

**PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST**

n 1. The authority citation for 7 CFR part 985 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

n 2. In § 985.223, paragraph (b) is revised to read as follows:

(Note: This section will not appear in the annual Code of Federal Regulations.)

**§ 985.223 Salable quantities and allotment percentages—2004–2005 marketing year.**

(b) Class 3 (Native) oil—a salable quantity of 1,267,562 pounds and an allotment percentage of 59 percent.

Dated: February 16, 2005.

**Kenneth C. Clayton,**  
*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 05–3480 Filed 2–18–05; 9:05 am]

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**DEPARTMENT OF ENERGY**

**10 CFR Part 824**

[Docket No. SO–RM–00–01]

RIN 1992–AA28

**Procedural Rules for the Assessment of Civil Penalties for Classified Information Security Violations; Correction**

**AGENCY:** Office of Security, Department of Energy.

**ACTION:** Final rule; correction.

**SUMMARY:** The Department of Energy published a final rule on January 26, 2005, establishing 10 CFR Part 824 to implement section 234B of the Atomic Energy Act of 1954. This document corrects an inadvertent omission in one sentence of the final rule.

**DATES:** This final rule is effective on February 25, 2005.

**FOR FURTHER INFORMATION CONTACT:** GERALYN PRASKIEVICZ, (202) 586–4451 or JOANN WILLIAMS, (202) 586–6899.

**SUPPLEMENTARY INFORMATION:** This document makes a correction to a final rule that was published in the **Federal Register** on January 26, 2005 (67 FR 3599).

In rule document FR Doc. 05–1303, appearing on page 3599, in the issue of Wednesday, January 26, 2005, the following correction is made.

**PART 824—[CORRECTED]**

**§ 824.2 [Corrected]**

n Beginning on page 3607, in the third column, § 824.2(c) is corrected to read as follows:

\* \* \* \* \*

(c) *Individual employees.* No civil penalty may be assessed against an individual employee of a contractor or any other entity which enters into an agreement with DOE.

Issued in Washington, DC, on February 16, 2005.

**Glenn S. Podonsky,**  
*Director, Office of Security and Safety Performance Assurance.*

[FR Doc. 05–3423 Filed 2–22–05; 8:45 am]

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**FEDERAL RESERVE SYSTEM**

**12 CFR Part 229**

[Regulation CC; Docket No. R–1224]

**Availability of Funds and Collection of Checks**

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Board of Governors is amending appendix A of Regulation CC to delete the reference to the Detroit branch office of the Federal Reserve Bank of Chicago and reassign the Federal Reserve routing symbols currently listed under that office to the head office of the Federal Reserve Bank of Cleveland and delete the reference to the Houston branch office of the Federal Reserve Bank of Dallas and reassign the routing numbers listed under that office to the head office of that Reserve Bank. These amendments will ensure that the information in appendix A accurately describes the actual structure of check processing operations within the Federal Reserve System.

**DATES:** The amendments to appendix A under the Fourth and Seventh Federal Reserve Districts (Federal Reserve Banks of Cleveland and Chicago) are effective on April 16, 2005. The amendments to appendix A under the Eleventh Federal Reserve District (Federal Reserve Bank of Dallas) are effective on April 23, 2005.

**FOR FURTHER INFORMATION CONTACT:** JACK K. WALTON II, Assistant Director (202) 452–2660, or JOSEPH P. BAESSI, Senior Financial Services Analyst (202) 452–3959, Division of Reserve Bank Operations and Payment Systems; or

ADRIANNE G. THREATT, Counsel (202) 452–3554, Legal Division. For users of Telecommunications Devices for the Deaf (TDD) only, contact (202) 263–4869.

**SUPPLEMENTARY INFORMATION:** Regulation CC establishes the maximum period a depository bank may wait between receiving a deposit and making the deposited funds available for withdrawal.<sup>1</sup> A depository bank generally must provide faster availability for funds deposited by a local check than by a nonlocal check. A check drawn on a bank is considered local if it is payable by or at a bank located in the same Federal Reserve check processing region as the depository bank. A check drawn on a nonbank is considered local if it is payable through a bank located in the same Federal Reserve check processing region as the depository bank. Checks that do not meet the requirements for local checks are considered nonlocal.

