

magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.”

#### Parts Installation

(d) As of the effective date of this AD, no person may install, on any airplane, a RAT actuator having P/N 5911905, 5911326, or 5913234, unless the actions required by this AD are accomplished.

#### Alternative Methods of Compliance

(e) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(f) The actions shall be done in accordance with Airbus Service Bulletin A330-29-3083, dated August 6, 2002; or Airbus Service Bulletin A340-29-4064, Revision 01, dated August 8, 2002, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**Note 3:** The subject of this AD is addressed in French airworthiness directives 2002-422(B) R1 and 2002-423(B) R1, both dated January 22, 2003.

#### Effective Date

(g) This amendment becomes effective on December 21, 2004.

Issued in Renton, Washington, on November 1, 2004.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-25035 Filed 11-15-04; 8:45 am]

**BILLING CODE 4910-13-U**

## 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; correction.

**SUMMARY:** This action corrects a direct final rule; request for comments that

was published in the **Federal Register** on Friday, October 29, 2004, (69 FR 63063) (FR Doc. 04-24260). It corrects an error in the legal description of the Class E airspace area extending upward from 700 feet above the surface at Warrensburg, MO.

**DATES:** This direct final rule is effective on 0901 UTC, January 20, 2005.

#### 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:

#### History

**Federal Register** document 04-24260, published on Friday, October 29, 2004, (69 FR 63063) modified the Class E airspace area extending upward from 700 feet above the surface at Warrensburg, MO. The modification corrected a discrepancy in the Skyhaven Airport airport reference point used in the legal description, enlarged the airspace dimensions to protect for diverse departures, deleted an extension to the airspace area and brought the legal description of the Warrensburg, MO Class E airspace area into compliance with FAA Orders 7400.2E, Procedures for Handling Airspace Matters, and 8260.19C, Flight Procedures and Airspace. However, expansion of the Warrensburg, MO Class E airspace area created an overlapping of the Knob Noster, MO Class D airspace area. No provision was made in the Warrensburg, MO Class E airspace area legal description for this situation.

Accordingly, pursuant to the authority delegated to me, the legal description of the Class E airspace area extending upward from 700 feet above the surface at Warrensburg, MO, as published in the **Federal Register** on Friday, October 29, 2004, (69 FR 63063) (FR Doc. 04-24260) is corrected as follows:

#### § 71.1 [Corrected]

■ On page 63064, Column 1, under the heading “ACE MO E5 Warrensburg, MO”, correct the last line to read “of Skyhaven Airport; excluding that airspace within the Knob Noster, MO Class D airspace area.”

Issued in Kansas City, MO, on November 3, 2004.

**Anthony D. Roetzel,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 04-25417 Filed 11-15-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-19575; Airspace Docket No. 04-ACE-65]

#### Modification of Class E Airspace; Lexington, 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 part 71) by revising Class E airspace at Lexington, MO. A review of controlled airspace for Lexington Municipal Airport revealed it does not comply with the criteria for 700 feet above ground level (AGL) airspace required for diverse departures. The area is modified and enlarged to conform to the criteria in FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, March 17, 2005.

Comments for inclusion in the Rules Docket must be received on or before December 27, 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-2004-19575/Airspace Docket No. 04-ACE-65, 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 Lexington, MO. An examination of controlled airspace for Lexington Municipal Airport revealed it does not meet the criteria for 700 feet AGL airspace required for diverse departures

as specified in FAA Order 7400.2E, Procedures for Handling Airspace Matters. The criteria in FAA Order 7400.2E for an aircraft to reach 1200 feet AGL, taking into consideration rising terrain, is based on a standard climb gradient of 200 feet per mile plus the distance from the airport reference point to the end of the outermost runway. Any fractional part of a mile is converted to the next higher tenth of a mile. This amendment expands the airspace area from a 6-mile radius to a 7.8-mile radius of Lexington Municipal Airport and brings the legal description of the Lexington, MO Class E airspace area into compliance with FAA Order 7400.2E. 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 the rulemaking by submitting such written data, views, or arguments, as they may 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 the 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-2004-19575/Airspace Docket No. 04-ACE-65." 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 for 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 in 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 Lexington, MO**

Lexington Municipal Airport, MO  
(Lat. 39°12'35" N., long. 93°55'41" W.)

That airspace extending upward from 700 feet above the surface within a 7.8-mile radius of Lexington Municipal Airport.

\* \* \* \* \*

Issued in Kansas City, MO, on November 3, 2004.

**Anthony D. Roetzel,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 04-25416 Filed 11-15-04; 8:45 am]

**BILLING CODE 4910-13-M**

## **SECURITIES AND EXCHANGE COMMISSION**

### **17 CFR Part 249**

#### **Forms, Securities Exchange Act of 1934**

##### *CFR Correction*

■ In Title 17 of the Code of Federal Regulations, Part 240 to End, revised as of April 1, 2004, on page 589, remove and reserve § 249.636.

[FR Doc. 04-55519 Filed 11-15-04; 8:45 am]

**BILLING CODE 1505-01-D**

## **DEPARTMENT OF STATE**

### **Bureau of Consular Affairs**

### **22 CFR Part 51**

#### **Passports**

##### *CFR Correction*

■ In Title 22 of the Code of Federal Regulations, Parts 1 to 299, revised as of April 1, 2004, on page 259, § 51.27 is corrected by adding paragraphs (d)(1)(i)(A) through (D) and (d)(1)(ii) to read as follows:

#### **§ 51.27 Minors.**

\* \* \* \* \*

(d) \* \* \*  
(1)(i) \* \* \*

(A) Grants sole custody to the objecting parent; or,