

subject line of e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro/shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of the NYSE.

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submission should refer to File Number SR-NYSE-2004-59 and should be submitted on or before March 28, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>6</sup>

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. E5-915 Filed 3-4-05; 8:45 am]

BILLING CODE 8010-01-P

## SMALL BUSINESS ADMINISTRATION

[License No. 09/79-0432]

### Telesoft Partners II SBIC, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that Telesoft Partners II SBIC, L.P., 1450 Fashion Island Blvd., Suite 610, San Mateo, CA 94404, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and § 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") Rules and Regulations (13 CFR 107.730). Telesoft Partners II SBIC, L.P. proposes to provide equity/debt security financing to LogLogic, Inc. The financing is contemplated for working capital and general corporate purposes.

The financing is brought within the purview of § 107.730(a)(1) of the Regulations because Telesoft Partners II QP, L.P., Telesoft Partners II, L.P. and Telesoft NP Employee Fund, LLC, all Associates of Telesoft Partners II SBIC, L.P., own more than ten percent of LogLogic, Inc.

Notice is hereby given that any interested person may submit written comments on the transaction to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

Dated: February 14, 2005.

**Jaime Guzman-Fournier,**  
*Acting Associate Administrator for Investment.*

[FR Doc. 05-4319 Filed 3-4-05; 8:45 am]

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## SMALL BUSINESS ADMINISTRATION

### Public Federal Regulatory Enforcement Fairness Hearing; Region V Regulatory Fairness Board

The Small Business Administration Region V Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Thursday, March 24, 2005 at 8:30 a.m. at the Marion County Public Library at Glendale Mall, 6101 N. Keystone Avenue, Indianapolis, IN 46220, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by federal agencies.

Anyone wishing to attend or to make a presentation must contact Francine Protogere in writing or by fax, in order to be put on the agenda. Francine Protogere, District Counsel, SBA Indiana District Office, 429 N. Pennsylvania Street, Suite 100, Indianapolis, IN 46204, phone (317) 226-7272 Ext. 270, fax (317) 226-7259, e-mail: [Francine.Protogere@sba.gov](mailto:Francine.Protogere@sba.gov).

For more information, see our Web site at <http://www.sba.gov/ombudsman>.

Dated: February 28, 2005.

**Peter Sorum,**  
*Senior Advisor, Office of the National Ombudsman.*

[FR Doc. 05-4320 Filed 3-4-05; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF STATE

[Public Notice 5008]

### Notice Convening an Accountability Review Board for the November 24, 2004 Murder of Mr. James C. Mollen, an Employee of the U.S. Embassy in Baghdad, Iraq

Pursuant to Section 301 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as amended (22 U.S.C. 4831 *et seq.*), I have determined that the November 24, 2004 shooting death of Mr. James C. Mollen, an employee of the U.S. Embassy in Baghdad, Iraq, involved loss of life at or related to a U.S. mission abroad. Therefore, I am convening an Accountability Review Board, as required by that statute, to examine the facts and the circumstances of the attack and to report to me such findings and recommendations as it deems appropriate, in keeping with the attached mandate.

I have appointed Edward G. Lanpher, a retired U.S. ambassador, as Chair of the Board. He will be assisted by M. Bart Flaherty, Frederick Mecke, Mike Absher, Laurie Tracy and by Executive Secretary to the Board, Bruce Thomas. They bring to their deliberations distinguished backgrounds in government service and/or in the private sector.

The Board will submit its conclusions and recommendations to me within 60 days of its first meeting, unless the Chair determines a need for additional time. Appropriate action will be taken and reports submitted to Congress on any recommendations made by the Board.

Anyone with information relevant to the Board's examination of this incident should contact the Board promptly at (202) 203-7149 or send a fax to the Board at (202) 203-7143.

This notice shall be published in the **Federal Register**.

Dated: February 28, 2005.

**Condoleezza Rice,**  
*Secretary of State, Department of State.*

[FR Doc. 05-4358 Filed 3-4-05; 8:45 am]

BILLING CODE 4710-35-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[OST Docket No. 2005-20490]

### Air Carrier Access Act Aircraft Inspection and Certification Initiative

**AGENCY:** Office of the Secretary, Department of Transportation (DOT).

<sup>6</sup> 17 CFR 200.30-3(a)(12).

**ACTION:** Notice.

**SUMMARY:** Beginning on March 7, 2005, the Federal Aviation Administration (FAA) will be assisting the Office of the Secretary (OST) in verifying that the aircraft accessibility requirements of the Air Carrier Access Act (ACAA) and its implementing regulations, 14 CFR Part 382 (Part 382), are being met by U.S. certificated and commuter air carriers. FAA inspectors, in the normal course of their duties, will be performing on-site inspections of U.S. airline aircraft that are subject to the design requirements of the ACAA and Part 382, which prohibit discrimination against disabled air travelers in air transportation. The FAA will also take steps to verify that these requirements are met when new aircraft enter the U.S. airline fleet.

