

Afton, WY, Afton Muni, RNAV (GPS) RWY 16, Amdt 2  
 Afton, WY, Afton Muni, RNAV (GPS) RWY 34, Amdt 2  
 Afton, WY, Afton Muni, Takeoff Minimums and Textual DP, Amdt 1

The FAA published an Amendment in Docket No. 30504, Amdt No. 3176 to Part 97 of the Federal Aviation Regulations (Vol 71 FR No. 140 Page 41353; Dated Friday, July 21, 2006) under section 97.33 effective 28 September 2006, which is hereby amended as follows:

Andalusia/Opp, AL, Andalusia-Opp, RNAV (GPS) RWY 11, Amdt 1  
 Andalusia/Opp, AL, Andalusia-Opp, Takeoff Minimums and Textual DP, Amdt 1

[FR Doc. E6-12666 Filed 8-4-06; 8:45 am]  
 BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30507; Amdt. No. 3179]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment amends Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed 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 August 7, 2006. 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 August 7, 2006.

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

*For Examination—*

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

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

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 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](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 (AFS-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 Title 14, Code of Federal Regulations, part 97 (14 CFR part 97) amends Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in the appropriate FAA Form 8260, as modified by the the National Flight Data Center (FDC)/Permanent Notice to Airmen (P-NOTAM), which is incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Code of Federal Regulations. 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 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 14 CFR part 97 is effective upon publication of each separate SIAP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP as modified by FDC/P-NOTAMs.

The SIAPs, as modified by FDC P-NOTAM, and contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these chart changes to SIAPs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in TERPS. 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 these 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 July 28, 2006.

**James J. Ballough,**

*Director, Flight Standards Service.*

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me, Title 14, Code of

Federal Regulations, part 97, 14 CFR part 97, is amended by amending 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:

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

\* \* \* *Effective Upon Publication*

FDC State	State	City	Airport	FDC No.	Subject
07/14/06	WV	Huntington	Tri-State/Milton J. Ferguson Field	6/0208	Radar-1 Rwy 3, Amdt 5. This Notam Replaces FDC 6/9123 Published In TL06–17.
06/22/06	NY	Niagara Falls	Niagara Falls Intl	6/0607	ILS Rwy 28R, Amdt 22A.
06/22/06	NY	Niagara Falls	Niagara Falls Intl	6/0608	RNAV (GPS) Rwy 10L, Orig.
06/22/06	NY	Niagara Falls	Niagara Falls Intl	6/0609	NDB or GPS Rwy 28R, Amdt 16A.
07/13/06	HI	Lihue	Lihue	6/2517	RNAV (GPS) Rwy 35, Orig-B.
07/14/06	OR	Bend	Bend Muni	6/2654	RNAV (GPS) Rwy 16, Orig.
07/14/06	OR	Bend	Bend Muni	6/2655	VOR/DME Rwy 16, Amdt 8.
07/14/06	WA	Pullman/Moscow	Pullman/Moscow Regional	6/2656	VOR Rwy 5, Amdt 8.
07/14/06	WA	Pullman/Moscow	Pullman/Moscow Regional	6/2657	VOR/DME A, Amdt 1.
07/14/06	WA	Pullman/ Moscow	Pullman/ Moscow Regional	6/2658	RNAV (GPS) Rwy 23, Orig.
07/17/06	CA	South Lake Tahoe	Lake Tahoe	6/2659	VOR/DME or GPS–A, Amdt 3B.
07/19/06	MN	Minneapolis	Airlake	6/3229	ILS Rwy 30, Orig-A.
07/21/06	ME	Presque Isle	Northern Maine Regional Arprt at Presque Isle.	6/3315	ILS Rwy 1, Amdt 5A.
07/20/06	CO	Pueblo	Pueblo Memorial	6/3379	GPS Rwy 8L, Ori.
07/21/06	UT	Milford	Milford Muni/Ben & Judy Briscoe Field	6/3462	VOR or GPS–A, Amdt 3A.
07/24/06	VA	Culpeper	Culpeper Regional	6/3682	VOR/DME RNAV or GPS Rwy 22, Amdt 1A.
07/24/06	NH	Rochester	Skyhaven	6/3683	NDB Rwy 33, Amdt 4A.
07/24/06	GA	Macon	Middle Georgia Regional	6/3690	RNAV (GPS) Rwy 31, Orig.
07/24/06	MD	Westminster	Carroll County Regnl/Jack B Poage Field.	6/3694	VOR Rwy 34, Amdt 4A.
07/24/06	MD	Westminster	Carroll County Regnl/Jack B Poage Field.	6/3695	RNAV (GPS) Rwy 34, Orig-A.
07/24/06	MS	Greenville	Mid Delta Regional	6/3697	ILS Rwy 18L, Amdt 9A.
07/25/06	MN	Austin	Austin Muni	6/3734	VOR or GPS Rwy 36, Amdt 1.
07/25/06	MN	Austin	Austin Muni	6/3735	VOR or GPS Rwy 18, Amdt 1.
07/25/06	CA	Carlsbad	McClellan-Palomar	6/3736	VOR–A, Amdt 7A.
07/25/06	CA	Ontario	Ontario Intl	6/3737	RNAV (GPS) Rwy 26R, Orig-B
07/25/06	CA	Ontario	Ontario Intl	6/3739	RNAV (GPS) Rwy 8L, Orig-B
07/25/06	CA	Ontario	Ontario Intl	6/3740	RNAV (GPS) Rwy 26L, Orig-A
07/25/06	CA	Carlsbad	McClellan-Palomar	6/3830	ILS or LOC Rwy 24, Amdt 8B.
07/26/06	NC	Hickory	Hickory Regional	6/3897	ILS Rwy 24, Amdt 7.
07/26/07	GA	Macon	Middle Georgia Regional	6/3919	ILS or LOC/DME Rwy 5, Orig.
07/26/07	FL	Brooksville	Hernando County	6/3951	RNAV (GPS) Rwy 9, Orig.
06/07/06	MT	Havre	Havre City-County	6/8985	VOR or GPS Rwy 25, Amdt 8B.