Appendix A to Regulation CC contains a routing number guide that assists banks in identifying local and nonlocal banks and thereby determining the maximum permissible hold periods for most deposited checks. The appendix includes a list of each Federal Reserve check processing office and the first four digits of the routing number, known as the Federal Reserve routing symbol, of each bank that is served by that office for check processing purposes. Banks whose Federal Reserve routing symbols are grouped under the same office are in the same check processing region and thus are local to one another.

As explained in detail in the Board's final rule published in the **Federal Register** on September 28, 2004, the Federal Reserve Banks have decided to reduce further the number of locations at which they process checks.<sup>2</sup> The amendments set forth in this notice are part of a series of appendix A amendments related to that decision, and the Board will issue separate notices for each phase of the restructuring.<sup>3</sup>

As part of the restructuring process, the Detroit branch office of the Federal

<sup>1</sup> For purposes of Regulation CC, the term “bank” refers to any depository institution, including commercial banks, savings institutions, and credit unions.

<sup>2</sup> See 69 FR 57837, September 28, 2004.

<sup>3</sup> In addition to the general advance notice of future amendments provided by the Board, and the Board's notices of final amendments, the Reserve Banks are striving to inform affected depository institutions of the exact date of each office transition at least 120 days in advance. The Reserve Banks' communications to affected depository institutions are available at <http://www.frb services.org>.

Reserve Bank of Chicago will cease processing checks on April 16, 2005, and banks with routing symbols currently assigned to that office for check processing purposes will be reassigned to the Federal Reserve Bank of Cleveland's head office. The Houston branch office of the Federal Reserve Bank of Dallas will cease processing checks on April 23, 2005, and banks with routing symbols currently assigned to that office for check processing purposes will be reassigned to the Federal Reserve Bank of Dallas's head office. As a result of these changes, some checks that are drawn on and deposited at banks located in the affected check processing regions and that currently are nonlocal checks will become local checks subject to faster availability schedules. Because the Cleveland check processing region will serve banks located in more than one Federal Reserve District, banks located in the expanded Cleveland check processing region cannot determine that a check is nonlocal solely because the paying bank for that check is located in another Federal Reserve district.

To assist banks in identifying local and nonlocal banks, the Board accordingly is amending the lists of routing symbols associated with the Federal Reserve Banks of Cleveland, Chicago, and Dallas to conform to the transfer of operations (1) from the Chicago Reserve Bank's Detroit branch office to the Cleveland Reserve Bank's head office and (2) from the Dallas Reserve Bank's Houston branch office to that Reserve Bank's head office. To coincide with the effective date of the underlying check processing changes, the amendments affecting the Federal Reserve Banks of Cleveland and Chicago are effective April 16, 2005, and the amendments affecting the Federal Reserve Bank of Dallas are effective April 23, 2005. The Board is providing advance notice of these amendments to give affected banks ample time to make any needed processing changes. The advance notice also will enable affected banks to amend their availability schedules and related disclosures, if necessary, and provide their customers with notice of these changes.<sup>4</sup> The Federal Reserve routing symbols assigned to all other Federal Reserve branches and offices will remain the same at this time. The Board of Governors, however, intends to issue similar notices at least sixty days prior to the elimination of check operations at

some other Reserve Bank offices, as described in the September 2004 **Federal Register** document.

**Administrative Procedure Act**

The Board has not followed the provisions of 5 U.S.C. 553(b) relating to notice and public participation in connection with the adoption of this final rule. The revisions to the appendix are technical in nature, and the routing symbol revisions are required by the statutory and regulatory definitions of "check-processing region." Because there is no substantive change on which to seek public input, the Board has determined that the § 553(b) notice and comment procedures are unnecessary.

