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**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 September 13, 2002.

**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 is revised to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120, 44701; and 14 CFR 11.49(b)(2)

2. Part 97 is amended to read as follows:

### §§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, and 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS,

ILS/DME, ISMLS, MLS, MLS/DME; MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

\* \* \* *Effective October 31, 2002*

Camden, AR, Harrell Field, VOR/DME RWY 36 Amdt 9

Camden, AR, Harrell Field, NDB RWY 18, Amdt 11

Camden, AR, Harrell Field, RNAV (GPS) RWY 18, Orig

Camden, AR, Harrell Field, RNAV (GPS) RWY 36, Orig

\* \* \* *Effective November 28, 2002*

Albertville, AL, The Albertville Muni-Thomas J. Brumlik Field, NDB-A, Amdt 4

Mena, AR, Mena Intermountain Muni, VOR/DME-A, Amdt 10

Mena, AR, Mena Intermountain Muni, NDB-B, Amdt 8

Albia, IA, Albia Muni, VOR/DME-A, Amdt 4

Houghton Lake, MI, Roscommon County,

RNAV (GPS) RWY 9, Orig

Duluth, MN, Duluth Intl, COPTER ILS RWY 9, Amdt 1

Marks, MS, Sels, NDB OR GPS-A, Amdt 2, CANCELLED

Marks, MS, Sels, NDB RWY 2, Amdt 4, CANCELLED

Plattsmouth, NE Plattsmouth Muni, NDB RWY 34, Amdt 4A, CANCELLED

Medina, OH, Medina Muni, VOR RWY 27, Amdt 1

Medina, OH, Medina Muni, RNAV (GPS) RWY 9, Orig

Medina, OH, Medina Muni, RNAV (GPS) RWY 27, Orig

Eastland, TX, Eastland Muni, NDB RWY 35, Amdt 3

Boyceville, WI, Boyceville Muni, RNAV (GPS) RWY 8, Orig

Boyceville, WI, Boyceville Muni, RNAV (GPS) RWY 26, Orig

Marshfield, WI, Marshfield Muni, NDB RWY 34, Orig

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 12

[T.D. 02-55]

**RIN 1515-AD16**

### Extension of Import Restrictions Imposed on Archaeological Material From Mali

**AGENCY:** Customs Service, Treasury.

**ACTION:** Final rule.

**SUMMARY:** In T.D. 97-80, the Customs Regulations were amended to reflect the imposition of import restrictions on certain archaeological material from Mali. These restrictions were imposed pursuant to an agreement between the

United States and Mali (the Agreement) that was entered into under the authority of the Convention on Cultural Property Implementation Act in accordance with the 1970 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. Recently, the United States Department of State determined that conditions continue to warrant the imposition of these import restrictions for a period not to exceed five years. The Governments of the United States and Mali exchanged diplomatic notes agreeing to extend the Agreement. Thus, this document amends the Customs Regulations to reflect that the import restrictions currently in place continue, without interruption, for five years from September 19, 2002. T.D. 97-80 contains the Designated List of Archaeological Material from the Region of the Niger River Valley, Mali, and the Bandiagara Escarpment (Cliff), Mali, that describes the articles to which the restrictions and this extension of restrictions apply.

**EFFECTIVE DATE:** This regulation and the extension of import restrictions reflected in this regulation become effective on September 19, 2002.

**FOR FURTHER INFORMATION CONTACT:** (Regulatory Aspects) Joseph Howard, Intellectual Property Rights Branch (202) 572-8701; (Operational Aspects) Al Morawski, Trade Operations (202) 927-0402.

**SUPPLEMENTARY INFORMATION:**

**Background**

Pursuant to the provisions of the 1970 UNESCO Convention, codified into U.S. law as the Convention on Cultural Property Implementation Act (Pub. L. 97-446, 19 U.S.C. 2601 *et seq.*) (the Act), the United States entered into a bilateral agreement with Mali on September 19, 1997 (Agreement Between the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological Material from the Region of the Niger River Valley and the Bandiagara Escarpment (Cliff)) (the Agreement), concerning the imposition of import restrictions on certain archaeological material from Mali. The U.S. Customs Service issued T.D. 97-80 (62 FR 49594, September 23, 1997) amending § 12.104g(a) of the Customs Regulations (19 CFR 12.104g(a)) to reflect the imposition of these restrictions for a period not to exceed five years. The restrictions became effective on September 23, 1997.

