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DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1464

Tobacco Marketing Quotas, Acreage Allotments and Production Adjustment

AGENCY: Farm Service Agency, USDA.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This notice announces that a direct final rule entitled Tobacco Marketing Quotas, Acreage Allotments and Production Adjustment (Burley Warehouse Designations) published by the Farm Service Agency will take effect without change.

DATES: The direct final rule was effective on February 4, 2002.

FOR FURTHER INFORMATION CONTACT: Ann Wortham at (202) 720-2715, or via electronic mail at ann_wortham@wdc.usda.gov.

SUPPLEMENTARY INFORMATION: The Farm Service Agency (FSA) published a direct final rule entitled Tobacco Marketing Quotas, Acreage Allotments and Production Adjustment on January 4, 2002 (67 FR 481) to amend the regulations at 7 CFR 1464 governing the marketing of tobacco. The rule stipulated that its provisions would be effective February 4, 2002, unless adverse comments were received. The Agency received no adverse comments. Accordingly, this notice announces that its provisions have taken effect without change.

To expedite the necessary changes in the event of adverse comments being received on the direct final rule, a proposed rule also entitled Tobacco Marketing Quotas, Acreage Allotments and Production Adjustment, proposing the same changes as in the direct final rule was also published on January 4, 2002 (67 FR 526). If adverse comments had been received on either the direct

final or proposed rule, the proposed rule would have been the operative document and the Agency would have addressed the comments and ultimately published a final rule. The Agency received no adverse comments. Consequently, since the direct final rule will take effect, FSA will take no further action on the proposed rule.

All comments received will be maintained as public records. Requests to view comments received on either the direct final or the proposed rule may be made by contacting FSA at the number provided above.

Signed at Washington, D.C. on March 20, 2002.

James R. Little,
Executive Vice President, Commodity Credit Corporation.

[FR Doc. 02-7560 Filed 3-28-02; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 7, 10, 11, 12, 18, 19, 24, 54, 101, 102, 111, 114, 123, 128, 132, 134, 141, 145, 146, 148, 151, 152, 177, 181, and 191

[T.D. 02-14]

Technical Amendments to the Customs Regulations

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by making certain technical corrections to various authority citations to reflect amendments to the Harmonized Tariff Schedule of the United States implementing the United States-Jordan Free Trade Area Implementation Act, signed September 28, 2001.

EFFECTIVE DATE: March 29, 2002.

FOR FURTHER INFORMATION CONTACT: Gregory R. Vilders, Attorney, Regulations Branch, Office of Regulations and Rulings, (202) 927-1415.

SUPPLEMENTARY INFORMATION:

Background

In Chapter I of the Customs Regulations (19 CFR chapter I) there are many general and specific authority

citations and some sections that reference certain General Note provisions of the Harmonized Tariff Schedule of the United States (HTSUS).

On September 28, 2001, the United States-Jordan Free Trade Area Implementation Act was signed into law (Pub. L. 107-43, 115 Stat. 243, 19 U.S.C. 2112 note). To implement the provisions of this Act, on December 7, 2001, the President issued Proclamation 7512 (66 FR 64497), the Annex of which modified the HTSUS by, among other things, adding a new General Note and redesignating the General Notes of the HTSUS that followed this addition. Specifically, a new HTSUS General Note 18 was added and HTSUS General Notes 18-23 were redesignated as HTSUS General Notes 19-24, respectively.

Because of the redesignation of General Notes in the HTSUS, the general and specific authority citations and sections in the Customs Regulations that reference certain General Note provisions are no longer accurate.

This document corrects General Note references in 25 parts and in 3 sections of the Customs Regulations (19 CFR parts 7, 10, 11, 12, 18, 19, 24, 54, 101, 102, 111, 114, 123, 128, 132, 134, 141, 145, 146, 148, 151, 152, 177, 181, and 191, and §§ 24.23, 141.4, and 152.13) to reflect the modification of the HTSUS set forth in Presidential Proclamation 7512.

Inapplicability of Public Notice and Comment Requirement and Delayed Effective Date Requirement

Because these amendments merely correct certain authority citation referencing errors in the Customs Regulations, pursuant to 5 U.S.C. 553(b)(B), Customs finds that good cause exists for dispensing with notice and public procedure as unnecessary. For these same reasons, pursuant to 5 U.S.C. 553(d)(3), Customs finds that good cause exists for dispensing with the requirement for a delayed effective date.

