

**DATES:** Submit comments on or before March 22, 2005.

**ADDRESSES:** Send comments to Louis H. Blair, Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW., Washington, DC 20005 or send e-mail to [lblair@truman.gov](mailto:lblair@truman.gov).

**FOR FURTHER INFORMATION CONTACT:** Louis H. Blair, Harry S. Truman Scholarship Foundation, 202-395-4831.

**SUPPLEMENTARY INFORMATION:** This proposed rule was developed by the Accountability Task Force, established at the Spring 2003 Board of Trustees Meeting. The Task Force researched and considered a number of options and recommended this rule to the Board of Trustees in Spring 2004. The Board adopted the recommendations of the Trustees and required the Foundation provide an implementation plan. This implementation plan was received and approved at the Fall 2004 Board Meeting.

#### List of Subjects in 45 CFR Part 1801

Grant Programs—education, Scholarships and fellowships.

For the reasons set forth in the preamble, the Foundation proposes to amend 45 CFR part 1801 as follows:

#### PART 1801—HARRY S. TRUMAN SCHOLARSHIP PROGRAM

1. The authority citation for part 1801 continues to read as follows:

**Authority:** Pub. L. 93-642, 88 Stat. 2276 (20 U.S.C. 2001-2012).

2. Add §1801.63 to read as follows:

##### § 1801.63 Scholar accountability.

(a) A Scholar selected after January 2005 must be employed in public service for three of the seven years following completion of his or her Foundation funded graduate education.

(b) Following completion of Foundation funded graduate education, Scholars must submit a report to the Foundation by July 15 of each year. This report will include the Scholar's current contact information as well as a brief description of his or her employment during the past twelve months. This reporting requirement ends when the Foundation determines that a Scholar has reported three years of public service employment and the Foundation notifies him or her that he or she no longer is required to submit reports. Scholars who fail for two consecutive years to submit the required report to the Foundation will be considered to have failed to complete the three year public service requirement of paragraph (a) of this section.

(c) A Scholar who fails to be employed in public service for three out of the first seven years following completion of his or her Foundation funded graduate education must repay to the Foundation an amount equal to:

(1) All of the Scholarship stipends received,

(2) Interest at the rate of 6% per annum from the date of receipt of each payment until repayment is made to the Foundation, and

(3) Reasonable collection fees.

(d)(1) The repayment obligation of paragraph (c) of this section accrues on the first July 15 on which it becomes impossible for a Scholar to fulfill the three year public service requirement of paragraph (a) of this section. For example, July 15 of the sixth year following completion of Foundation funded graduate education for a Scholar who has been employed in the public service for only one of those six years.

(2) The Foundation will send to the Scholar's last known address a notice that his or her repayment obligation has accrued. The failure, however, of the Foundation to send, or the Scholar to receive, such a notice does not alter or delay the Scholar's repayment obligation.

(e) The Foundation may employ whatever remedies are available to it to collect any unpaid obligation accruing under this § 1801.63.

(f) Upon application by the Scholar showing good cause for doing so, the Foundation may waive or modify the repayment obligation established by paragraph (c) of this section.

(g) The Foundation will establish a process for appealing any disputes concerning the accrual of the repayment obligation imposed by paragraph (c) of this section. The Foundation will publish on its Web site <http://www.truman.gov> information about this appeals process and other information pertinent to repayment obligations accruing under this § 1801.63.

Dated: January 11, 2005.

**Louis H. Blair,**

*Executive Secretary.*

[FR Doc. 05-1045 Filed 1-19-05; 8:45 am]

**BILLING CODE 6820-AD-P**

#### DEPARTMENT OF TRANSPORTATION

#### Research and Special Programs Administration

#### 49 CFR Parts 171, 172, 173 and 175

[Docket No. RSPA-02-11654 (HM-228)]

RIN 2137-AD18

#### Hazardous Materials: Revision of Requirements for Carriage by Aircraft

**AGENCY:** Research and Special Programs Administration (RSPA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking (NPRM); extension of comment period.

**SUMMARY:** RSPA is extending until March 18, 2005, the period for interested persons to submit comments on the November 10, 2004 notice of proposed rulemaking in response to a request by the Air Transport Association of America, Inc. (ATA). In the November 10, 2004 NPRM, we proposed to amend the requirements in the Hazardous Materials Regulations (HMR) for the transportation of hazardous materials by aircraft. The proposed changes include clarifying the applicability of part 175; excepting cargo aircraft from the quantity limits in § 175.75; reformatting the exceptions in § 175.10 into three sections based on applicability; and providing new separation distances for the shipment of radioactive materials by cargo aircraft. These changes are being proposed in order to clarify requirements to promote safer transportation practices; promote compliance and enforcement; eliminate unnecessary regulatory requirements; convert certain exemptions into regulations of general applicability; finalize outstanding petitions for rulemaking; facilitate international commerce; and make these requirements easier to understand.

**DATES:** Submit comments by March 18, 2005. To the extent possible, we will consider comments received after this date.

**ADDRESSES:** You may submit comments identified by any of the following methods:

*Web Site:* <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

*Fax:* 1-202-493-2251.

