

Applicability: This AD applies to the airplanes listed in Table 1 of this AD, certificated in any category:

TABLE 1.—APPLICABILITY

Boeing model	As listed in
Model 737-300, -400, and -500 series airplanes.	Boeing Special Attention Service Bulletin 737-21-1131, Revision 2, dated April 18, 2002.
Model 757-200 and -200CB series airplanes.	Boeing Special Attention Service Bulletin 757-21-0088, dated April 18, 2002.

Compliance: Required as indicated, unless accomplished previously.

To prevent loosened or disconnected overhead ducts from causing ceiling panels to drop below the minimum height of the evacuation zone for the passenger cabin, which could result in inadequate height for safe exit in the event of an emergency evacuation, accomplish the following:

Service Bulletin References

(a) The term “service bulletin,” as used in this AD, means the applicable service bulletins listed in Table 1 of this AD.

Inspection and Related Investigative/Corrective Actions

(b) For Model 737-300, -400, and -500 series airplanes, do the actions required in paragraphs (b)(1) and (b)(2) of this AD at the specified compliance times, in accordance with the Accomplishment Instructions of the service bulletin.

(1) Within 72 months after the effective date of this AD, do a general visual inspection at the applicable body station frames for open body station frames; and, before further flight, do all the related investigative/corrective actions, as applicable; by accomplishing all of the actions in paragraph 3.B. of the service bulletin.

Note 1: For the purposes of this AD, a general visual inspection is defined as: “A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.”

(2) Within 72 months after the effective date of this AD, do the actions required in paragraph (b)(2)(i) or (b)(2)(ii) of this AD, as applicable.

(i) For Groups 1 and 3 airplanes identified in the service bulletin: Install the lanyard hook brackets and each lanyard assembly under the air conditioning (AC) overhead

ducts in accordance with paragraph 3.C. of the service bulletin.

(ii) For Group 2 airplanes identified in the service bulletin: Install the lanyard hook brackets and the lanyard assemblies under the AC overhead ducts by accomplishing all of the actions in paragraph 3.D. of the service bulletin.

(c) For Model 757-200 and -200CB series airplanes: Within 72 months after the effective date of this AD, do a general visual inspection of the applicable body station frames for open body station frames; and, before further flight, do all the corrective actions, as applicable; by accomplishing all of the actions in the Accomplishment Instructions of the service bulletin.

Optional Terminating Action

(d) For Model 757-200 and -200CB series airplanes: Accomplishing the replacement of the original design foam ducts with Saint-Gobain design foam ducts by doing all of the actions in Attachments I and II of Boeing Service Letter 757-SL-21-057-A, dated March 24, 2004, terminates the actions required by paragraph (c) of this AD.

Credit for Actions Accomplished Per Previous Service Bulletins

(e) Actions accomplished before the effective date of this AD per Boeing Special Attention Service Bulletin 737-21-1131, original release, dated December 20, 2001; or Revision 1, dated January 25, 2002; are acceptable for compliance with the requirements of paragraph (b) of this AD.

Alternative Methods of Compliance

(f) In accordance with 14 CFR 39.19, the Manager, Seattle Aircraft Certification Office, FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

Incorporation by Reference

(g) Unless otherwise specified by this AD, the actions shall be done in accordance with Boeing Special Attention Service Bulletin 737-21-1131, Revision 2, dated April 18, 2002; and Boeing Special Attention Service Bulletin 757-21-0088, dated April 18, 2002; as applicable. The optional terminating action, if accomplished, shall be done in accordance with Boeing Service Letter 757-SL-21-057-A, including Attachments I and II, dated March 24, 2004. 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 Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. 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.

Effective Date

(h) This amendment becomes effective on March 9, 2005.

Issued in Renton, Washington, on January 18, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-1722 Filed 2-1-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2005-20059; Airspace Docket No. 05-ACE-1]

Modification of Class E Airspace; Rolla/Vichy, 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 areas at Rolla/Vichy, MO. A review of the Class E airspace surface area and the Class E airspace area extending upward from 700 feet above ground level (AGL) at Rolla/Vichy, MO reveals neither area complies with criteria for extensions nor reflects the current Rolla National Airport airport reference point (APR). Also, the legal descriptions of both area are not in proper format. These airspace areas and their legal descriptions are modified to conform to the criteria in FAA Orders.

