

proceeding by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9M dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule:** This amendment to 14 CFR part 71 revises Class E airspace at Sunriver Airport, Sunriver, OR. A new RNAV GPS SIAP at Sunriver Airport makes it necessary to increase the Class E airspace. This additional controlled airspace extending upward from 700 feet or more above the surface of the earth is for the containment and safety of IFR aircraft transitioning to/from the en route environment and executing this SIAP procedure.

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. Therefore, this 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.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air)

#### Adoption of the Amendment

■ In consideration of the foregoing, 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; ROUTES; AND REPORTING POINTS.

■ 1. The authority citation for 14 CFR 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 part 71.1 of the Federal Aviation

Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6005 Class E Airspace area extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ANM OR E5 Sunriver, OR (Revised)

Sunriver Airport, Sunriver, OR  
(Lat. 43°52'35" N., long. 121°27'11" W.)

Deschutes VORTAC  
(Lat. 43°15'10" N., long. 121°18'13" W.)

That airspace extending upward from 700 feet above the surface of the earth within a 6.1 mile radius of the Sunriver Airport and within 3.5 miles each side of the Deschutes VORTAC 196° radial extending from the 6.1 mile radius to 14 miles north of the airport excluding that airspace within Federal Airways.

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Issued in Seattle, Washington, on November 8, 2004.

**Raul C. Treviño,**

*Area Director, Western En Route and Oceanic Operations.*

[FR Doc. 04–25884 Filed 11–22–04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA–2004–19438; Airspace Docket No. 04–ASO–9]

RIN 2120–AA66

#### Amendment to Restricted Areas 2932, 2933, 2934, and 2935; Cape Canaveral, FL

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Restricted Areas 2932, 2933, 2934, 2935 (R–2932, R–2933, R–2934, and R–2935), Cape Canaveral Air Force Station (AFS), FL. Specifically, this action changes the name of the using agency for these areas from "U.S. Air Force, Eastern Space and Missile Center/RRS, Cape Canaveral AFS, FL," to "Commander, 1st Range Operations Squadron, Cape Canaveral AFS, FL." This action is being taken to reflect the current organizational structure at Cape Canaveral AFS, FL, but does not change the boundaries, altitudes, time of designation, or use of the restricted areas.

**EFFECTIVE DATE:** 0901 UTC, January 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules, Office of System Operations and Safety, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8783.

#### SUPPLEMENTARY INFORMATION

##### Background

On February 25, 2004, the airspace manager for the 45th Space Wing, Cape Canaveral AFS, FL, requested a change to the using agency information for R–2932, R–2933, R–2934, and R–2935 to reflect the current organizational structure. This action responds to this request.

##### The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 73 (part 73) by modifying R–2932, R–2933, R–2934, and R–2935, Cape Canaveral AFS, FL. Specifically, this action changes the using agency name from "U.S. Air Force, Eastern Space and Missile Center/RRS, Cape Canaveral AFS, FL," to "Commander, 1st Range Operations Squadron, Cape Canaveral AFS, FL." This action is an administrative change to reflect the current organization name of the using agency. This action does not alter the boundaries, altitudes, time of designation, or activities conducted within the restricted areas. Therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Section 73.29 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8L, dated October 7, 2003.

This regulation is limited to an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this 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. It has been determined that 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

This action is a minor administrative change to update the using agency name

for existing restricted areas. There are no changes to air traffic procedures or routes as a result of this action. Therefore, the FAA determined that this action qualifies for a categorical exclusion from further environmental analysis under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311d.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 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.

#### § 73.29 [Amended]

■ 2. § 73.29 is amended as follows:

\* \* \* \* \*

#### R-2932 Cape Canaveral, FL [Amended]

By removing the words "Using agency. U.S. Air Force, Eastern Space and Missile Center/RRS, Cape Canaveral AFS, FL," and substituting "Using agency. Commander, 1st Range Operations Squadron, Cape Canaveral AFS, FL."

