

United States Court of International Trade jurisdiction over of all claims arising under the TAA program. Therefore, § 1580.505 is amended to delete the utilization of FSA's administrative appeals process, including oversight by the FSA Deputy Administrator and State committees.

#### Corrections to the Final Rule

■ Accordingly, for the reasons set forth in the preamble, FAS amends 7 CFR part 1580 to read as follows:

#### PART 1580—[CORRECTED]

■ 1. The authority citation for 7 CFR part 1580 continues to read as follows:

Authority: 19 U.S.C. 2401.

#### § 1580.102 [Corrected]

■ 2. In § 1580.102, the definition of "Deputy Administrator" is deleted, and the definitions for "net farm income", "net fishing income," and "qualified fisherman" are revised to read as follows:

#### § 1580.102 Definitions.

\* \* \* \* \*

Net farm income means net farm profit or loss, excluding payments under this part, reported to the Internal Revenue Service for the tax year that most closely corresponds with the marketing year under consideration.

Net fishing income means net profit or loss, excluding payments under this part, reported to the Internal Revenue Service for the tax year that most closely corresponds with the marketing year under consideration.

\* \* \* \* \*

Qualified fisherman means a person whose catch competes in the marketplace with like or directly competitive aquaculture products and report net fishing income to the Internal Revenue Service.

\* \* \* \* \*

#### § 1580.301 [Corrected]

■ 3. Section 1580.301 is amended by revising paragraphs (e)(4) and (e)(6) and by adding paragraph (e)(7) to read as follows:

#### § 1580.301 Application for trade adjustment assistance.

\* \* \* \* \*

(e) \* \* \*

(4) Certification that net farm or fishing income was less than that during the producer's pre-adjustment year.

\* \* \* \* \*

(6) To comply with certifications in paragraph (e)(4) of this section, an applicant shall provide either—

\* \* \* \* \*

(7) To comply with certifications in paragraph (e)(5) of this section, an applicant shall provide either—

(i) Supporting documentation from a certified public accountant or attorney,

(ii) Relevant documentation and other supporting financial data, such as financial statements, balance sheets, and reports prepared for or provided to the Internal Revenue Service or another U.S. Government agency, or

(iii) Information prescribed by the Department.

\* \* \* \* \*

#### § 1580.303 [Corrected]

■ 4. Section 1580.303(a) is revised to read as follows:

#### § 1580.303 Adjustment assistance payments.

(a) Applicants shall satisfy by September 30 all certifications of § 1580.301(e) to qualify for adjustment assistance payments.

\* \* \* \* \*

■ 5. Section 1580.501 is revised as follows:

#### § 1580.501 Administration.

(a) The application process shall be carried out in the field by FSA county committees.

(b) FSA county committees and representatives do not have the authority to modify or waive any of the provisions of this part.

(c) The Administrator, may, by timely and appropriate public notification, modify non-statutory opening dates and deadlines for submitting petitions.

(d) The Administrator may authorize the FSA county committees to waive or modify non-statutory application deadlines or other program requirements in cases where lateness or failure to meet such other requirements by applicants does not adversely affect the operation of the program.

#### § 1580.502 [Corrected]

■ 6. Section 1580.502 is amended by adding paragraphs (a)(1) and (a)(2) and by revising paragraph (d) to read as follows:

#### § 1580.502 Maintenance of records, audits and compliance.

(a) \* \* \*

(1) Acceptable production documentation may include copies of receipts, ledgers, income statements, deposit slips, register tapes, invoices for custom harvesting, records to verify production costs, contemporaneous measurements, truck scale tickets, fish tickets, landing reports, and contemporaneous diaries that are determined acceptable by the county committee.

(2) Acceptable income documentation shall include, as appropriate, copies of Internal Revenue Service Form 990-C, Farmers' Cooperative Association Income Tax Return; Form 1040, U.S. Individual Income Tax Return; Schedule C (Form 1040), Profit or Loss From Business; Schedule F (Form 1040), Profit or Loss From Farming; Form 1065, U.S. Return of Partnership Income; Form 1120, U.S. Corporation Income Tax Return; or Form 4835, Farm Rental Income and Expenses.

\* \* \* \* \*

(d) If requested in writing by the United States Department of Agriculture or the Comptroller General of the United States, the producer shall provide all information and documentation the reviewing authority determines necessary to verify any information or certification provided under this subpart, including all documents referred to in § 1580.301(c), within 30 days. Documentation may be submitted by facsimile, in person, or by mail. Failure to provide necessary and accurate information to verify compliance, or failure to comply with the subpart's requirements, will result in ineligibility for all program benefits subject to this subpart for the year or years subject to the request.

