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Acting Manager, Air Traffic Division, Central Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30416; Amdt. No. 3099]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective June 28, 2004. The compliance date for each SIAP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 28, 2004.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The Flight Inspection Area Office which originated the SIAP; or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030,

or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

For Purchase

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the

SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (NFDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Conclusion

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. It, therefore—(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. For the same reason, the FAA certifies that this amendment 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 97

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC on June 18, 2004.

James J. Ballough,

Director, Flight Standards Service.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

* * * *Effective August 5, 2004*

Allakaket, AK, Allakaket, RNAV (GPS) RWY 5, Orig
 Allakaket, AK, Allakaket, RNAV (GPS) RWY 23, Orig
 Pine Bluff, AR, Grider Field, ILS OR LOC RWY 18, Amdt 3
 Pine Bluff, AR, Grider Field, RNAV (GPS) RWY 36, Orig
 Pine Bluff, AR, Grider Field, VOR RWY 18, Amdt 20
 Pine Bluff, AR, Grider Field, VOR/DME RWY 36, Amdt 12
 Pine Bluff, AR, Grider Field, GPS RWY 35, Orig-B, CANCELLED
 Hibbing, MN, Chisholm-Hibbing, ILS OR LOC/DME RWY 13, Orig
 Bellefontaine, OH, Bellefontaine Regional, NDB RWY 7, Orig
 Bellefontaine, OH, Bellefontaine Regional, NDB RWY 25, Orig
 Burns, OR, Burns Muni, VOR RWY 30, Amdt 3
 Burns, OR, Burns Muni, RNAV (GPS) RWY 30, Orig
 Fort Worth, TX, Fort Worth Alliance, ILS OR LOC RWY 16L, Amdt 6
 Fort Worth, TX, Fort Worth Alliance, RNAV (GPS) RWY 16L, Amdt 1
 Fort Worth, TX, Fort Worth Alliance, ILS OR LOC RWY 34R, Amdt 5
 Fort Worth, TX, Fort Worth Alliance, RNAV (GPS) RWY 34R, Amdt 1

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 738, 742, 772, and 774

[Docket No. 040614182–4182–01]

RIN 0694–AD11

Revisions to the Export Administration Regulations To Remove Certain Regional Stability and Crime Control License Requirements to New North Atlantic Treaty Organization (NATO) Member Countries

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security maintains the Export Administration Regulations (EAR). This rule amends the EAR by removing the license requirements for certain regional stability items and for certain crime control items destined to Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to reflect the accession of those countries to the North Atlantic Treaty Organization (NATO) on March 29, 2004. In addition, this rule makes certain conforming corrections and clarifications.

EFFECTIVE DATES: This rule is effective: June 28, 2004.

FOR FURTHER INFORMATION CONTACT: Eileen Albanese, Director, Office of Exporter Services, Bureau of Industry and Security, Telephone: (202) 482–0436.

SUPPLEMENTARY INFORMATION:

Background

Section 742.6(a)(2) of the EAR requires a license for the export or reexport of certain military related items, such as military vehicles and certain specially designed commodities used to manufacture military equipment for reasons of “regional stability” in support of foreign policy. Section 742.7(a)(1)–(3) of the EAR also requires a license for the export or reexport of certain crime control and detection instruments and equipment, and related technology and software as a matter of foreign policy, to promote the observance of human rights throughout the world. The EAR do not require a license for the export or reexport of these items to NATO member countries. Therefore, this rule removes the license requirements for these items to the 7 countries that recently joined NATO: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia. This rule also removes the “X” from the RS:2 column and from all CC columns for

these countries in the Commerce Country Chart in Supplement No. 1 to part 738 of the EAR.

In addition, this rule revises the definition of NATO (North Atlantic Treaty Organization) in part 772 of the EAR, by adding the 7 countries that recently joined NATO, plus Czech Republic, Hungary, and Poland, which were inadvertently not added to the definition of NATO in the regulation published on March 18, 2002 (67 FR 11896). This rule also amends the definition of COCOM (Coordinating Committee on Multilateral Export Controls) by replacing the phrase “COCOM members included the NATO countries, except Iceland, plus Japan and Australia” with a specific list of countries that were members of COCOM, to clarify that the membership of NATO at the time COCOM existed was different than it is today.

This rule also clarifies License Exception TSR eligibility in the License Exception sections of two Export Control Classification Numbers (ECCN) 9D018 and 9E018 in the Commerce Control List. The TSR paragraph for these ECCNs state, “Yes for Australia, Japan, New Zealand, and NATO.” However, TSR is only available for export and reexport to countries listed in Country Group B. Therefore, the statement of eligibility for TSR for these ECCNs will be revised to read, “Yes for Australia, Japan, New Zealand, and NATO countries that are also listed in Country Group B of Supplement No. 1 to part 740 of the EAR.”

Although the Export Administration Act expired on August 20, 2001, Executive Order 13222 of August 17, 2001 (66 FR 44025, August 22, 2001), as extended by the Notice of August 7, 2003, (68 FR 47833, 2003 WL 21877490), continues the Regulations in effect under the International Emergency Economic Powers Act.

Rulemaking Requirements

1. This final 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 0694–0088, “Multi-Purpose