#### R-2933 Cape Canaveral, FL [Amended]

By removing the words "Using agency. U.S. Air Force, Eastern Space and Missile Center/RRS, Cape Canaveral AFS, FL," and substituting "Using agency. Commander, 1st Range Operations Squadron, Cape Canaveral AFS, FL."

#### R-2934 Cape Canaveral, FL [Amended]

By removing the words "Using agency. U.S. Air Force, Eastern Space and Missile Center/RRS, Cape Canaveral AFS, FL," and substituting "Using agency. Commander, 1st Range Operations Squadron, Cape Canaveral AFS, FL."

#### R-2935 Cape Canaveral, FL [Amended]

By removing the words "Using agency. U.S. Air Force, Eastern Space and Missile Center/RRS, Cape Canaveral AFS, FL," and substituting "Using agency. Commander, 1st Range Operations Squadron, Cape Canaveral AFS, FL."

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Issued in Washington, DC, on November 16, 2004.

**Reginald C. Matthews,**  
Manager, Airspace and Rules.

[FR Doc. 04-25882 Filed 11-22-04; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Part 750

[Docket No. 041001275-4275-01]

RIN 0694-AD05

#### Revision of Licensee's Responsibility To Communicate License Conditions

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule revises the Export Administration Regulations (EAR) to require licensees to communicate in writing specific license conditions to the parties to whom the license conditions apply. This rule also makes a technical correction to the title of part 750 of the EAR.

**DATES:** This rule is effective: December 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Jeffery Lynch, Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security; e-mail: [jlynch@bis.doc.gov](mailto:jlynch@bis.doc.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

In July 2000, BIS published a regulation (65 FR 42565) that required the licensee to communicate specific license conditions to applicable parties. The Export Administration Regulations (EAR) state, in § 750.7(d), that "it is the licensee's responsibility to communicate the specific license conditions to the parties to whom those conditions apply. In addition, when required by the license condition, the licensee is responsible for obtaining written acknowledgment(s) of receipt of the conditions from the party(ies) to whom those conditions apply."

The purpose of this rule is to ensure that license conditions are communicated to the parties to whom they apply, and to clarify the manner in which the conditions should be communicated. Such communication must be in writing (which includes recorded and retrievable media, such as e-mail). This revision is in accordance with the Government Accountability Office's (GAO) post-shipment verification recommendations to the Bureau of Industry and Security (BIS) (found in GAO-04-357). This revision will not increase the burden to the public, as license conditions generally are typically communicated in writing, (e.g., via e-mail or facsimile).

The written communication of the text of license conditions (not the

manner in which the writing is formatted) is the most important aspect of this requirement. For example, if a licensee communicates the conditions via a sales contract, then the sales contract must specifically state that the conditions continue beyond any stated validity period of the contract.

Export licenses may include several different types of conditions, including restrictions on end-use, requirements to keep records or submit reports, or requirements to return certain items to the United States. Some licenses may be subject to several conditions, each of which may affect a different party to the export transaction. Pursuant to the requirements set forth in this rule, the licensee bears the responsibility of ensuring that the terms and text of the conditions are clearly conveyed to the appropriate involved parties.

In addition to the above provisions, this rule also makes a technical correction to the title of Part 750 of the EAR. Currently, that part is entitled "Application Processing, Issuance or and Denial." The "or and" in the title is in reverse order. This rule changes the title to read "Application Processing, Issuance and Denial."

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 6, 2004, 69 FR 48763 (August 10, 2004) continues the EAR in effect under the International Emergency Economic Powers Act.

#### Rulemaking Requirements

1. This interim 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 OMB under control number 0694-0122, "Multi-Purpose Application," which carries a burden hour estimate of 10 minutes for a manual or electronic submission. Send comments regarding these burden estimates or any other aspect of this collection of information, including suggestions for reducing the burden, to David Rostker, Office of Management and Budget (OMB), by e-mail to