■ 7. Section 1580.505 is revised to read as follows:

#### § 1580.505 Appeals

Any person aggrieved by a final determination made with respect to an application for program benefits under this part may appeal to the United States Court of International Trade for a review of such determination, in accordance with its rules and procedures.

Signed at Washington, DC, on October 14, 2004.

A. Ellen Terpstra,

Administrator, Foreign Agricultural Service.

[FR Doc. 04-24352 Filed 10-29-04; 8:45 am]

BILLING CODE 3410-10-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30428; Amdt. No. 3108]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective November 1, 2004. The compliance date for each SIAP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 1, 2004.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;
2. The FAA Regional Office of the region in which the affected airport is located;
3. The flight Inspection Area Office which originated the SIAP; or,
4. 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).

*For Purchase—*Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

**FOR FURTHER INFORMATION CONTACT:** Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500

South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

#### The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (NFDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close

and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

#### Conclusion

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC, on October 22, 2004.

**James J. Ballough,**

*Director, Flight Standards Service.*

#### Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

#### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

\* \* \* *Effective November 25, 2004*

Almyra, AR, Almyra Muni, RNAV (GPS) RWY 36, Amdt 1  
Almyra, AR, Almyra Muni, VOR/DME-A, Amdt 6  
Clarksville, AR, Clarksville Muni, RNAV (GPS) RWY 9, Orig  
Clarksville, AR, Clarksville Muni, RNAV (GPS) RWY 27, Orig

Clarksville, AR, Clarksville Muni, GPS RWY 9, Orig-A, CANCELLED

Clarksville, AR, Clarksville Muni, GPS RWY 27, Orig, CANCELLED

Orange, MA, Orange Muni, NDB RWY 1, Orig

Westminster, MD, Carroll County Regional/Jack B Poage Field, RNAV (GPS) RWY 16, Amdt 1

Cook, MN, Cook Muni, RNAV (GPS) RWY 31, Orig

Cook, MN, Cook Muni, NDB OR GPS RWY 31, Amdt 1B, CANCELLED

Wolf Point, MT, L.M. Clayton, NDB RWY 29, Amdt 3

Wolf Point, MT, L.M. Clayton, RNAV (GPS) RWY 11, Orig

Wolf Point, MT, L.M. Clayton, RNAV (GPS) RWY 29, Orig

Penn Yan, NY, Penn Yan, RNAV (GPS) RWY 1, Amdt 1

Cleveland, OH, Cleveland-Hopkins Intl, ILS OR LOC/DME RWY 24R, Amdt 3; ILS RWY 24R (CAT II), Amdt 3; ILS RWY 24R (CAT III), Amdt 3

Cleveland, OH, Cleveland-Hopkins Intl, ILS OR LOC RWY 24L, Amdt 19

Cleveland, OH, Cleveland-Hopkins Intl, RNAV (GPS) RWY 6R, Amdt 1

Cleveland, OH, Cleveland-Hopkins Intl, RNAV (GPS) RWY 24L, Amdt 1

Cleveland, OH, Cleveland-Hopkins Intl, RNAV (GPS) RWY 24R, Amdt 1

Cleveland, OH, Cleveland-Hopkins Intl, RNAV (GPS) Y RWY 6R, Orig, CANCELLED

Cleveland, OH, Cleveland-Hopkins Intl, RNAV (GPS) Y RWY 24R, Orig, CANCELLED

Columbus, OH, Port Columbus Intl, ILS OR LOC RWY 10R, Amdt 8

Oklahoma City, OK, Will Rogers World, RNAV (GPS) RWY 35L, Amdt 2

Washington, PA, Washington County, ILS OR LOC RWY 27, Orig

Washington, PA, Washington County, LOC RWY 27, Amdt 1B, CANCELLED

Denton, TX, Denton Muni, ILS OR LOC RWY 17, Amdt 8

Provo, UT, Provo Muni, RNAV (GPS) RWY 13, Orig

Provo, UT, Provo Muni, VOR RWY 13, Amdt 3

Provo, UT, Provo Muni, VOR/DME RWY 13, Amdt 1

Provo, UT, Provo Muni, GPS RWY 13, Orig, CANCELLED

Christiansted, VI, Henry E Rohlsen, RNAV (GPS) RWY 28, Orig

\* \* \* *Effective December 23, 2004*

Helena/West Helena, AR, Thompson-Robbins, NDB RWY 17, Amdt 5, CANCELLED

Hermiston, OR, Hermiston Muni, RNAV (GPS)-B, Orig-A

\* \* \* *Effective January 20, 2005*

Columbus, GA, Columbus Metropolitan, ILS OR LOC RWY 6, Amdt 25

Columbus, GA, Columbus Metropolitan, VOR-A, Amdt 23

Columbus, GA, Columbus Metropolitan, NDB RWY 6, Amdt 28

Columbus, GA, Columbus Metropolitan, VOR/DME RNAV OR GPS RWY 24, Amdt 2A, CANCELLED

