

and, within 10 days of the cessation of scheduled passenger operations, registers as an air taxi operator in accordance with subpart C of this part; and *provided further* that the carrier continues to hold authority from the Federal Aviation Administration to conduct such air taxi operations.

§ 298.53 Suspension or revocation of authority.

A Commuter Air Carrier Authorization may be suspended or revoked if any of the following occur:

(a) The operator fails to maintain insurance coverage as required by part 205 of this chapter for commuter operations;

(b) The scheduled passenger authority under the operator's Air Carrier Certificate is suspended or revoked by the Federal Aviation Administration;

(c) The operator does not commence operations for which it has been found fit, or the operator ceases those operations as provided in § 204.7 of this chapter;

(d) The Department finds that the carrier is not fit, willing, and able to conduct scheduled service or fails to qualify as a citizen of the United States; or

(e) The Department determines that it is otherwise in the public interest to do so.

PART 380—PUBLIC CHARTERS

■ 14. The authority citation for part 380 continues to read as follows:

Authority: 49 U.S.C. 40101, 40102, 40109, 40113, 41101, 41103, 41301, 41504, 41702, 41708, 41712, 46101.

§ 380.2 [Amended]

■ 15. In § 380.2, in the definition of *Direct Air Carrier* add the word “, commuter” after “certificated”; remove the words “or commuter air carrier” and add “authorization,” between “certificate” and “permit”.

PART 385—STAFF ASSIGNMENTS AND REVIEW OF ACTION UNDER ASSIGNMENTS

■ 16. The authority citation for part 385 continues to read as follows:

Authority: 49 U.S.C. Subtitle I, Chapters 401, 411, 413, 415, 417.

§ 385.12 [Amended]

■ 17. In § 385.12(e), remove the words “and commuter air carriers”.

PART 389—FEES AND CHARGES FOR SPECIAL SERVICES

■ 18. The authority citation for part 389 continues to read as follows:

Authority: Sec. 204, 1002, Pub. L. 85–726, as amended, 72 Stat. 743, 797; 49 U.S.C. 1324, 1502. Act of August 31, 1951, ch. 376, 65 Stat. 268; 31 U.S.C. 483a.

§ 389.25 [Amended]

19. In § 389.25(a), in the table, under the entry for Code 7, remove the words “Scheduled Passenger Commuter Registration” and add, in their place, “Commuter Air Carrier Authorization”.

Issued on May 10, 2005.

Karan K. Bhatia,

Assistant Secretary for Aviation and International Affairs.

[FR Doc. 05–9655 Filed 5–13–05; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of the Census

15 CFR Part 30

[Docket Number 041029301–5119–02]

RIN 0607–AA44

Requirement for Reporting the Kimberley Process Certificate Number for Exports and Reexports of Rough Diamonds

AGENCY: Bureau of the Census, Commerce Department.

ACTION: Final rule.

SUMMARY: The U.S. Census Bureau (Census Bureau) is amending the Foreign Trade Statistics Regulations (FTSR) to incorporate the requirement that the Kimberley Process Certificate (KPC) number for the exports and the reexports of rough diamonds be filed through the Automated Export System (AES). This rule serves to carry out the purposes of Executive Order 13312 of July 29, 2003, which implemented the Clean Diamond Trade Act and the Kimberley Process Certification Scheme in the United States.

DATES: This rule is effective June 15, 2005.

FOR FURTHER INFORMATION CONTACT: C. Harvey Monk, Jr., Chief, Foreign Trade Division, U.S. Census Bureau, Room 2104, Federal Building 3, Washington, DC 20233–6700; by phone at (301) 763–2255; by fax at (301) 457–2645; or by e-mail: c.harvey.monk.jr@census.gov.

SUPPLEMENTARY INFORMATION: In the January 12, 2005 *Federal Register*, 70 FR 2072, the Census Bureau published a notice of proposed rulemaking and request for comments for a requirement that the KPC number for exports and reexports of rough diamonds be filed through the AES. Public comments were

requested through February 11, 2005. The Census Bureau did not receive any comments on the proposed rule. This final rule adopts the measures contained in the proposed rule.

This final rule amends 15 CFR part 30 by revising § 30.63 of the FTSR to specify the requirement for reporting the KPC number via the AES for exports and reexports of rough diamonds. On July 29, 2003, the President issued Executive Order 13312, which implemented Public Law 108–19, known as the Clean Diamond Trade Act (the Act). The Act implemented the Kimberley Process in the United States by authorizing the President to prohibit the importation into or the exportation from the United States of any rough diamond, from whatever source, unless the rough diamond is controlled through the Kimberley Process Certification Scheme, as defined in the Act. Pursuant to the Act, shipments of rough diamonds between the United States and nonparticipants in the Kimberley Process are prohibited, and shipments between the United States and participants are permitted only if they are handled in accordance with the standards, practices, and procedures of the Kimberley Process set forth in the Rough Diamonds Control Regulations, 31 CFR part 592, promulgated by the Department of the Treasury's Office of Foreign Assets Control (OFAC) (see 69 FR 56936 dated September 23, 2004).

Section 6 of the Act names the Census Bureau as the exporting authority for the United States. This requires the Census Bureau to validate the KPC for exports of rough diamonds. The KPC is a forgery-resistant document of a participant nation or entity that demonstrates that an exportation of rough diamonds has been controlled through the Kimberley Process and contains the minimum elements required by OFAC regulations (Title 31 CFR part 592). Each KPC is assigned an identification number called the KPC number.

