

(ii) If there is a letter "A," "B," or "X" stamped on the flange of the rocker box, no further action is required. See Figure 4.

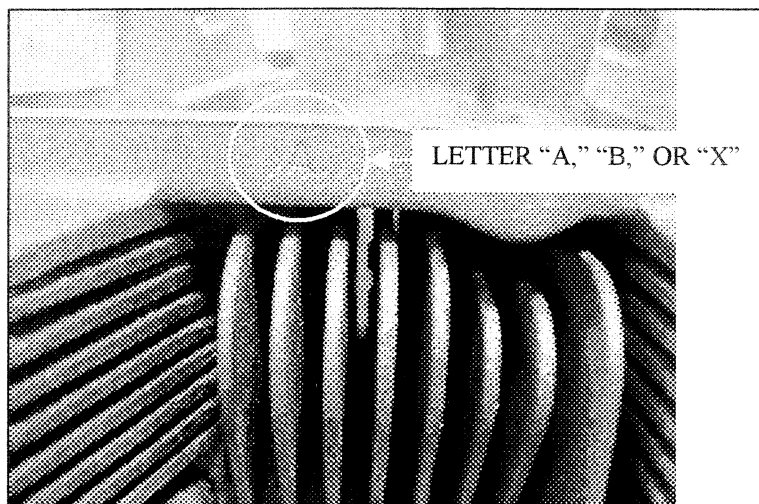


Figure 4.

(iii) If there is no letter "A," "B," or "X" stamped on the flange of the rocker box, replace the cylinder before further flight.

#### Alternative Methods of Compliance

(g) The Manager, Special Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Material Incorporated by Reference

(h) None.

#### Related Information

(i) ECI Mandatory Service Bulletin S.I. No. 04-1, revision 1, dated March 11, 2004, also pertains to this subject of this AD.

Issued in Burlington, Massachusetts, on April 9, 2004.

**Francis A. Favara,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
[FR Doc. 04-8877 Filed 4-19-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2003-16438; Airspace  
Docket No. 03-ASW-02]

RIN 2120-AA66

#### Modification of Restricted Areas 3801A, 3801B, and 3801C, Camp Claiborne, LA

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

**ACTION:** Final rule.

**SUMMARY:** This action revises Restricted Area's 3801A (R-3801A), 3801B (R-3801B), and 3801C (R-3801C), Camp Claiborne, LA. This action responds to a request from the United States Air Force (USAF) to eliminate the area currently designated as R-3801A; expand the vertical limits of the areas currently designated as R-3801B and R-3801C; and reconfigure R-3801B and R-3801C into a new R-3801A, R-3801B, and R-3801C. Additionally, this action changes the controlling agency for R-3801A, B, and C from the FAA, Houston Air Route Traffic Control Center (ARTCC) to the U.S. Army, Fort Polk Approach Control. The FAA is taking this action to assist the USAF in

fulfilling their training requirements for high altitude release bombing.

**DATES:** *Effective Date:* 0901 UTC, June 10, 2004.

#### FOR FURTHER INFORMATION CONTACT:

Steve Rohring, Airspace and Rules, Office of System Operations and Safety, ATO-R, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 6, 2004, the FAA proposed to revise R-3801A, R-3801B, and R-3801C, Camp Claiborne, LA, and change the controlling agency to assist the USAF in meeting new USAF training requirements for high altitude release bombing (69 FR 552). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on this proposal to the FAA. In response to the proposal, the FAA received two comments. The comments and our responses are discussed below.

In response to the proposal, the Aircraft Owners and Pilots Association (AOPA) supports the elimination of the current R-3801A, but expressed concern that raising the ceiling of R-3801B and R-3801C would reduce the availability of Federal Airway 212 (V-212) for use

by non-participating aircraft. We acknowledge AOPA's concern; however, we believe that raising the ceiling of R-3801B and R-3801C will have minimal impact on aircraft operations because R-3801C will only be activated when the Warrior 1 High and Low MOAs are active. Currently, we route non-participating aircraft around the Warrior 1 High and Low MOAs when they are active. V-212 also passes through the Warrior 1 High and Low MOAs, which are adjacent to and much larger than R-3801B and R-3801C. Any additional vectors around the new R-3801B and R-3801C should have a minimal impact.

Another commenter expressed concern regarding changing the controlling agency to the U.S. Army, Fort Polk Approach Control because the altitudes of the revised R-3801B and R-3801C will extend above the current ceiling (10,000 feet MSL) of the delegated Fort Polk Approach Control area. We agree with this commenter that some of the altitudes in question are above the approach control delegated airspace. However, coincidental with this action there will be new agreements between Houston ARTCC and Fort Polk Approach Control, delegating the control of the altitudes/airspace contained in the new R-3801B and R-3801C to the Fort Polk Approach Control when the restricted areas are active.