**Paperwork Reduction Act**

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; 5 CFR 1320 Appendix A.1), the Board has reviewed the final rule under authority delegated to the Board by the Office of Management and Budget. These technical amendments to appendix A of Regulation CC will (1) delete the reference to the Detroit branch office of the Federal Reserve Bank of Chicago and reassign the routing symbols listed under that office to the head office of the Federal Reserve Bank of Cleveland and (2) delete the reference to the Houston branch office of the Federal Reserve Bank of Dallas and reassign the routing symbols listed under that office to the Dallas Reserve Bank's head office. The depository institutions that are located in the affected check processing regions and that include the routing numbers in their disclosure statements would be required to notify customers of the resulting change in availability under § 229.18(e). However, because all paperwork collection procedures associated with Regulation CC already are in place, the Board anticipates that no additional burden will be imposed as a result of this rulemaking.

**12 CFR Chapter II**

**List of Subjects in 12 CFR Part 229**

Banks, Banking, Reporting and recordkeeping requirements.

**Authority and Issuance**

n For the reasons set forth in the preamble, the Board is amending 12 CFR part 229 to read as follows:

**PART 229—AVAILABILITY OF FUNDS AND COLLECTION OF CHECKS (REGULATION CC)**

n 1. The authority citation for part 229 continues to read as follows:

**Authority:** 12 U.S.C. 4001–4010, 12 U.S.C. 5001–5018.

n 2. The Fourth, Seventh, and Eleventh Federal Reserve District routing symbol lists in appendix A are revised to read as follows:

**Appendix A to Part 229—Routing Number Guide to Next-Day Availability Check and Local Checks**

\* \* \* \* \*

**Fourth Federal Reserve District**

**[Federal Reserve Bank of Cleveland]**

*Head Office*

0410	2410
0412	2412
0430	2430
0432	2432
0433	2433
0434	2434
0720	2720
0724	2724

*Cincinnati Branch*

0420	2420
0421	2421
0422	2422
0423	2423
0515	2515
0519	2519
0740	2740
0749	2749
0813	2813
0830	2830
0839	2839
0863	2863

*Columbus Office*

0440	2440
0441	2441
0442	2442

\* \* \* \* \*

**Seventh Federal Reserve District**

**[Federal Reserve Bank of Chicago]**

*Head Office*

0710	2710
0711	2711
0712	2712
0719	2719
0750	2750
0759	2759

*Des Moines Office*

0730	2730
0739	2739
1040	3040
1041	3041
1049	3049

\* \* \* \* \*

**Eleventh Federal Reserve District**

**[Federal Reserve Bank of Dallas]**

*Head Office*

1110	3110
1111	3111
1113	3113
1119	3119
1120	3120
1122	3122

<sup>4</sup> Section 229.18(e) of Regulation CC requires that banks notify account holders who are consumers within 30 days after implementing a change that improves the availability of funds.

1123 3123  
 1130 3130  
 1131 3131  
 1140 3140  
 1149 3149  
 1163 3163

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, acting through the Secretary of the Board under delegated authority, February 16, 2005.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 05-3419 Filed 2-22-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 736, 752, and 764

[Docket No. 050208029-5029-01]

RIN 0694-AD43

#### Denied Persons and Specially Designated Nationals

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

**ACTION:** Final rule.

**SUMMARY:** This final rule removes all reference in the Export Administration Regulations (EAR) to the supplement containing the list of persons denied export privileges ("Denied Persons List" (DPL)) because no such supplement exists in the Code of Federal Regulations. In the past, such a supplement has been included only in the unofficial loose-leaf version of the EAR that is available by subscription from the U.S. Government Printing Office. In addition, the Bureau of Industry and Security provides notice to the public that it is discontinuing its practice of including in the loose-leaf version of the EAR both the DPL and the "Specially Designated Nationals and Blocked Persons" (SDN) List. Revisions to the DPL and SDN List are issued on such a frequent basis as to make the quarterly, hard-copy versions of the lists included in the loose-leaf version of the EAR inaccurate. The removal of the DPL and SDN List from the loose-leaf version of the EAR will minimize any potential that parties might rely on an outdated list of persons denied export privileges under the EAR.