**FOR FURTHER INFORMATION CONTACT:**

Blane A. Workie, Office of the General Counsel, 400 7th Street, SW., Room 4116, Washington, DC 20590, (202) 366-9342 (voice), (202) 366-7152 (Fax), [blane.workie@ost.dot.gov](mailto:blane.workie@ost.dot.gov) (e-mail). Arrangements to obtain the notice in an alternative format may be made by contacting the above-named individuals.

**SUPPLEMENTARY INFORMATION:** Full compliance with the mandates of Part 382 is a priority of the Department of Transportation (Department or DOT). Part 382 is intended to promote accessibility and prohibit discrimination for air travelers with disabilities. This notice concerns those portions of Part 382 that require that carriers order or modify aircraft to improve accessibility. The requirements regarding aircraft accessibility are covered by 14 CFR 382.21.

The requirements of § 382.21 are tied to the number of seats or aisles on an aircraft. They apply to all aircraft operated under 14 CFR part 121 ordered after the effective date of Part 382 (April 5, 1990) or delivered to an air carrier after April 5, 1992. Part 121 contains the FAA's rules on air carrier certification and the operation of large aircraft by carriers certificated under that Part. Section 382.21 requires carriers to provide:

(1) Movable armrests on at least one half of the aisle seats on aircraft with 30 or more seats (382.21(a)(1));

(2) A priority storage area for a passenger's folding wheelchair on aircraft with 100 or more seats (382.21(a)(2));

(3) An accessible lavatory on aircraft with more than one aisle (382.21(a)(3)); and

(4) A carrier-supplied on-board wheelchair in certain instances (382.21(a)(4) and (b)(2)).

The rule does not require retrofitting of aircraft that were in service on or before the effective date of the rule with the following two exceptions: first, a carrier must, under certain conditions, provide an on-board wheelchair on aircraft with more than 60 seats (see 382.21(a)(4) and 382.21(b)(2)), effective April 5, 1992; second, under 382.21(c), if an aircraft operated under Part 121 undergoes a cabin refurbishment in which seating, lavatories, or other cabin interior elements are replaced, the aircraft, once renovated, must meet the requirements with respect to armrests and lavatories, or the replaced elements (e.g., in-cabin stowage areas) as specified in 382.21(a).

The Department wishes to ascertain the current compliance status of air carriers with respect to these requirements. The Department's Office of the Assistant General Counsel for Aviation Enforcement and Proceedings (Enforcement Office) began several investigations into compliance with section 382.21 in 2002, and most of these investigations have culminated in consent orders assessing civil penalties and requiring that air carriers take action to comply with the requirements of section 382.21. The Enforcement Office continues to investigate air carriers that it believes may be operating aircraft that are non-compliant. However, in addition to the continued enforcement efforts, the Department believes that having FAA inspectors check new aircraft being added to carrier fleets as well as aircraft already in service that are subject to the rule, in connection with their regular air carrier safety monitoring activities, would assist in ensuring that air carriers fulfill their nondiscrimination and accessibility responsibilities towards passengers with disabilities.

It is important to note that the FAA's involvement would be limited to conducting inspections to verify that aircraft meet the ACAA and Part 382 design requirements. Enforcement responsibilities with regard to the ACAA and Part 382 would remain in the Enforcement Office. The results of the FAA inspections of aircraft would be forwarded to the Enforcement Office for follow-up with the airlines involved in instances where it appears that the

carrier's aircraft may not be in compliance with the ACAA and Part 382.

Issued this 24th day of February 2005, in Washington DC.

**Jeffrey A. Rosen,**

*General Counsel, U.S. Department of Transportation.*

[FR Doc. 05-4296 Filed 3-4-05; 8:45 am]

**BILLING CODE 4910-62-P**

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary**

**Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending February 18, 2005**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et. seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2005-20405.

*Date Filed:* February 14, 2005.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* March 7, 2005.

*Description:* Application of U.S. Helicopter Corporation, requesting a certificate of public convenience and necessity to engage in interstate scheduled air transportation of persons, property and mail between any point in any State of the United States or the District of Columbia, or any territory or possession of the United States, and any other point in any State of the United States or the District of Columbia, or any territory of possession of the United States.

**Renee V. Wright,**

*Acting Program Manager, Docket Operations, Alternate Federal Register Liaison.*

[FR Doc. 05-4308 Filed 3-4-05; 8:45 am]

**BILLING CODE 4910-62-P**