

Fairness Act of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

#### List of Subjects in 10 CFR Part 110

Administrative practice and procedure, Classified information, Criminal penalties, Export, Import, Intergovernmental relations, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Scientific equipment.

■ For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR Part 110.

#### PART 110—EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL

■ 1. The authority citation for Part 110 continues to read as follows:

**Authority:** Secs. 51, 53, 54, 57, 63, 64, 65, 81, 82, 103, 104, 109, 111, 126, 127, 128, 129, 161, 181, 182, 187, 189, 68 Stat. 929, 930, 931, 932, 933, 936, 937, 948, 953, 954, 955, 956, as amended (42 U.S.C. 2071, 2073, 2074, 2077, 2092–2095, 2111, 2112, 2133, 2134, 2139, 2139a, 2141, 2154–2158, 2201, 2231–2233, 2237, 2239); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 5, Pub. L. 101–575, 104 Stat. 2835 (42 U.S.C. 2243); Sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note).

Sections 110.1(b)(2) and 110.1(b)(3) also issued under Pub. L. 96–92, 93 Stat. 710 (22 U.S.C. 2403). Section 110.11 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152) and secs. 54c and 57d, 88 Stat. 473, 475 (42 U.S.C. 2074). Section 110.27 also issued under sec. 309(a), Pub. L. 99–440. Section 110.50(b)(3) also issued under sec. 123, 92 Stat. 142 (42 U.S.C. 2153). Section 110.51 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 110.52 also issued under sec. 186, 68 Stat. 955 (42 U.S.C. 2236). Sections 110.80–110.113 also issued under 5 U.S.C. 552, 554. Sections 110.30–110.135 also issued under 5 U.S.C. 553. Sections 110.2 and 110.42(a)(9) also issued under sec. 903, Pub. L. 102–496 (42 U.S.C. 2151 *et seq.*).

#### § 110.28 [Amended]

2. Section 110.28 is amended by adding Syria to the list of embargoed destinations.

#### § 110.29 [Amended]

3. Section 110.29 is amended by removing Syria from the list of restricted destinations.

Dated at Rockville, Maryland, this May 3, 2005.

For the Nuclear Regulatory Commission.  
**Luis A. Reyes,**  
*Executive Director For Operations.*  
[FR Doc. 05–10391 Filed 5–24–05; 8:45 am]  
**BILLING CODE 7590–01–P**

#### SMALL BUSINESS ADMINISTRATION

#### 13 CFR Parts 102 and 134

**RIN 3245–AF36**

#### Office of Hearings & Appeals and Freedom of Information Act and Privacy Acts Office; Address Change

**AGENCY:** U.S. Small Business Administration (SBA).

**ACTION:** Direct final rule.

**SUMMARY:** The Office of Hearings and Appeals (OHA) and Freedom of Information Act and Privacy Acts Office (FOI/PA) are amending their regulations to reflect a change in their address. This action is technical in nature and is intended to improve the accuracy of the Agency's regulations.

**DATES:** This rule is effective July 11, 2005 without further action, unless adverse comment is received by June 24, 2005. If the adverse comment is received, SBA will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** You may submit comments, identified by the RIN number 3245–AF36, by any of the following methods: (1) Federal rulemaking portal at <http://www.regulations.gov>; (2) Agency Web site: <http://www.sba.gov>; (3) E-mail: [delorice.ford@sba.gov](mailto:delorice.ford@sba.gov); (4) Mail to: Delorice Price Ford, Assistant Administrator, Office of Hearings & Appeals, 409 3rd Street, SW., Washington, DC 20416; and (5) Hand Delivery/Courier: 409 3rd Street, SW., Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Delorice Price Ford, Assistant Administrator, Office of Hearings & Appeals, 409 3rd Street, SW., Washington, DC 20416, (202) 401–8200, or by e-mail at [delorice.ford@sba.gov](mailto:delorice.ford@sba.gov).

**SUPPLEMENTARY INFORMATION:** OHA and FOI/PA are amending their regulations in 13 CFR parts 102 and 134 to reflect a change in its address. The current address listed in the above regulations is 409 3rd Street, SW., Suite 5900, Washington, DC 20416. The new address deletes the suite number, but the street address remains the same: 409 3rd Street, SW., Washington, DC 20416.

Publication of this document constitutes final action on these changes under the Administrative Procedure Act

(5 U.S.C. 553). Notice and public procedure are unnecessary because OHA and FOI/PA are merely correcting nonsubstantive errors.

SBA is publishing this rule as a direct final rule because it believes the rule is non-controversial since it merely conforms with SBA rules to express a change in address for service to OHA and FOI/PA. As explained in the previous paragraph, this is beneficial to parties that have dealings with OHA and FOI/PA. SBA believes that this direct final rule will not elicit any significant adverse comments. However, if adverse comments are received, SBA will publish a timely notice of withdrawal in the **Federal Register**.

#### Compliance With Executive Orders 13132, 12988 and 12866, the Regulatory Flexibility Act (5 U.S.C. 601–612, and the Paperwork Reduction Act (44 U.S.C. Ch. 35)

This regulation will not have substantial direct effects 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, for the purposes of Executive Order 13132, SBA determines that this direct final rule has no federalism implications warranting preparation of a federalism assessment.

The Office of Management and Budget (OMB) has determined that this rule does not constitute a significant regulatory action under Executive Order 12866.

This action meets applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have retroactive or preemptive effect.