*Mail:* Docket Management System: U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

*Hand Delivery:* To the Docket Management System; Room PL-401 on

the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. <http://www.Regulations.gov>.

**Instructions:** You must include the agency name and docket number [RSPA-02-11654 (HM-228)] or the Regulatory Identification Number (RIN 2137-AD18) for this notice at the beginning of your comment. You should identify the docket number RSPA-02-11654 (HM-228) at the beginning of your comments. You should submit two copies of your comments, if you submit them by mail. If you wish to receive confirmation that RSPA received your comments, you should include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov> and may access all comments received by DOT at <http://dms.dot.gov>. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act section of this rule.

**Docket:** You may view the public docket through the Internet at <http://dms.dot.gov> or in person at the Docket management System office at the above address.

**FOR FURTHER INFORMATION CONTACT:** Deborah Boothe, Office of Hazardous Materials Standards, (202) 366-8553, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On November 10, 2004, the Research and Special Programs Administration (RSPA) published a notice of proposed rulemaking (NPRM) (69 FR 65294) under Docket RSPA-02-11654 (HM-228) to propose changes to the requirements in the Hazardous Materials Regulations (HMR) for the transportation of hazardous material by aircraft. The HMR (49 CFR parts 171-180) govern the transportation of hazardous materials in commerce by all modes of transportation, including aircraft (49 CFR 171.1(a)(1)). Parts 172 and 173 of the HMR include requirements for classification and packaging of hazardous materials, hazard communication, and training of employees who perform functions subject to the requirements in the HMR.

Part 175 contains additional requirements applicable to aircraft operators transporting hazardous materials aboard an aircraft, and authorizes passengers and crew members to carry hazardous materials

on board an aircraft under certain conditions.

RSPA and the Federal Aviation Administration (FAA) are proposing changes to part 175 and other sections of the HMR applicable to transportation of hazardous materials by aircraft. These changes are being proposed in order to clarify requirements to promote safer transportation practices; promote compliance and enforcement; eliminate unnecessary regulatory requirements; convert certain exemptions into regulations of general applicability; finalize outstanding petitions for rulemaking; facilitate international commerce; and make these requirements easier to understand.

On November 19, 2004, the Air Transport Association (ATA) requested an extension of the comment period by an additional 90 days until April 29, 2005. ATA indicated the part 175 provisions are of particular significance to ATA carriers and the carriers will wish to submit detailed comments. ATA stated that the current comment period spans the Thanksgiving, Christmas and New Year holiday period, which is also the operational rush period for both passenger and cargo airlines. ATA also indicated that responsible persons at several key carriers have pre-existing commitments for early 2005 and that ATA will not be able to hold the relevant carrier discussions and prepare comments by January 31, 2005. We are willing to extend the comment period to provide ATA and others additional time to provide comments. However, we believe that an extension of 45 days should be sufficient to accommodate commenters' need for additional time.

Therefore, we are denying the request for extension of the comment period until April 29, 2005. Accordingly, the closing date of the comment period is extended to until March 18, 2005.

Issued in Washington, DC, on January 13, 2005 under the authority delegated in 49 CFR Part 106.

**Robert A McGuire,**

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 05-1105 Filed 1-19-05; 8:45 am]

**BILLING CODE 4910-60-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 20**

**RIN 1018-AU04**

**Migratory Bird Hunting; Application for Approval of Tungsten-Iron-Copper-Nickel Shot as Nontoxic for Waterfowl Hunting**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) hereby provides public notice that Spherical Precision, Inc. of Tustin, California, has applied for approval of 40 to 76 percent tungsten, 10 to 37 percent iron, 9 to 16 percent copper, and 5 to 7 percent nickel shot as nontoxic for waterfowl hunting in the United States. The Service has initiated review of the shot under the criteria set out in Tier 1 of the nontoxic shot approval procedures given at 50 CFR 20.134.

**DATES:** A comprehensive review of the Tier 1 information is to be concluded by March 22, 2005.

**ADDRESSES:** The Spherical Precision, Inc. application may be reviewed in Room 4091 at the Fish and Wildlife Service, Division of Migratory Bird Management, 4501 North Fairfax Drive, Arlington, Virginia. Comments on this notice may be submitted to the Division of Migratory Bird Management at 4401 North Fairfax Drive, MS MBSP-4107, Arlington, VA 22203-1610. Comments will become part of the Administrative Record for the review of the application. The public may review the record at the Division of Migratory Bird Management, Room 4091, 4501 North Fairfax Drive, Arlington, Virginia.

**FOR FURTHER INFORMATION CONTACT:** Brian Millsap, Chief, Division of Migratory Bird Management, (703) 358-1714, or George T. Allen, Wildlife Biologist, Division of Migratory Bird Management, (703) 358-1825.

**SUPPLEMENTARY INFORMATION:** The Migratory Bird Treaty Act of 1918 (Act) (16 U.S.C. 703-712 and 16 U.S.C. 742a-j) implements migratory bird treaties between the United States and Great Britain for Canada (1916 and 1996 as amended), Mexico (1936 and 1972 as amended), Japan (1972 and 1974 as amended), and Russia (then the Soviet Union, 1978). These treaties protect certain migratory birds from take, except as permitted under the Act. The Act authorizes the Secretary of the Interior