Inspection Service (APHIS). On March 10, 2004, CDC lifted the embargo of birds and bird products from Hong Kong Special Administrative Region because of the documented public health and animal health measures taken by Hong Kong officials to prevent spread of the outbreak within Hong Kong and the absence of avian influenza cases in Hong Kong's domestic and wild bird populations. APHIS took a similar action. CDC and APHIS are now imposing an embargo on birds and bird products from Malaysia because of the documented cases of Influenza A (H5N1) in poultry in Malaysia. All other portions of the February 4, 2004, order and March 10, 2004, amendment remain in effect until further notice.

DATES: This action is effective on September 28, 2004 and will remain in effect until further notice.

FOR FURTHER INFORMATION CONTACT: Paul Arguin, National Center for Infectious Diseases, Centers for Disease Control and Prevention, Mailstop C–14, 1600 Clifton Road, Atlanta, GA 30330, telephone, 404–498–1600.

SUPPLEMENTARY INFORMATION:

Background

On August 19, 2004, the Office of International Epizootics (OIE), an international organization that reports the occurrence of animal diseases detected worldwide, listed Malaysia among the countries in which an outbreak of avian influenza was occurring. According to the OIE emergency report, there was a laboratory-confirmed report of H5N1 influenza virus on one farm in Malaysia at Kelantan State, Tumpat district, Pasir Pekan village. The initial flock of village chickens consisted of 60 birds of mixed ages, reared free range. Within a 1-km radius of the affected flock there are another 103 village chickens, 62 birds of mixed species and 8 ducks (173 birds total). On September 9, 2004, OIE reported a second laboratory-confirmed occurrence of H5N1 influenza in a flock of birds located in an area 5 kilometers from the previously infected flock. The susceptible avian population within the village included 1,608 chickens, 68 bantam chickens, 4 turkeys, 93 ducks, 9 geese, 60 quail, and 193 other species (2,035 birds total).

The government of Malaysia has instituted a number of control measures, including depopulation of poultry and birds within a one-kilometer radius of the infective flock; quarantine and clinical surveillance within a 10-kilometer radius of the inflected flock; and restrictions on the movement of birds and their products to other states within Malaysia.

Introduction of influenza A (H5N1)-infected birds into the United States could lead to outbreaks of disease in the human population, a significant public health threat. Banning the importation of all avian species from affected countries, including Malaysia, is an effective means of limiting this threat. CDC is therefore taking this action to reduce the chance of introduction or spread of influenza A (H5N1).

Immediate Action

Therefore, pursuant to 42 CFR 71.32(b), the February 4, 2004, order is amended to add Malaysia to the list of countries subject to that order's embargo of birds and products derived from birds (including hatching eggs). All other portions of the February 4, 2004 order (69 FR 7165, Feb. 13, 2004) and the March 10, 2004 amendment (69 FR 12975, Mar. 19, 2004) shall remain in effect until further notice.

Julie Louise Gerberding,

Director, Centers for Disease Control and Prevention.

[FR Doc. 04–22258 Filed 10–1–04; 8:45 am]

BILLING CODE 4160–17–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0, 1, and 54

[CC Docket No. 02–6; FCC 04–190]

Schools and Libraries Universal Service Support Mechanism

AGENCY: Federal Communications Commission.

ACTION: Final rule, correction.

SUMMARY: This document corrects an error in the dates and final rules sections of a **Federal Register** document regarding the Commission adopting measures to protect against waste, fraud, and abuse in the administration of the schools and libraries universal service support mechanism. In addition, the Commission resolved a number of issues that have arisen from audit activities conducted as part of ongoing oversight over the administration of the universal service fund, and the Commission addressed programmatic concerns raised by our Office of Inspector General. The summary was published in the **Federal Register** on September 13, 2004.

DATES: Effective October 4, 2004.

FOR FURTHER INFORMATION CONTACT: Jennifer Schneider, Attorney, Telecommunications Access Policy Division, Wireline Competition Bureau, (202) 418–7400.

SUPPLEMENTARY INFORMATION: This summary contains a correction to the dates and final rules sections of a **Federal Register** summary, 69 FR 55097 (September 13, 2004). The full text of the Commission's Fifth Report and Order and Order in CC Docket No. 02–6, FCC 04–190 released on August 13, 2004 is available for public inspection during regular business hours in the FCC Reference Center, Room CY–A257, 445 Twelfth Street, SW., Washington, DC 20554.

■ In rule FR Doc. 04–20363 published September 13, 2004 (69 FR 55097) make the following corrections.

■ 1. On page 55097, in the second column, in the dates section, remove ''54.504(f)'' and add in its place ''54.504(h).''

PART 54—[CORRECTED]

■ 2. On page 55109, in the third column, in paragraph 8, third line, remove ''(f)'' and add in its place ''(h).''

§ 54.504 [Corrected]

■ 3. On page 55110, in the third column, in the twentieth line, remove ''(f)'' and add in its place ''(h).''

■ 4. On page 55110, in the third column, in paragraph 9, remove ''E'' and add in its place ''F.''

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 04–22228 Filed 10–1–04; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 101

[ET Docket No. 98–206; RM–9147; RM–9245; DA 04–3007]

Amendment of the Commission's Rules Governing Multichannel Video Distribution and Data Service in the 12.2–12.7 GHz Band

AGENCY: Federal Communications Commission.

ACTION: Correcting amendment.

SUMMARY: On April 11, 2002, the Commission adopted rules to establish technical, service and licensing rules governing Multichannel Video Distribution and Data Service (MVDDS) in the 12 GHz band. Because an error was made in the final rules, this document contains correcting amendments to the final rules that were published in the **Federal Register**.