### The Rule

As a result of new USAF training requirements, the FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 73 (part 73) by revising R-3801A, R-3801B, and R-3801C at Camp Claiborne, LA. This amendment responds to a USAF request that the FAA take action to eliminate the area currently designated as R-3801A, which is to become the new Claiborne Military Operations Area by a separate but concurrent, non-rulemaking action. This amendment also responds to a USAF request to expand the vertical limits of the areas currently designated as R-3801B and R-3801C from 14,000 feet MSL to FL 230 and reconfigure R-3801B and R-3801C into a new R-3801A, R-3801B, and R-3801C. The overall lateral boundaries of the new R-3801A, R-3801B, and R-3801C are the same as the overall boundaries of the current R-3801B and R-3801C. The altitude structure for the revised airspace areas are from the surface to 10,000 feet MSL to FL180 for R-3801B; and FL180 to FL230 for R-3801C. The additional airspace is required to fulfill new USAF training requirements. Specifically, the new training requirements call for practicing the release of bombs from

higher altitudes than are currently available within the existing airspace areas. Additionally, the USAF has requested that the FAA take action to change the controlling agency of R-3801A, R-3801B, and R-3801C from the FAA, Houston ARTCC to the U.S. Army, Fort Polk Approach Control.

Section 73.38 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8L dated October 7, 2003.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### Environmental Review

The USAF analyzed the potential environmental impacts of the proposed action in an Environmental Assessment (EA) dated December 2000. Based on the EA, the Air Force concludes that the proposed action will not produce significant impacts, either by itself or through cumulative effects of past, present, or reasonably foreseeable actions. Further, the Air Force determined that the proposed action does not require preparation of an Environmental Impact Statement (EIS). The Air Force issued a Finding of No Significant Impact (FONSI) dated May 9, 2001.

The FAA has conducted an independent review of the Air Force's EA in accordance with FAA Order 1050.1D and the FAA/DOD Memorandum of Understanding of 1998 regarding Special Use Airspace Actions. After careful review and thorough consideration of the proposal, the FAA has determined that the Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101(a) of the National Environmental Policies Act of 1969 (NEPA) and that it will not significantly effect the quality of the human environment.

### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air), Prohibited Areas, and Restricted Areas.

### The Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration will amend 14 CFR part 73 as follows:

### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

#### § 73.38 (Amended)

■ 2. § 73.38 is amended as follows:

\* \* \* \* \*

#### R-3801A Camp Claiborne, LA (Amended)

By removing the current boundaries, designated altitudes, and controlling agency, and substituting the following:

Boundaries. Beginning at lat. 31°11'46"N., long. 92°30'16"W.; to lat. 31°05'16"N., long. 92°34'51"W.; to lat. 31°13'56"N., long. 92°49'46"W.; to lat. 31°18'01"N., long. 92°46'31"W.; to lat. 31°15'16"N., long. 92°41'46"W.; to lat. 31°17'11"N., long. 92°40'11"W.; to the point of beginning.

Designated altitudes. Surface to, but not including, 10,000 feet MSL.

Controlling agency. U.S. Army, Fort Polk Approach Control.

\* \* \* \* \*

#### R-3801B Camp Claiborne, LA (Amended)

By removing the current boundaries, designated altitudes, and controlling agency and substituting the following:

Boundaries. Beginning at lat. 31°11'46"N., long. 92°30'16"W.; to lat. 31°05'16"N., long. 92°34'51"W.; to lat. 31°13'56"N., long. 92°49'46"W.; to lat. 31°18'01"N., long. 92°46'31"W.; to lat. 31°15'16"N., long. 92°41'46"W.; to lat. 31°17'11"N., long. 92°40'11"W.; to the point of beginning.

Designated altitudes. 10,000 feet MSL to, but not including, FL 180.

Controlling agency. U.S. Army, Fort Polk Approach Control.

\* \* \* \* \*

#### R-3801C Camp Claiborne, LA (Amended)

By removing the current boundaries, designated altitudes, and controlling agency and substituting the following:

Boundaries. Beginning at lat. 31°11'46"N., long. 92°30'16"W.; to lat. 31°05'16"N., long. 92°34'51"W.; to lat. 31°13'56"N., long. 92°49'46"W.; to lat.

31°18'01"N., long. 92°46'31"W.; to lat. 31°15'16"N., long. 92°41'46"W.; to lat. 31°17'11"N., long. 92°40'11"W.; to the point of beginning.

Designated altitudes. FL 180 to FL 230.

Controlling agency. U.S. Army, Fort Polk Approach Control.

\* \* \* \* \*

Issued in Washington, DC, on April 14, 2004.

