

FDC date	State	City	Airport	FDC No.	Subject
10/05/05 ...	SD	Rapid City	Rapid City Regional	FDC 5/9164	VOR or TACAN Rwy 24, Orig-D.
10/05/05 ...	SD	Rapid City	Rapid City Regional	FDC 5/9165	VOR or TACAN Rwy 32, Amdt 24D.
10/05/05 ...	KS	Wichita	Wichita Mid-Continent	FDC5/9177	ILS or LOC Rwy 1L (Cat 1), ILS Rwy 1L (Cat 11), Amdt 3A.
10/05/05 ...	KS	Wichita	Wichita Mid-Continent	FDC5/9178	ILS or LOC Rwy 19R, Amdt 5A.
10/05/05 ...	KS	Wichita	Wichita Mid-Continent	FDC5/9179	VOR Rwy 14, Amdt 1C.
10/05/05 ...	AK	Dillingham	Dillingham	FDC 5/9187	RNAV (GPS) Rwy 1, Orig-A.
10/05/05 ...	AK	St Mary's	St Mary's	FDC 5/9189	RNAV (GPS) Rwy 16, Orig-A.
10/05/05 ...	AK	Iliamna	Iliamna	FDC 5/9191	RNAV (GPS) Rwy 7, Amdt 1A.
10/05/05 ...	AK	Iliamna	Iliamna	FDC 5/9192	RNAV (GPS) Rwy 17, Orig-A.
10/05/05 ...	AK	Iliamna	Iliamna	FDC 5/9195	RNAV (GPS) Rwy 35, Orig-A.
10/05/05 ...	AK	Barrow	Wiley Post-Will Rogers Memorial	FDC 5/9200	ILS or LOC/DME Rwy 6, Orig-A.
10/05/05 ...	LA	Shreveport	Shreveport Downtown	FDC 5/9202	LOC Rwy 14, Amdt 4D.
10/05/05 ...	MN	Duluth	Duluth Intl	FDC 5/9203	ILS or LOC Rwy 27, Amdt 8B.
10/05/05 ...	KS	Salina	Salina Muni	FDC 5/9207	ILS or LOC Rwy 35, Amdt 19A.
10/05/05 ...	KS	Salina	Salina Muni	FDC 5/9208	VOR Rwy 17, Amdt 1A.
10/05/05 ...	KS	Salina	Salina Muni	FDC 5/9209	NDB Rwy 35, Amdt 17A.
10/05/05 ...	IA	Harlan	Harlan Muni	FDC 5/9224	NDB Rwy 33, Amdt 5A.
10/05/05 ...	IA	Muscatine	Muscatine Muni	FDC 5/9225	VOR Rwy 6, Orig-B.
10/05/05 ...	IA	Mason City	Mason City Muni	FDC 5/9226	RNAV (GPS) Rwy 18, Orig A.
10/05/05 ...	IA	Muscatine	Muscatine Muni	FDC 5/9227	VOR Rwy 24, Orig-B.
10/05/05 ...	IA	Mason City	Mason City Muni	FDC 5/9228	RNAV (GPS) Rwy 36, Orig A.
10/05/05 ...	LA	Rayville	Rayville/John H Hooks Jr Memorial	FDC 5/9231	RNAV (GPS) Rwy 36, Orig-A.
10/05/05 ...	MN	Duluth	Duluth Intl	FDC 5/9236	Copter ILS or LOC Rwy 27, Orig-A.
10/05/05 ...	KS	Hays	Hays Regional	FDC 5/9238	ILS or LOC Rwy 34, Orig-C.
10/05/05 ...	OK	Clinton	Clinton Sherman	FDC 5/9239	VOR Rwy 35L, Amdt 11D.
10/05/05 ...	OK	Clinton	Clinton Sherman	FDC 5/9243	ILS or LOC Rwy 17R, Amdt 7A.
10/05/05 ...	LA	Lake Charles	Lake Charles Regional	FDC 5/9263	Radar 1, Amdt 5A.

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 200

[Release No. 34-52602]

Adoption of Amendment to Delegation of Authority to Secretary of the Commission

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Securities and Exchange Commission ("Commission") is amending its Delegation of Authority to Secretary of the Commission to permit the Secretary to waive the bond requirement set forth in the Rules on Fair Fund and Disgorgement Plans if the fair or disgorgement funds are held at the U.S. Department of the Treasury ("Treasury") and will be disbursed by the Treasury. This amendment is intended to enhance efficient processing of disgorgement/fair fund plans and to lower the cost of plan administration.

DATES: Effective November 21, 2005.

FOR FURTHER INFORMATION CONTACT: J. Lynn Taylor, Assistant Secretary, Office of the Secretary 202-551-5400.

SUPPLEMENTARY INFORMATION: The amendment is technical and procedural in nature.