DATES: Effective on October 4, 2004.

FOR FURTHER INFORMATION CONTACT: Jennifer Mock, Broadband Division, Wireless Telecommunications Bureau at (202) 418–2487.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission published in the **Federal Register** final rules, 67 FR 43031, June 26, 2002, in the above captioned proceeding (Memorandum Opinion and Order and Second Report and Order). The instant document corrects an error in a note to section 101.1412.

Procedural Matters

Any impact as defined by the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, the Congressional Review Act (CRA), and the Regulatory Flexibility Act of 1980, as amended (RFA) was addressed at the time of adoption and release of the *Memorandum Opinion and Order and Second Report and Order*, FCC 02–116, adopted on April 11, 2002, and released on May 23, 2003, 67 FR 43031, June 26, 2002. Therefore, the PRA, CRA and RFA requirements have already been fulfilled for these rules.

List of Subjects in 47 CFR Part 101

Communications common carriers, Communications equipment, Radio.

Federal Communications Commission.

Peter J. Daronco,

Assistant Chief, Broadband Division Wireless Telecommunications Bureau.

■ Accordingly, 47 CFR part 101 is corrected by making the following correcting amendments:

PART 101—FIXED MICROWAVE SERVICES

■ 1. The authority citation for part 101 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

■ 2. Section 101.1412 is amended by removing the Note immediately following paragraph (f)(6) and by adding a Note immediately following paragraph (g)(6) to read as follows:

§ 101.1412 MVDDS eligibility restrictions for cable operators.

* * * * *

(g) * * *

(6) * * *

Note to § 101.1412: Waivers of § 101.1412(f) may be granted upon an affirmative showing:

(a) That the interest holder has less than a fifty percent voting interest in the licensee and there is an unaffiliated single holder of a fifty percent or greater voting interest;

(b) That the interest holder is not likely to affect the local market in an anticompetitive manner;

(c) That the interest holder is not involved in the operations of the licensee and does not have the ability to influence the licensee on a regular basis; and

(d) That grant of a waiver is in the public interest because the benefits to the public of common ownership outweigh any potential anticompetitive harm to the market.

[FR Doc. 04–22226 Filed 10–1–04; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket NHTSA–03–15351]

RIN 2127–AI34

Federal Motor Vehicle Safety Standards; Child Restraint Systems; Correction

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Correcting amendments.

SUMMARY: This document corrects a final rule (Docket NHTSA–03–15351) that was published Tuesday, June 24, 2003 (68 FR 37620). The rule updated test procedures in Federal Motor Vehicle Safety Standard (FMVSS) No. 213, ''Child Restraint Systems,'' and expanded the standard to restraints for children weighing up to 65 pounds.

DATES: Effective October 4, 2004.

FOR FURTHER INFORMATION CONTACT: Deirdre Fujita, Office of the Chief Counsel, NHTSA, telephone 202–366–2992; fax 202–366–3820, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: The final rule that is the subject of this correction amended Federal Motor Vehicle Safety Standard No. 213, *Child Restraint Systems* (49 CFR 571.213) to update the procedures used to test child restraint systems.

Need for Correction

As published, the final rule contains two minor errors that the agency wants to correct to ensure the clarity of the standard. First, there are two paragraphs designed (ii) in S6.1.1(a)(1). The first such paragraph should be changed to (i). Second, paragraph (e) of S7.1.1 should be removed. S7.1.1 sets forth requirements that apply to child restraints manufactured before August 1, 2005. Paragraph (e) relates to child restraints manufactured on or after August 1, 2005 and thus does not belong in S7.1.1.

List of Subjects in 49 CFR Part 571

Imports, Incorporation by reference, Motor vehicle safety, Reporting and recordkeeping requirements, Tires.

■ In consideration of the foregoing, NHTSA amends 49 CFR Chapter V as set forth below.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

■ 1. The authority citation for Part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117 and 30166; delegation of authority at 49 CFR 1.50.

■ 2. Correct § 571.213 as follows:

■ a. S6.1.1(a)(1) is revised to read as set forth below.

■ b. In S7.1.1, paragraph (e) is removed.

§ 571.213 Standard No. 213; Child restraint systems.

* * * * *

S6.1.1 Test conditions.

(a) *Test devices.*

(1) Add-on child restraints.

(i) The test device for add-on restraint systems manufactured before August 1, 2005 is a standard seat assembly consisting of a simulated vehicle bench seat, with three seating positions, which is described in Drawing Package SAS–100–1000 with Addendum A: Seat Base Weldment (consisting of drawings and a bill of materials), dated October 23, 1998 (incorporated by reference in § 571.5). The assembly is mounted on a dynamic test platform so that the center SORL of the seat is parallel to the direction of the test platform travel and so that movement between the base of the assembly and the platform is prevented.

(ii) The test device for add-on restraint systems manufactured on or after August 1, 2005 is a standard seat assembly consisting of a simulated vehicle bench seat, with three seating positions, which is depicted in Drawing Package, ''NHTSA Standard Seat Assembly; FMVSS No. 213, No. NHTSA–213–2003,'' (consisting of drawings and a bill of materials) dated June 3, 2003 (incorporated by reference; see § 571.5). The assembly is mounted on a dynamic test platform so that the center SORL of the seat is parallel to the direction of the test platform travel and so that movement between the base of the assembly and the platform is prevented.

* * * * *

Issued on September 28, 2004.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 04–22279 Filed 10–1–04; 8:45 am]

BILLING CODE 4910–59–P