Act of 2003—
Abbreviated new drug applications regulations; issues identification; comment request; comments due by 5-3-04; published 3-3-04 [FR 04-04775]
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]
- HOMELAND SECURITY DEPARTMENT**
Coast Guard
Anchorage regulations:
Maryland; Open for comments until further notice; published 1-14-04 [FR 04-00749]
Drawbridge operations:
Florida; comments due by 5-3-04; published 3-4-04 [FR 04-04781]
New York; comments due by 5-5-04; published 4-5-04 [FR 04-07625]
South Carolina; comments due by 5-3-04; published 3-4-04 [FR 04-04778]
Regattas and marine parades:
Cock Island Race; comments due by 5-3-04; published 3-3-04 [FR 04-04647]
Vessel documentation and measurement:
Lease financing for coastwise trade; comments due by 5-4-04; published 2-4-04 [FR 04-02231]
- HOMELAND SECURITY DEPARTMENT**
Immigration:
- Aliens—
Asylum claims made in transit and at land border ports-of-entry; U.S.-Canada agreement; implementation; comments due by 5-7-04; published 3-8-04 [FR 04-05077]
Organization, functions, and authority delegations:
Customs officers; overtime compensation and premium pay; comments due by 5-7-04; published 4-7-04 [FR 04-07857]
- HOUSING AND URBAN DEVELOPMENT DEPARTMENT**
Grants:
Faith-based organizations; equal participation; agency policy; comments due by 5-3-04; published 3-3-04 [FR 04-04811]
- INTERIOR DEPARTMENT**
Fish and Wildlife Service
Endangered and threatened species:
Critical habitat designations—
Bull trout; Klamath and Columbia Rivers; comments due by 5-5-04; published 4-5-04 [FR 04-07548]
Peirson's milk-vetch; comments due by 5-6-04; published 4-6-04 [FR 04-07694]
- JUSTICE DEPARTMENT**
Executive Office for Immigration Review
Asylum claims made by aliens arriving from Canada at land border ports-of-entry; comments due by 5-7-04; published 3-8-04 [FR 04-05065]
- JUSTICE DEPARTMENT**
Parole Commission
Federal prisoners; paroling and releasing, etc.:
District of Columbia and United States Codes; prisoners serving sentences—
Parole release hearings conducted by video conferences; pilot project; comments due by 5-4-04; published 2-4-04 [FR 04-02105]
- LABOR DEPARTMENT**
Federal Contract Compliance Programs Office
Agency information collection activities; proposals, submissions, and approvals; comments due by 5-3-04; published 3-4-04 [FR 04-04090]
- NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**
Federal Acquisition Regulation (FAR):
Hazardous material safety data; comments due by 5-3-04; published 3-3-04 [FR 04-04749]
- NATIONAL CREDIT UNION ADMINISTRATION**
Credit unions:
Economic Growth and Regulatory Paperwork Reduction Act of 1996; implementation—
Regulatory review for reduction of burden on federally-insured credit unions; comments due by 5-4-04; published 2-4-04 [FR 04-02279]
- PERSONNEL MANAGEMENT OFFICE**
Agency information collection activities; proposals, submissions, and approvals; comments due by 5-3-04; published 3-4-04 [FR 04-04090]
- SMALL BUSINESS ADMINISTRATION**
Disaster loan areas:
Maine; Open for comments until further notice; published 2-17-04 [FR 04-03374]
- TRANSPORTATION DEPARTMENT**
Federal Aviation Administration
Airworthiness directives:
Airbus; comments due by 5-3-04; published 4-1-04 [FR 04-07292]
Boeing; comments due by 5-4-04; published 3-5-04 [FR 04-04660]
Bombardier; comments due by 5-3-04; published 4-1-04 [FR 04-07285]
de Havilland; comments due by 5-7-04; published 4-12-04 [FR 04-08221]
Dornier; comments due by 5-3-04; published 4-1-04 [FR 04-07303]
Empresa Brasileira de Aeronautica S.A. (EMBRAER); comments due by 5-3-04; published 4-1-04 [FR 04-07355]
Empresa Brasileira de Aeronautica S.A. (EMBRAER); comments due by 5-6-04; published 4-6-04 [FR 04-07713]
Pilatus Aircraft Ltd.; comments due by 5-7-04;

published 4-9-04 [FR 04-08054]

Rolls-Royce plc; comments due by 5-3-04; published 3-4-04 [FR 04-04799]

Saab; comments due by 5-3-04; published 4-1-04 [FR 04-07291]

Airworthiness standards:

Special conditions—

Gulfstream Model GIV-X
Airplane; comments due by 5-7-04; published 4-7-04 [FR 04-07877]

Airworthiness standards:

Special conditions—

Agusta S.p.A. Model
AB139 helicopters;
comments due by 5-4-04; published 3-5-04 [FR 04-05028]

Class E airspace; comments due by 5-3-04; published 3-19-04 [FR 04-06154]

TRANSPORTATION DEPARTMENT

Maritime Administration

Vessel documentation and measurement:

Lease financing for coastwise trade; comments due by 5-4-04; published 2-4-04 [FR 04-02231]

TREASURY DEPARTMENT Internal Revenue Service

Income taxes:

Notional principal contracts; contingent nonperiodic payments; comments due by 5-4-04; published 2-26-04 [FR 04-04151]

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. 2057/P.L. 108-220

To require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include

domestic travel. (Apr. 22, 2004; 118 Stat. 618)

Last List April 15, 2004

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.