

Jetstream Service Bulletin 57-JA 930941, Revision 2, dated November 11, 1994. The modifications required by this AD shall be done in accordance with BAe Jetstream Service Bulletin 57-JM 5259, dated February 5, 1993, and Erratum No. 1 to Service Bulletin 57-JM 5259, dated February 8, 1993; and Jetstream Service Bulletin 57-JM 5326, dated September 3, 1993. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC, 20041-6029. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(i) This amendment (39-9627) becomes effective on July 2, 1996.

Issued in Kansas City, Missouri, on May 10, 1996.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 10

[T.D. 96-41]

RIN 1515-AB04

Removal of Customs Regulations Relating to the Steel Voluntary Restraint Arrangement Program

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: On September 13, 1990, T.D. 90-70 was published in the Federal Register (55 FR 37701) to set forth interim amendments to the Customs Regulations regarding the entry requirements applicable to imported steel products which are subject to voluntary restraint arrangements negotiated between the United States and certain steel-exporting countries. This document removes those interim regulations as a consequence of the expiration of the steel voluntary restraint arrangement program.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT: Frank Crowe, Office of Field Operations (202-927-0164).

SUPPLEMENTARY INFORMATION:

Background

On September 13, 1990, Customs published in the Federal Register T.D. 90-70, 55 FR 37701, which amended Part 10 of the Customs Regulations (19 CFR Part 10) by setting forth interim regulations concerning entry requirements applicable to imported steel products subject to voluntary restraint arrangements (VRAs) negotiated between the United States and certain steel-exporting countries and enforced under the Steel Import Stabilization Act (title VIII of Public Law 98-573, codified at 19 U.S.C. 2253 note), as amended by the Steel Trade Liberalization Program Implementation Act (Public Law 101-221, 103 Stat. 1886). The interim regulations consisted of new §§ 10.321-10.323 (19 CFR 10.321-10.323) and set forth, in § 10.323, the basic requirement that a valid and properly executed original export certificate or export license, issued by the country of origin of the products, shall be submitted at the time of entry of each shipment of arrangement products. The interim regulations went into effect on the date of publication. On October 22, 1990, Customs published a document in the Federal Register at 55 FR 42556 to correct the interim regulations by removing paragraph (d) from new interim section 10.323, with effect from September 13, 1990. No document was ever published in the Federal Register adopting the interim regulations as a final rule.

As noted in the background discussion set forth in T.D. 90-70, section 3(a) of the Steel Trade Liberalization Program Implementation Act, cited above, extended the President's authority to enforce the VRAs until March 31, 1992, and it was for this reason that § 10.322(a) of the interim regulations, in defining the term "arrangement" for purposes of § 10.323, referred specifically to a period extending only through that date. Thus, in the absence of a further extension of the President's authority and a consequential amendment to the interim regulations, it was intended that those regulations would by their own terms cease to have effect after March 31, 1992.

Since no action was taken by Congress to extend the President's VRA enforcement authority beyond March 31, 1992, that authority, and thus in effect the VRA program itself, expired on that date and Customs thereafter ceased to enforce the interim regulatory provisions. Accordingly, because those interim regulations no longer have any

purpose or effect, Customs believes that it is appropriate to remove them.

Inapplicability of Notice and Delayed Effective Date Requirements

Since this amendment merely conforms the Customs Regulations to current legal requirements and has no substantive effect on the public, pursuant to the provisions of 5 U.S.C. 553(b)(B), it is determined that notice and public procedures thereon are unnecessary. For the same reasons, it is determined under the provisions of 5 U.S.C. 553(d)(3) that good cause exists for dispensing with a delayed effective date.

Executive Order 12866

This document does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

Regulatory Flexibility Act

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), it is certified that the amendment will not have a significant economic impact on a substantial number of small entities because the amendment merely removes regulatory provisions that have already ceased to have legal effect. Accordingly, the amendment is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Drafting Information

The principal author of this document was Francis W. Foote, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 10

Customs duties and inspections, Imports, Steel products.

Amendments to the Regulations

Accordingly, for the reasons set forth above, Part 10, Customs Regulations (19 CFR Part 10), is amended as set forth below.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority citation for Part 10 continues to read as follows, and the specific authority citation for §§ 10.321 through 10.323 is removed:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;

* * * * *

§ 10.321 through 10.323 [Removed]

2. Sections 10.321 through 10.323 and their center heading are removed.

George J. Weise,
Commissioner of Customs.