**DATES:** *Effective Date:* This rule is effective February 23, 2005.

**ADDRESSES:** Although there is no official comment period, you may submit comments, identified by RIN 0694-AD43, by any of the following methods:

- E-mail: [mcohen@bis.doc.gov](mailto:mcohen@bis.doc.gov). Include "RIN 0694-AD43" in the subject line of the message.
- Fax: 202-482-3355.
- Mail or Hand Delivery/Courier: U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230, ATTN: 0694-AD43.

Send a copy of any comments that concern information collection requirements to Dave Rostker, OMB Desk Officer, New Executive Office Building, 725 17th Street, NW., Washington, DC 20503; and to the Office of Administration, Bureau of Industry and Security, Department of Commerce, 14th and Pennsylvania Avenue, NW., Room 6092, Washington, DC 20230.

#### FOR FURTHER INFORMATION CONTACT:

Marcus Cohen, Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, Telephone: (202) 482-2440.

**SUPPLEMENTARY INFORMATION:** In the unofficial loose-leaf version of the Export Administration Regulations (EAR) that is available by subscription from the U.S. Government Printing Office, the Bureau of Industry and Security (BIS) currently publishes, on a quarterly basis, the list of persons denied export privileges pursuant to Parts 764 and 766 of the EAR ("Denied Persons List" (DPL)) and a copy of the "Specially Designated Nationals and Blocked Persons" (SDN) List, which is published by the U.S. Treasury Department, Office of Foreign Assets Control (OFAC). In the loose-leaf edition of the EAR, the DPL and the SDN List have been designated as Supplements No. 2 and 3, respectively, to Part 764. However, no such supplements exist in the Code of Federal Regulations, Title 15 Part 764.

Orders affecting export privileges under the EAR and revisions to the SDN List are issued on such a frequent basis as to make the quarterly, hard-copy versions of the DPL and the SDN List inaccurate. As such, BIS is discontinuing quarterly reprints of these lists in the loose-leaf edition of the EAR. The removal of these lists from the loose-leaf edition of the EAR will minimize any potential that parties to a transaction might rely on an outdated list of persons denied export privileges under the EAR. BIS maintains a current compilation of persons denied export privileges under the EAR on its Web site, and OFAC maintains a current list of specially designated nationals on its Web site. Export privileges are denied by written order of the Department of

Commerce; such orders are published in the **Federal Register**. These orders are the official source of information about denied persons, and are controlling documents in accordance with their terms.

This rule removes from § 736.2(b)(4)(i) and paragraph (a)(1) of Supplement No. 1 to Part 764 language stating that BIS provides the DPL in the loose-leaf edition of the EAR. This rule also revises § 736.2(a)(3) to clarify that, with respect to the end-user, General Prohibition Four (§ 736.2(b)(4)) and Supplement No. 1 to Part 764 of the EAR should be consulted for references to persons with whom transactions may not be permitted, and General Prohibition Five (§ 736.2(b)(5)) should be consulted for references to end-users for whom an export or reexport license may be required. General Prohibition Four prohibits actions that are prohibited by a denial order issued under Part 766 of the EAR. General Prohibition Five prohibits any exports and reexports to an end-user prohibited by Part 744 of the EAR, which contains end-user and end-use based controls. Supplement No. 1 to Part 764 describes denial orders, which prohibit certain transactions with named parties involving items that are subject to the EAR. Supplement No. 1 to Part 764 also references the list of persons denied export privileges.

This rule also makes necessary conforming changes by removing references to Supplement No. 2 to Part 764 from §§ 752.11(c)(3), 752.11(c)(4), and 752.12(a). Finally, this rule revises §§ 752.9(a)(3)(ii)(G) and 752.12(a) by removing the procedural requirement of distributing and retaining copies of the DPL. Instead, each Special Comprehensive License (SCL) holder and each consignee must maintain a record of its procedures for screening transactions to prevent violations of orders denying export privileges. By making this requirement functional and results-oriented, this revision will increase the effectiveness of screening and reduce the burden on SCL holders and consignees.

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 most recently by the Notice of August 6, 2004, (69 FR 48763 (August 10, 2004)) continues the Regulations in effect under the International Emergency Economic Powers Act.