**Reginald C. Matthews,**

*Manager, Airspace and Rules.*

[FR Doc. 04-8922 Filed 4-19-04; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 738 and 740

[Docket No. 040330104-4104-01]

RIN 0694-AC83

#### **Addition of Aruba, Netherlands Antilles, East Timor, and Democratic Republic of the Congo, and Update of Country Names, in the Export Administration Regulations**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to update the Country Chart to add East Timor and the Democratic Republic of the Congo, to establish separate export licensing requirements for Aruba and Netherlands Antilles, and to update references to certain countries to reflect their officially recognized names.

**DATES:** This rule is effective April 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Bernie Kritzer, Office of Strategic Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482-4196.

**SUPPLEMENTARY INFORMATION:** This final rule adds East Timor, Democratic Republic of the Congo, Aruba and Netherlands Antilles as separate entries on the Commerce Country Chart in Supplement No. 1 to part 738 of the EAR for export licensing purposes. East Timor attained independence from Indonesia on May 20, 2002. Democratic Republic of the Congo became the successor nation to Zaire in 1997. Aruba and the Netherlands Antilles, although dependencies of the Netherlands, maintain their own separate export control systems and therefore are treated

as distinct from the Netherlands for export control purposes. The EAR now list two countries with "Congo" in their names: the Republic of the Congo, the capital city of which is Brazzaville, and the Democratic Republic of the Congo, the capital city of which is Kinshasa. This segregation of Aruba and Netherlands Antilles from the Netherlands is not meant as a departure from current export control policy as to the treatment of dependencies. The EAR will continue to treat territories, possessions or departments of foreign countries as having the same licensing requirements as their sovereigns on the Commerce Country Chart when such territories, possessions or departments are not separately listed on the Commerce Country Chart.

This final rule also updates references to certain countries in the EAR to reflect their officially recognized names, including Macedonia (the Former Yugoslav Republic of), Micronesia (Federated States of), Saint Vincent and the Grenadines, Samoa, Serbia and Montenegro, and Antigua and Barbuda. Specifically, this rule amends the EAR as follows:

1. In Supplement No. 1 to part 738 of the EAR, Aruba, Congo (Democratic Republic of the), East Timor, and Netherlands Antilles are added to the Commerce Country Chart. As noted on the Chart, licensing requirements for exports and reexports to Aruba, Congo (Democratic Republic of the), East Timor and Netherlands Antilles are imposed, as applicable, on items subject to the EAR controlled for the following reasons: Chemical and biological weapons, nuclear nonproliferation, national security, missile technology, regional stability, and crime control. These controls reflect the status of these countries with respect to membership in multilateral regimes or in NATO. Zaire is deleted from the Commerce Country Chart. In order to reflect officially recognized country names, Congo (Republic of the), Macedonia (Former Yugoslav Republic of), Micronesia (Federated States of), Saint Vincent and the Grenadines, Samoa, and Serbia and Montenegro replace Congo, FYROM (Macedonia), Micronesia, St. Vincent, Western Samoa, and Yugoslavia (Serbia and Montenegro), Federal Republic of, respectively.

2. In Supplement No. 1 to part 740 of the EAR, Aruba, Congo (Democratic Republic of the), East Timor, and Netherlands Antilles are added to Country Group B. Zaire is removed from Country Group B. Antigua and Barbuda, Congo (Republic of the), Samoa, and Serbia and Montenegro replace, respectively, Antigua, Barbuda, Congo,

Western Samoa, and Yugoslavia (Serbia and Montenegro), Federal Republic of.

3. In § 740.7 of the EAR, Aruba, Congo (Democratic Republic of the), East Timor, and Netherlands Antilles are added under Computer Tier 1 for License Exception CTP purposes. Bahamas (The), Congo (Republic of the), Saint Vincent and the Grenadines, and Samoa replace Bahamas, Congo, St. Vincent and Grenadines, and Western Samoa, respectively, under Computer Tier 1. Zaire is removed from the Computer Tier 1 category. Serbia and Montenegro replaces Federal Republic of Yugoslavia (Serbia and Montenegro) under Computer Tier 3.

Although the Export Administration Act expired on August 20, 2001, Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp., p. 783 (2002)), as extended by the Notice of August 7, 2003 (68 FR 47833, August 11, 2003), continues the Regulations in effect under the International Emergency Economic Powers Act.

#### **Rulemaking Requirements**

1. This final rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule involves a collection of information subject to the PRA. This collection has been approved by the Office of Management and Budget under control number 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of which carries a burden hour estimate of 58 minutes for a manual or electronic submission. Send comments regarding these burden estimates or any other aspect of these collections of information, including suggestions for reducing the burden, to David Rostker, OMB, by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or by fax to (202) 395-7285; and to the Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, P.O. Box 273, Washington, DC 20044.

3. This rule does not contain policies with Federalism implications as this term is defined under Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public