To comply with the requirements of the Act, the Census Bureau amended the FTSR on October 20, 2003, to incorporate requirements for the mandatory electronic filing via the AES of exports of rough diamonds. The Census Bureau is now amending the FTSR to require the reporting through AES of the KPC number found on the KPC for all exports of rough diamonds classified under Harmonized System subheadings 7102.10, 7102.21, and 7102.31. This requirement will not affect filers of Shipper's Export Declarations since all exports of rough diamonds are required to be filed through the AES.

Shipments of rough diamonds from the United States must also meet additional Department of the Treasury requirements identified in the Office of Foreign Assets Control's Rough Diamonds Control Regulations, title 31 CFR part 592.

Executive Order 12866

This final rule has been determined to be not significant for purposes of E.O. 12866.

Executive Order 13132

This final rule does not contain policies with Federalism implications, as that term is defined in E.O. 13132.

Paperwork Reduction Act

The collection of information required in this final rule has been approved by the Office of Management and Budget under the Paperwork Reduction Act (PRA). This rule contains a collection-of-information subject to the requirements of the PRA (44 U.S.C. 3501 *et seq.*), which has been approved under OMB control number 0607-0152. The reporting and recordkeeping burden for this requirement is estimated at 10 total burden hours. Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a current, valid Office of Management and Budget (OMB) control number.

Regulatory Flexibility Act

The Chief Counsel for Regulation of the Department of Commerce, certified to the Chief Counsel for Advocacy, Small Business Administration, under the provisions of the Regulatory Flexibility Act (5 U.S.C. 605 (b)), that this rule will not have a significant economic impact on a substantial number of small entities. The factual basis for this certification was published with the proposed rule. No comments were received regarding the economic impact of this final rule. As a result, no final regulatory flexibility analysis was prepared.

List of Subjects in 15 CFR Part 30

Economic statistics, Foreign trade, Exports, and Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble, title 15 CFR part 30, is amended as follows:

PART 30—FOREIGN TRADE STATISTICS

■ 1. The authority citation for part 30 is revised to read as follows:

Authority: 5 U.S.C. 301; 13 U.S.C. 301–307; 19 U.S.C. 3901–3913; Reorganization Plan 5 of 1950 (3 CFR 1949–1953 Comp., 1004); Executive Order 13312, Implementing the Clean Diamond Act, 68 FR 45151 (31 CFR Part 592); and Department of Commerce Organization Order No. 35–2A, July 22, 1987, as amended, and No. 35–2B, December 20, 1996, as amended.

Subpart E—Electronic Filing Requirements—Shipper's Export Information

■ 2. In § 30.63, add a paragraph (b)(22) to read as follows:

§ 30.63 Information required to be reported electronically through AES (data elements).

* * * * *

(b) * * *

(22) *Kimberley Process Certificate (KPC) number.* The unique identifying number of the KPC issued by the United States Kimberley Process Authority that must accompany any export shipment of rough diamonds. Rough diamonds are classified under 6-digit Harmonized System subheadings 7102.10, 7102.21, and 7102.31. Enter the KPC number in the license number field excluding the 2-digit U.S. ISO country code.

* * * * *

Dated: May 10, 2005.

Charles Louis Kincannon,

Director, Bureau of the Census.

[FR Doc. 05–9629 Filed 5–13–05; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Parts 335 and 340

Docket No: 050406093-5093-01

RIN 0625-AA67

Imports of Certain Worsted Wool Fabric: Implementation of Tariff Rate Quota Established Under Title V of the Trade and Development Act of 2000.

AGENCY: Department of Commerce, International Trade Administration.

ACTION: Interim Final Rule, Request for Comments

SUMMARY: The Department of Commerce (“Commerce”) is amending its regulation, which governs the establishment of tariff rate quotas (TRQ) for a limited quantity of worsted wool fabrics pursuant to Title V of the Trade

and Development Act of 2000 (“the Act”) as amended by the Trade Act of 2002 and the Miscellaneous Trade Act of 2004, (Public law 108-429). Section 501(e) of the Act requires the President to fairly allocate TRQs on the import of certain worsted wool fabric. Section 504(b) of the Act authorizes the President to modify the limitations on worsted wool fabric imports under TRQs. The President has delegated to the Secretary of Commerce the authority to allocate the quantity of imports under the TRQs (specifically for wool products under HTS headings, 9902.51.11 and 9902.51.12) and to determine whether the limitations on the quantity of imports under the TRQs should be modified. This interim rule is necessary to implement the amendment to the Act included in the Miscellaneous Trade Act of 2004, (Public law 108-429). Principally, this document amends the regulations to specify which HTS categories may be allocated as TRQs and to eliminate Commerce’s authority to modify these quotas.

DATES: This interim final rule is effective May 16, 2005 To be considered, written comments must be received by 5:00 p.m. on July 15, 2005.

ADDRESSES: Comments should be addressed to: James C. Leonard III, Deputy Assistant Secretary for Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Sergio Botero, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

SUPPLEMENTARY INFORMATION:

Background:

The Act created Harmonized Tariff Schedule of the United States (HTS) heading 9902.51.11 and HTS heading 9902.51.12, which established two TRQs, providing for temporary reductions for three years in the import duties on two categories of worsted wool fabrics suitable for use in making suits, suit-type jackets, or trousers: (1) for worsted wool fabric with average fiber diameters greater than 18.5 microns, the reduction in duty is limited to 2,500,000 square meter equivalents or such other quantity proclaimed by the President; and (2) for worsted wool fabric with average fiber diameters of 18.5 microns or less, the reduction in duty is limited to 1,500,000 square meter equivalents or such other quantity proclaimed by the President, respectively. The Act required that the TRQs be allocated. More specifically, the President must ensure that the TRQs are fairly allocated to persons (including