[FR Doc. E6-12659 Filed 8-4-06; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

## DEPARTMENT OF THE TREASURY

### 19 CFR Parts 10, 163 and 178

[CBP Dec. 06-21]

RIN 1505-AB37

### Implementation of the Andean Trade Promotion and Drug Eradication Act

**AGENCY:** Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document adopts as a final rule, with some changes, interim amendments to the Customs and Border Protection (CBP) Regulations which were published in the *Federal Register* on March 25, 2003, as T.D. 03-16, to implement the trade benefit provisions for Andean countries contained in Title XXXI of the Trade Act of 2002. The trade benefits under Title XXXI, also referred to as the Andean Trade Promotion and Drug Eradication Act (the ATPDEA), apply to Andean countries specifically designated by the President for ATPDEA purposes. The ATPDEA trade benefits involve the entry of specific apparel and other textile articles free of duty and free of any quantitative restrictions, limitations, or consultation levels; the extension of duty-free treatment to specified non-textile articles normally excluded from duty-free treatment under the Andean Trade Preference Act (ATPA) program if the President finds those articles to be not import-sensitive in the context of the ATPDEA; and the entry of certain imports of tuna free of duty and free of any quantitative restrictions. The regulatory amendments adopted as a final rule in this document reflect and clarify the statutory standards for the trade benefits under the ATPDEA and also include specific documentary, procedural and other related requirements that must be met in order to obtain those benefits.

**DATES:** This final rule is effective on September 6, 2006.

**FOR FURTHER INFORMATION CONTACT:** Operational issues regarding textiles: Robert Abels, Office of Field Operations (202-344-1959).

Other operational issues: Lori Whitehurst, Office of Field Operations (202-344-2722). Legal issues: Cynthia Reese, Office of Regulations and Rulings (202-572-8812).