DATES: This direct final rule is effective on 0901 UTC, May 12, 2005. Comments for inclusion in the Rules Docket must be received on or before March 3, 2005.

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-2005-20059/ Airspace Docket No. 05-ACE-1, 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 surface area and the Class E airspace area extending upward from 700 feet AGL at Rolla/Vichy, MO. An examination of controlled airspace for Rolla/Vichy, MO revealed that neither airspace area is in compliance with FAA Orders 7400.2E, Procedures for Handling Airspace Matters, and 8260.19C, Flight Procedures and Airspace. The extension to the Class E surface area is redefined relative to the Vichy VOR/DME, increased in length from 5.7 to 7 miles from the facility and decreased in width from 2.6 to 1.5 miles each side of centerline. The extension of the Class E airspace area extending upward from 700 feet AGL is also redefined relative to the Vichy VOR/DME but its length is decreased from 7.4 to 7 miles from the facility and its width decreased from 2.6 to 1.5 miles each side of centerline. The Rolla National Airport ARP is corrected in both legal descriptions. These modifications bring the legal descriptions of the Rolla/Vichy, MO Class E airspace areas into compliance with FAA Orders 7400.2E and 8260.19C, Class E airspace areas designed as surface areas are published in Paragraph 6002 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. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of the same Order. The Class E airspace designations listed in this document would 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 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 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-2005-20059/Airspace Docket No. 05-ACE-1." 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is

charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Rolla National Airport.

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 6002 Class E Airspace Designated as Surface Areas.

* * * * *

ACE MO E2 Rolla/Vichy, MO

Rolla/Vichy, Rolla National Airport, MO
(Lat. 38°07'39" N., long. 91°46'10" W.)
Vichy VOR/DME
(Lat. 38°09'15" N., long. 91°42'24" W.)

Within a 4.1-mile radius of Rolla National Airport and within 1.5 miles each side of the Vichy VOR/DME 067° radial extending from the 4.1-mile radius of the airport to 7 miles northeast of the VOR/DME. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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ACE MO E5 Rolla/Vichy, MO

Rolla/Vichy, Rolla National Airport, MO
(Lat. 38°07'39" N., long. 91°46'10" W.)
Vichy VOR/DME
(Lat. 38°09'15" N., long. 91°42'24" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Rolla National Airport and within

1.5 miles each side of the Vichy VOR/DME 067° radial extending from the 6.6-mile radius of the airport to 7 miles northeast of the VOR/DME.

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Issued in Kansas City, MO, on January 18, 2005.

Anthony D. Roetzel,

Acting Area Director, Western Flight Services Operations.

[FR Doc. 05-1920 Filed 2-1-05; 8:45 am]

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DEPARTMENT OF STATE

22 CFR Part 22

[Public Notice 4984]

RIN 1400-AB94; 1400-AB95

Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates

AGENCY: State Department.

ACTION: Final rule.

SUMMARY: This rule adopts as final the Department of State's proposed rule to revise the Schedule of Fees for Consular Services ("Schedule of Fees" or "Schedule"), with four changes, one incorporating and finalizing an already effective additional exemption to the MRV fee and the others adding three new fees authorized by the Consolidated Appropriations Act, 2005 (Pub. L. 108-447). None of these changes are being made in response to public comments. Only one comment was received during the period for public comment, but the Department has decided that the comment does not warrant any changes in the proposed rule. The additional exemption being added to the Schedule simply incorporates and finalizes an exemption that has been in effect during the comment period on the revised Schedule as a result of an Interim Rule issued pursuant to a separate but related rulemaking. No comments on the additional exemption were received during the comment period for that rulemaking. The three new fees are being added because they were established by legislation enacted after the comment period for this rulemaking closed. The addition of these fees does not require public comment. The proposed rule, modified only to incorporate the new exemption and the new legislatively established fees, is therefore adopted as final.

EFFECTIVE DATE: This rule is effective March 8, 2005.