Prior to the issuance of T.D. 97-80, Customs issued T.D. 93-74 (58 FR 49428, September 23, 1993) that imposed emergency import restrictions on certain archaeological material from the region of the Niger River Valley in Mali and the Bandiagara Escarpment (Cliff) in Mali forming part of the remains of the ancient sub-Saharan culture. Under T.D. 93-74, § 12.104g(b) (19 CFR 12.104g(b)) of the regulations pertaining to emergency restrictions was amended accordingly. Subsequently, the same archaeological material covered by T.D. 93-74 was covered in T.D. 97-80 when it was published in 1997, at which time the emergency restrictions of T.D. 93-74 were removed from § 12.104g(b).

On August 19, 2002, the Assistant Secretary of Educational and Cultural Affairs, Department of State, concluded, among other things, that the cultural patrimony of Mali continues to be in jeopardy from pillage of irreplaceable materials representing its heritage and made the necessary determinations under 19 U.S.C. 2602(e) and 2602(a) to extend the import restrictions for a period not to exceed five years (in the Determination to Extend the Agreement). The Government of the United States and the Government of the Republic of Mali exchanged diplomatic notes on September 17, 2002, agreeing to extend the Agreement effective September 19, 2002. Accordingly, Customs is amending § 12.104g(a) to reflect the extension of the import restrictions.

The Designated List of Archaeological Material from the Region of the Niger River Valley, Mali, and the Bandiagara Escarpment (Cliff), Mali, describing the materials covered by these import restrictions is set forth in T.D. 97-80. The list and accompanying image database may also be found at the following internet Web site address: <http://exchanges.state.gov/culprop>.

The restrictions on the importation of these archaeological materials from Mali are to continue in effect for five years from September 19, 2002. Importation of these materials continues to be restricted unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

**Inapplicability of Notice and Delayed Effective Date**

Because the amendment to the Customs Regulations contained in this document extends import restrictions already imposed on the above-listed cultural property of Mali by the terms of a bilateral agreement entered into in furtherance of a foreign affairs function of the United States, pursuant to the

Administrative Procedure Act (5 U.S.C. 553(a)(1)), no notice of proposed rulemaking or public procedure is necessary and a delayed effective date is not required.

**Regulatory Flexibility Act**

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. Accordingly, this final rule is not subject to the regulatory analysis or other requirements of 5 U.S.C 603 and 604.

**Executive Order 12866**

This amendment does not meet the criteria of a "significant regulatory action" as described in E.O. 12866.

**Drafting Information**

The principal author of this document was Bill Conrad, Regulations.

Branch, Office of Regulations and Rulings, U.S. Customs Service.

**List of Subjects in 19 CFR Part 12**

Customs duties and inspections, Imports, Cultural property.

**Amendment to the Regulations**

Accordingly, part 12 of the Customs Regulations (19 CFR part 12) is amended, as set forth below:

**PART 12—[AMENDED]**

1. The general authority and specific authority citations for Part 12, in part, continue to read as follows:

**Authority:** 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

\* \* \* \* \*

Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;

\* \* \* \* \*

2. In § 12.104g(a), the list of agreements imposing import restrictions on described articles of cultural property of State Parties is amended in the entry for Mali by adding "extended by T.D. 02-55 " immediately after "T.D. 97-80" in the column headed "T.D. No."

Approved: September 18, 2002.

**Robert C. Bonner,**  
*Commissioner of Customs.*

**Timothy E. Skud,**  
*Deputy Assistant Secretary of the Treasury.*  
[FR Doc. 02-24028 Filed 9-18-02; 11:34 am]

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