I. Discussion

The Commission has delegated authority to the Secretary to issue orders approving proposed fair fund and disgorgement plans following publication if no negative comments are received.¹ Rule 1105(c) of the Commission's Rules on Fair Fund and

¹ 17 CFR 200.30-7(a)(11).

Disgorgement Plans requires that third-party administrators obtain a bond to protect against risk of loss of fair and disgorgement funds.² Obtaining a bond for funds which will be administered by a third party, but held at Treasury and disbursed by Treasury, is neither necessary nor cost efficient because these funds will not be subject to the risks of loss or other dissipation that could occur were the funds held by a private entity. Because of this, the Commission is adopting amended Rule 30-7(a)(11) to permit the Secretary to waive the bond requirement if the funds are held at Treasury, and Treasury is distributing the funds. Nevertheless, the staff may submit plans to the Commission for consideration, as it deems appropriate.

II. Administrative Procedure Act, Regulatory Flexibility Act and Paperwork Reduction Act

The Commission finds, in accordance with Section 533(b)(3)(A) of the Administrative Procedure Act,³ that this revision relates solely to agency organization, procedure, or practice. It is therefore not subject to the provisions of the Administrative Procedure Act requiring notice and opportunity for public comment. The Regulatory Flexibility Act⁴ therefore does not apply. Because the rule relates to "agency organization, procedure or practice that does not substantially affect the rights or obligations of non-agency parties," it is not subject to the Small Business Regulatory Enforcement Fairness Act.⁵

These rules do not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1995, as amended.⁶

III. Costs and Benefits of the Amendment

The amendment is procedural and administrative in nature. The benefits to the parties are efficiency and fairness. The cost of the amendment, if any, falls on the Commission, not the parties.

IV. Effect on Efficiency, Competition, and Capital Formation

The amendment is procedural and administrative in nature and will enhance the efficiency of the approval process for disgorgement/fair fund

plans. It will have no effect on competition or capital formation.

V. Statutory Basis and Text of Proposed Amendment

This amendment to Rule 30a-7 is being adopted pursuant to statutory authority granted to the Commission in Section 4A of the Securities Exchange Act of 1934, as amended, 15 U.S.C. 78d-1.

List of Subjects in 17 CFR Part 200

Authority delegation (Government agencies).

Text of the Adopted Rule

■ For the reasons set out in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

■ 1. The authority citation for part 200, subpart A continues to read in part as follows:

Authority: 15 U.S.C. 77s, 77o, 77sss, 78d, 78d-1, 78d-2, 78w, 78ll(d), 78mm, 79t, 80a-37, 80b-11, and 7202, unless otherwise noted.

* * * * *

■ 2. Section 200.30-7 is amended by adding a sentence after the first sentence in paragraph (a)(11) to read as follows:

§ 200.30-7 Delegation of authority to Secretary of the Commission.

* * * * *

(a) * * *

(11) * * * As part of this plan approval, the requirement set forth in Rule 1105(c) (§ 201.1105(c) of this chapter) may be waived if the fair or disgorgement funds are held at the U.S. Department of the Treasury and will be disbursed by Treasury. * * *

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Dated: October 13, 2005.

By the Commission.

Jonathan G. Katz,
Secretary.

[FR Doc. 05-20973 Filed 10-19-05; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Bureau of Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Part 12

[CBP Dec. 05-33]

RIN 1505-AB61

Extension of Import Restrictions Imposed on Certain Categories of Archaeological Material From the Pre-Hispanic Cultures of the Republic of Nicaragua

AGENCY: Customs and Border Protection, Homeland Security; Treasury.

ACTION: Final rule.

SUMMARY: This document amends Title 19 of the Code of Federal Regulations (19 CFR) to reflect the extension of the import restrictions on certain categories of archaeological material from the Pre-Hispanic cultures of the Republic of Nicaragua that were imposed by T.D. 00-75. The Acting Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, the restrictions will remain in effect for an additional 5 years, and Title 19 of the CFR is being amended to reflect this extension. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act in accordance with the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. T.D. 00-75 contains the Designated List of archaeological material representing Pre-Hispanic cultures of Nicaragua.

DATES: *Effective Date:* October 20, 2005.

FOR FURTHER INFORMATION CONTACT: For legal aspects, George McCray, (202) 572-8710. For operational aspects, Michael Craig, Chief, Other Government Agencies Branch, (202) 344-1684.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the provisions of the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention, codified into U.S. law as the Convention on Cultural Property Implementation Act (Pub. L. 97-446, 19

² 17 CFR 201.1105(c). The cost of the bond may be paid as a cost of administration. The rule permits the Commission to waive the bond for good cause shown.

³ 5 U.S.C. 553(b)(3)(A).

⁴ 5 U.S.C. 601 *et seq.*

⁵ 5 U.S.C. 804(3)(C).

⁶ 44 U.S.C. 3501 *et seq.*