FOR FURTHER INFORMATION CONTACT: Phillip Min, Office of the Executive

Director, Bureau of Consular Affairs, fax: 202-663-2499; e-mail: fees@state.gov.

SUPPLEMENTARY INFORMATION: The Department published a proposed rule in the **Federal Register** at 69 FR 42913-42919 on July 19, 2004 (Public Notice 4765, RIN 1400-AB94), proposing to amend sections of part 22 of Title 22 of the Code of Federal Regulations. Specifically, the rule proposed changes to the Schedule of Fees for Consular Services, including seven increases and two decreases. The Department's proposed rule solicited comments, and one general comment sent by e-mail was received. The comment, dated July 19, 2004, criticized all consular fees as still being too low.

After publication of the aforementioned proposed rule, the Department also published a separate but related interim rule in the **Federal Register** at 69 FR 53618-53619 on September 2, 2004 (Public Notice 4809, RIN 1400-AB95), amending the Schedule of Fees for Consular Services to include an exemption from the nonimmigrant visa application processing fee for family members traveling to the United States for the funeral or burial of a U.S. Government employee killed in the line of duty or to visit a U.S. Government employee critically injured in the line of duty. The amendment became effective upon publication on September 2, 2004. Interested parties were invited to submit written comments by September 24, 2004. No comments were received. The exemption added to the existing Schedule of Fees by the amendment is finalized and carried forward in the Schedule of Fees for Consular Services as published in this final rule.

As explained when the revised Schedule of Fees was published as a proposed rule, the majority of the Department of State's consular fees are established pursuant to the general user charges statute, 31 U.S.C. 9701, and/or 22 U.S.C. 4219, which, as implemented through Executive Order 10718 of June 27, 1957, authorizes the Secretary of State to establish fees to be charged for official services provided by embassies and consulates. Other fees are established pursuant to more specific statutory authorities, some of which provide for full or partial exemptions.

With the exception of nonimmigrant visa reciprocity fees, which are established based on the practices of other countries, and fees that are established at amounts specified by statute, all consular fees are established on a basis of cost recovery and in a manner consistent with general user

charges principles, regardless of the specific statutory authority under which they are promulgated. The Department of State is required to review consular fees periodically to determine the appropriateness of each fee in light of applicable provisions of OMB Circular A-25, and it was as a result of such a review that the amendments to the Schedule of Fees were proposed. This review attempted to identify the fully allocated costs of consular services (direct and indirect).

In situations where services are provided often enough to develop a reliable estimate of the average time involved, a flat service fee was adopted. In other situations where services are provided infrequently, the consular hourly rate was made the basis of the fee. In either case, the fee is designed to recover some or all—but not more than—actual fully allocated costs the Department expects to incur over the period that the Schedule will be in effect. When the fee is set below costs, the remaining cost is either recovered through allocation to related services for which fees are charged, or will be covered through appropriations.

(Detailed information concerning the methodology of the study is available from the Bureau of Consular Affairs.)

Based on this effort and subsequent analysis, the Department proposed adjustments to the Schedule of Fees, including the fee to search Department of State files to verify an applicant's U.S. citizenship (from \$45 to \$60); the Diversity Visa (DV) Lottery surcharge for a diversity immigrant visa application (from \$100 to \$375); the Affidavit of Support Review fee (from \$65 to \$70); the fee for determining returning resident status (from \$360 to \$400); the fee for a transportation letter issued to a Legal Permanent Resident Alien (LPR) who needs a transportation letter to reenter the U.S. (from \$300 to \$165); the fee for waiver of the two-year return residency requirement (from \$230 to \$215); the fees for processing Letters Rogatory and Foreign Sovereign Immunities Act (FSIA) judicial assistance cases (from \$650 to \$735); and the fee for consular time (from \$235 to \$265).

In addition, the fee for loan processing was combined with the fee for assistance regarding the welfare and whereabouts of a U.S. citizen, including child custody inquiries. This is a purely technical change in the Schedule.

Significantly, Division B, Title IV (Diplomatic and Consular Programs appropriation) of the Consolidated Appropriations Act, 2005 (Public Law 108-447), authorized two new fees while section 426 of Division J, title IV