#### SUPPLEMENTARY INFORMATION:

##### Background

##### *Andean Trade Promotion and Drug Eradication Act*

On August 6, 2002, the President signed into law the Trade Act of 2002 (the "Act"), Public Law 107-210, 116 Stat. 933. Title XXXI of the Act concerns trade benefits for Andean countries, is referred to in the Act as the "Andean Trade Promotion and Drug Eradication Act" (the "ATPDEA"), and consists of sections 3101 through 3108. This document specifically concerns the trade benefit provisions of section 3103 of the Act which is headed "articles eligible for preferential treatment."

Subsection (a) of section 3103 of the Act amends section 204 of the Andean Trade Preference Act (the ATPA, codified at 19 U.S.C. 3201-3206). The ATPA is a duty preference program that applies to exports from those Andean region countries that have been designated by the President as program beneficiaries. The origin and related rules for eligibility for duty-free treatment under the ATPA are similar to those under the older Caribbean Basin Economic Recovery Act (the CBERA, also referred to as the Caribbean Basin Initiative, or CBI statute, codified at 19 U.S.C. 2701-2707). As in the case of the CBI, all articles are eligible for duty-free treatment under the ATPA (that is, they do not have to be specially designated as eligible by the President) except those articles that are specifically excluded under the statute.

The changes to section 204 of the ATPA made by subsection (a) of section 3103 of the Act involve the following: (1) The removal of section 204(c) which provided for the application of reduced duty rates (rather than duty-free treatment) for certain handbags, luggage, flat goods, work gloves, and leather wearing apparel, with a consequential redesignation of subsections (d) through (g) as (c) through (f), respectively; and (2) a revision of section 204(b). Prior to the amendment effected by subsection (a) of section 3103 of the Act, section 204(b) of the ATPA was headed "exceptions to duty-free treatment" and consisted only of a list of eight specific products or groups of products excluded from ATPA duty-free treatment.

As a result of the amendment made by subsection (a) of section 3103 of the Act, section 204(b) of the ATPA now is headed "exceptions and special rules"

and consists of six principal paragraphs. These six paragraphs are discussed below.

Paragraphs (1) and (2): Articles That Are Not Import-Sensitive and Excluded Articles

Paragraph (1) of amended section 204(b) is headed "certain articles that are not import-sensitive" and provides that the President may proclaim duty-free treatment under the ATPA for any article described in subparagraph (A), (B), (C), or (D) that is the growth, product, or manufacture of an ATPDEA beneficiary country, that is imported directly into the customs territory of the United States from an ATPDEA beneficiary country, and that meets the requirements of section 204, if the President determines that the article is not import-sensitive in the context of imports from ATPDEA beneficiary countries. Subparagraphs (A), (B), (C), and (D) cover, respectively:

1. Footwear not designated at the time of the effective date of the ATPA (that is, December 4, 1991) as eligible articles for the purpose of the Generalized System of Preferences (the GSP, Title V of the Trade Act of 1974, codified at 19 U.S.C. 2461-2467);

2. Petroleum, or any product derived from petroleum, provided for in headings 2709 and 2710 of the Harmonized Tariff Schedule of the United States (HTSUS);

3. Watches and watch parts (including cases, bracelets, and straps), of whatever type including, but not limited to, mechanical, quartz digital or quartz analog, if those watches or watch parts contain any material which is the product of any country with respect to which HTSUS column 2 rates of duty apply; and

4. Handbags, luggage, flat goods, work gloves, and leather wearing apparel that were not designated on August 5, 1983, as eligible articles for purposes of the GSP.

Paragraph (2) of amended section 204(b) is headed "exclusions" and provides that, subject to paragraph (3), duty-free treatment under the ATPA may not be extended to the following:

1. Textile and apparel articles which were not eligible articles for purposes of the ATPA on January 1, 1994, as the ATPA was in effect on that date;

2. Rum and tafia classified in subheading 2208.40 of the HTSUS;

3. Sugars, syrups, and sugar-containing products subject to over-quota duty rates under applicable tariff-rate quotas; and

4. Tuna prepared or preserved in any manner in airtight containers, except as provided in paragraph (4).