Columbus, GA, Columbus Metropolitan, RADAR-1, Amdt 9

Columbus, GA, Columbus Metropolitan, RNAV (GPS) RWY 6, Orig

Columbus, GA, Columbus Metropolitan, RNAV (GPS) RWY 13, Orig

Columbus, GA, Columbus Metropolitan, RNAV (GPS) RWY 24, Orig

Wichita, KS, Colonel James Jabara, ILS OR LOC/DME RWY 18, Orig

Lake Charles, LA, Chennault Intl, RNAV (GPS) RWY 15, Orig

Lake Charles, LA, Chennault Intl, RNAV (GPS) RWY 33, Orig

Lake Charles, LA, Chennault Intl, ILS OR LOC RWY 15, Amdt 5

Lake Charles, LA, Chennault Intl, NDB RWY 15, Orig

Lake Charles, LA, Chennault Intl, VOR RWY 33, Amdt 4

Machias, ME, Machias Valley, RNAV (GPS) RWY 36, Orig-A

The FAA published an Amendment in Docket No. 30425, Amdt No. 3106 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 199, Pages 61148; dated Friday, October 15, 2004) under Section 97.33 effective November 25, 2004 which is hereby reinstated and will be published effective November 25, 2004:

Inyokern, CA, Inyokern, RNAV (GPS) Y RWY 2, Orig-A

The FAA published an Amendment in Docket No. 30425, Amdt No. 3106 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 199, Pages 61148; dated Friday, October 15, 2004) under Section 97.33 effective November 25, 2004 which is hereby rescinded in its entirety:

Inyokern, CA, Inyokern, RNAV (GPS) Z RWY 2, Orig-A

The FAA published an Amendment in Docket No. 30425, Amdt No. 3106 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 199, page 61146; dated October 15, 2004) under section 97.33 effective 25 NOV 2004, which is hereby rescinded:

Fargo, ND, Hector Intl, RNAV (GPS) RWY 18, Orig

Fargo, ND, Hector Intl, RNAV (GPS) RWY 36, Orig

Fargo, ND, Hector Intl, RADAR-1, Amdt 11

[FR Doc. 04-24256 Filed 10-29-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Parts 2 and 7

[Docket No. 2004-T-037]

RIN 0651-AB78

#### New Mailing Addresses for Paper Submissions of Trademark-Related Correspondence and Madrid Protocol Rules Change

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTIONS:** Final rule; correction.

**SUMMARY:** The United States Patent and Trademark Office ("Office") published a final rule in the **Federal Register** of September 24, 2004, setting forth new mailing addresses for trademark-related correspondence submitted on paper and amending some of the rules governing submissions of documents pursuant to the Protocol Relating to the Madrid Agreement Concerning the International Registrations of Marks ("Madrid Protocol") in the United States. This document corrects the omission of a new address for general trademark-related correspondence delivered by hand or courier. This document also clarifies the new address for hand-delivered trademark-related correspondence pursuant to the Madrid Protocol to make it easier for trademark customers to find the location on the Office's new campus.

**DATES:** Effective November 1, 2004.

#### FOR FURTHER INFORMATION CONTACT:

Cheryl L. Black, Office of the Commissioner for Trademarks, by telephone at (703) 308-8910, ext. 153, or by e-mail to [cheryl.black@uspto.gov](mailto:cheryl.black@uspto.gov).

**SUPPLEMENTARY INFORMATION:** The United States Patent and Trademark Office ("Office") published in the **Federal Register** of September 24, 2004, (69 FR 57181) a final rule setting forth new mailing addresses for trademark-related correspondence submitted on paper in part 2 of 37 CFR and amending some of the rules governing submissions of documents pursuant to the Protocol Relating to the Madrid Agreement Concerning the International Registrations of Marks ("Madrid Protocol") in the United States in part 7 of 37 CFR. The changes to the rules set forth the new address for hand deliveries of trademark-related filings pursuant to the Madrid Protocol in § 7.4. The Office, however, inadvertently omitted that same new address, which should be used for all other trademark-related correspondence delivered by hand or courier, from § 2.190. This document corrects a typographical error in the zip code for that address in the final rule. This document also adds the new address for hand and courier deliveries to § 2.190 and clarifies the address in § 7.4 to make it easier for customers delivering trademark-related correspondence pursuant to the Madrid Protocol by hand or courier to find the location on the Office's new campus.

#### List of Subjects

##### 37 CFR Part 2

Administrative practice and procedure, Trademarks.