Approved: April 29, 1996.
John P. Simpson,
Deputy Assistant Secretary of the Treasury.
[FR Doc. 96-12372 Filed 5-16-96; 8:45 am]
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19 CFR Parts 12, 145, and 161

[T.D. 96-42]

RIN 1515-AB91

Prohibited/Restricted Merchandise; Enforcement of Foreign Assets Control Regulations

AGENCY: Customs Service, Treasury.
ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to more clearly provide that Customs enforces the laws and regulations of the Office of Foreign Assets Control (OFAC) of the Department of the Treasury regarding economic sanctions applicable to those countries that have been designated by the President as constituting a threat to the national security, foreign policy, or economy of the United States. Currently, the Customs Regulations refer to OFAC regulations only in the context of merchandise arriving by mail. This document clarifies that Customs enforces the laws and regulations administered by OFAC regardless of how subject merchandise, services, and technology arrive in or depart from the U.S.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT:
Louis Alfano, Office of Field Operations, Commercial Enforcement Branch, (202) 927-0005.

SUPPLEMENTARY INFORMATION:**Background**

As part of Customs continuing effort to ensure that its regulations are informative and up-to-date, Customs has determined that its regulations do not clearly set forth the fact that Customs enforces the laws and regulations administered by the Office of Foreign Assets Control (OFAC) of the Department of the Treasury (31 CFR Chapter V). These laws include the Trading With the Enemy Act (50 U.S.C. App. 1-44), the National Emergencies Act (50 U.S.C. 1641 *et seq.*), the International Emergency Economic Powers Act (50 U.S.C. 1701-1706), and the International Security and

Development Cooperation Act (22 U.S.C. 2349aa8-9); the regulations are found at Chapter V of Title 31 of the Code of Federal Regulations (Money and Finance) (31 CFR Chapter V). These laws and regulations impose prohibitions or restrictions on importations, exportations, and other transactions involving funds, merchandise, services, and technology with and of those countries that have been designated by the President, pursuant to applicable statutory provisions. Currently, the Customs Regulations refer to OFAC regulations only in part 145 of the Customs Regulations (19 CFR Part 145), the provisions of which apply only to merchandise arriving by mail. This document clarifies that Customs enforces the laws and regulations administered by OFAC regardless of how the subject merchandise, services, and technology arrive in or depart from the U.S. by amending three sections in as many parts to provide further notice to the public of Customs enforcement obligations concerning the application of economic sanctions to designated countries.

In reviewing § 145.56 of the Customs Regulations (19 CFR 145.56), which concerns the applicability of OFAC controls on merchandise arriving by mail, Customs has determined that the listing of countries subject to controls administered by OFAC is not up-to-date. (The list of countries in the section has not been updated since the section was promulgated in 1973 and is outdated and inconsistent with OFAC regulations: two of the four countries currently listed are no longer subject to OFAC's controls (North Vietnam (now Vietnam) and Rhodesia (now Zimbabwe)) and other countries that have since been designated by the President as subject to sanctions have not been added to the list). Each time the President sanctions and lifts sanctions on designated countries, OFAC amends its regulations accordingly. Repeating the list of sanctioned countries in the Customs Regulations merely duplicates the efforts of OFAC and, if not done timely, could result in future inconsistencies between OFAC and Customs Regulations. Accordingly, Customs has determined that to avoid the possibility of future inconsistencies between OFAC and Customs Regulations in the listing of sanctioned countries, Customs will no longer set forth such a list in its regulations, but will simply refer readers to the OFAC regulations. Thus, in amending § 145.56, this document retains the procedural provisions, but

removes the listing of countries subject to economic sanctions.

This document also clarifies the extent of Customs responsibility in enforcing OFAC controls by adding sections regarding OFAC controls in both Part 12, which concerns regulations of various Federal agencies which Customs enforces and special classes of merchandise, and in Part 161, which concerns general enforcement provisions. A new § 12.150 is added to Part 12, which cross-references OFAC regulations at 31 CFR Chapter V, explains how OFAC regulations work, and provides an address for further information from OFAC. Also, a specific authority citation is added to account for Customs import (19 U.S.C. 1595a(c)) and export (22 U.S.C. 401) seizure authority and to account for the terms and conditions for release (19 U.S.C. 1618). Section 161.2 is amended to list OFAC as an agency whose laws are enforced by Customs. Also, the parenthetical legal authority citations at the end of § 161.2 are amended to account for changes in the law since 1972, when the citations were first provided, and are placed under the general authority citation at the beginning of Part 161.

Inapplicability of Public Notice and Comment Requirements, Delayed Effective Date Requirements, the Regulatory Flexibility Act, and Executive Order 12866

Because this amendment merely provides further notice to the public that Customs enforces the laws and regulations administered by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to 5 U.S.C. 553(b)(B), good cause exists for dispensing with notice and public procedure thereon as unnecessary. For the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(1) and (d)(3). Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This document does not meet the criteria for a "significant regulatory action" as specified in E.O. 12866.

List of Subjects**19 CFR Part 12**

Customs duties and inspection, Economic sanctions, Imports, Licensing, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Sanctions, Seizure and forfeiture.