SBA has determined that this direct final rule does not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601, requires administrative agencies to consider the effect of their actions on small entities, small non-profit enterprises, and small local governments. Pursuant to the RFA, when an agency issues a rulemaking, the agency must prepare a regulatory flexibility analysis which describes the impact of the rule on small entities. However, section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities. Within the

meaning of RFA, SBA certifies that this rule will not have a significant economic impact on a substantial number of small entities. Consequently, this rule does not meet the substantial number of small businesses criterion anticipated by the Regulatory Flexibility Act.

#### List of Subjects

##### 13 CFR Part 102

Record Disclosure and Privacy.

##### 13 CFR Part 134

Administrative practice and procedure, organization and functions (Government agencies).

■ For the reasons stated in the preamble, the U.S. Small Business Administration amends 13 CFR parts 102 and 134 as set forth below:

#### PART 102—RECORD DISCLOSURE AND PRIVACY

■ 1. The authority citation for part 102 continues to read as follows:

**Authority:** 5 U.S.C. 552 and 552a; 31 U.S.C. 1 *et seq.* and 67 *et seq.*; 44 U.S.C. 3501 *et seq.*; E.O. 12600, 3 CFR, 1987 Comp., p. 235.

##### § 102.30 [Amended]

■ 2. Section 102.30 is amended by revising the address to read “409 3rd Street, SW., Washington, DC 20416.”

#### PART 134—RULES OF PROCEDURE GOVERNING CASES BEFORE THE OFFICE OF HEARINGS AND APPEALS

■ 3. The authority citation for part 134 continues to read as follows:

**Authority:** 5 U.S.C. 504; 15 U.S.C. 632, 634(b)(6), 637(a), 648(l), 656(i) and 687(c); E.O. 12549, 51 FR 6370, 3 CFR, 1986 Comp., p. 189.

##### § 134.204 [Amended]

■ 4. Section 134.204(b)(1) is amended by revising the address to read “409 3rd Street, SW., Washington, DC 20416.”

Dated: May 19, 2005.

**Hector V. Barreto,**

*Administrator.*

[FR Doc. 05-10384 Filed 5-24-05; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Docket No. NM303; Special Conditions No. 25-288-SC]

#### Special Conditions: Bombardier Aerospace Models BD-700-1A10 and BD-700-1A11 Global Express Airplanes, Enhanced Flight Visibility System (EFVS)

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

**ACTION:** Final special conditions.

**SUMMARY:** These special conditions are issued for the Bombardier Aerospace Models BD-700-1A10 and BD-700-1A11 Global Express airplanes. These airplanes, as modified by Bombardier Aerospace Corporation, will have an Enhanced Flight Visibility System (EFVS). The EFVS is a novel or unusual design feature which consists of a head up display (HUD) system modified to display forward-looking infrared (FLIR) imagery. The regulations applicable to pilot compartment view do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that provided by the existing airworthiness standards.

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

**FOR FURTHER INFORMATION CONTACT:** Dale Dunford, FAA, ANM-111, Airplane and Flight Crew Interface, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (425) 227-2239; fax (425) 227-1320; e-mail: [dale.dunford@faa.gov](mailto:dale.dunford@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 26, 2003, Bombardier Aerospace, applied for an amendment to the type certificate to modify Bombardier Model BD-700-1A10 and BD-700-1A11 Global Express airplanes. The Model BD-700-1A10 is a transport category airplane certified to carry a maximum of 19 passengers and a minimum of 2 crew members. The Model BD-700-1A11 is a smaller version of the BD-700-1A10. The modification involves the installation of an Enhanced Flight Vision System (EFVS). This system consists of a Thales HUD system, modified to display FLIR imagery, and a FLIR camera.

The electronic infrared image displayed between the pilot and the forward windshield represents a novel or unusual design feature in the context of 14 CFR 25.773. Section 25.773 was not written in anticipation of such technology. The electronic image has the potential to enhance the pilot's awareness of the terrain, hazards, and airport features. At the same time, the image may partially obscure the pilot's direct outside compartment view. Therefore, the FAA needs adequate safety standards to evaluate the EFVS to determine that the imagery provides the intended visual enhancements without undue interference with the pilot's outside compartment view. The FAA's intent is that the pilot will be able to use the combination of information seen in the image and the natural view of the outside seen through the image as safely and effectively as a § 25.773-compliant pilot compartment view without an EVS image.

Although the FAA has determined that the existing regulations are not adequate for certification of EFVSs, it believes that EFVSs could be certified through application of appropriate safety criteria. Therefore, the FAA has determined that special conditions should be issued for certification of EFVS to provide a level of safety equivalent to that provided by the standard in § 25.773.

**Note:** The term “enhanced vision system (EVS)” has been commonly used to refer to a system comprised of a head up display, imaging sensor(s), and avionics interfaces that displayed the sensor imagery on the HUD and overlaid it with alpha-numeric and symbolic flight information. However, the term has also been commonly used in reference to systems which displayed the sensor imagery, with or without other flight information, on a head down display. To avoid confusion, the FAA created the term “enhanced flight visibility system (EFVS)” to refer to certain EVS systems that meet the requirements of the new operational rules in particular the requirement for a HUD and specified flight information and can be used to determine “enhanced flight visibility.” EFVSs can be considered a subset of systems otherwise labeled EVSs.

On January 9, 2004, the FAA published revisions to operational rules in 14 CFR parts 1, 91, 121, 125, and 135 to allow aircraft to operate below certain altitudes during a straight-in instrument approach while using an EFVS to meet visibility requirements.

Prior to this rule change, the FAA issued Special Conditions 25-180-SC, which approved the use of an EVS on Gulfstream Model G-V airplanes. These special conditions addressed the requirements for the pilot compartment view and limited the scope of the