The Regulatory Flexibility Act

Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. *et seq.*).

Executive Order 12866

These amendments do not meet the criteria for a “significant regulatory action” as specified in E.O. 12866.

Drafting Information

The principal author of this document was Gregory R. Vilders, Attorney, Regulations Branch, Office of Regulations and Rulings.

Amendments to the Regulations

Chapter I of the Customs Regulations (19 CFR chapter I) is amended as set forth below:

PART 7—CUSTOMS RELATIONS WITH INSULAR POSSESSIONS AND GUANTANAMO BAY NAVAL STATION

1. The authority citation for part 7 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624; 48 U.S.C. 1406i.

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

1. The general authority citation for part 10 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;
* * * * *

PART 11—PACKING AND STAMPING; MARKING

1. The authority citation for part 11 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Notes 23 and 24, Harmonized Tariff Schedule of the United States), 1624.

PART 12—SPECIAL CLASSES OF MERCHANDISE

1. The general authority citation for part 12 is revised 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;
* * * * *

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

1. The general authority citation for part 18 is revised 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), 1551, 1552, 1553, 1623, 1624.
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PART 19—CUSTOMS WAREHOUSES, CONTAINER STATIONS AND CONTROL OF MERCHANDISE THEREIN

1. The general authority citation for part 19 is revised 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), 1624;
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PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

1. The general authority citation for part 24 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 58a–58c, 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1505, 1624; 26 U.S.C. 4461, 4462; 31 U.S.C. 9701.
* * * * *

2. In § 24.23, the reference in paragraph (c)(1)(v) to “General Note 18, HTSUS” is removed and added, in its place, is the reference “General Note 19, HTSUS”.

PART 54—CERTAIN IMPORTATIONS TEMPORARILY FREE OF DUTY

1. The authority citation for part 54 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23; Section XV, Note 5, Harmonized Tariff Schedule of the United States), 1623, 1624.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 is revised to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.
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PART 102—RULES OF ORIGIN

1. The authority citation for part 102 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624, 3314, 3592.

PART 111—CUSTOMS BROKERS

1. The general authority citation for part 111 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624, 1641.
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PART 114—CARNETS

1. The authority citation for part 114 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624.

PART 123—CUSTOMS RELATIONS WITH CANADA AND MEXICO

1. The general authority citation for part 123 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1431, 1433, 1436, 1448, 1624.
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PART 128—EXPRESS CONSIGNMENTS

1. The authority citation for part 128 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1321, 1484, 1498, 1551, 1555, 1556, 1565, 1624.

PART 132—QUOTAS

1. The general authority citation for part 132 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States (HTSUS)), 1623, 1624.
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PART 134—COUNTRY OF ORIGIN MARKING

1. The authority citation for part 134 is revised 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), 1304, 1624.

PART 141—ENTRY OF MERCHANDISE

1. The general authority citation for part 141 continues, and the specific authority for § 141.4 is revised, to read as follows:

Authority: 19 U.S.C. 66, 1448, 1484, 1624.
* * * * *

Section 141.4 also issued under 19 U.S.C. 1202 (General Note 19; Chapter 86, Additional U.S. Note 1; Chapter 89, Additional U.S. Note 1; Chapter 98, Subchapter III, U.S. Note 4, Harmonized Tariff Schedule of the United States), 1498;
* * * * *

§ 141.4 [Amended]

2. In § 141.4:

a. The reference in paragraph (b)(1) to “General Note 18” is removed and added, in its place, is the reference “General Note 19”; and

b. The reference in the introductory text of paragraph (c) to “General Note 18(e)” is removed and added, in its

place, is the reference "General Note 19(e)".

PART 145—MAIL IMPORTATIONS

1. The general authority citation for part 145 is revised to read as follows:

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

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PART 146—FOREIGN TRADE ZONES

1. The authority citation for part 146 is revised to read as follows:

Authority: 19 U.S.C. 66, 81a–81u, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624.

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

1. The general authority citation for part 148 is revised to read as follows:

Authority: 19 U.S.C. 66, 1496, 1498, 1624. The provisions of this part, except for subpart C, are also issued under 19 U.S.C. 1202 (General Note 23, Harmonized Tariff Schedule of the United States);

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PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

1. The general authority citation for part 151 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Notes 23 and 24, Harmonized Tariff Schedule of the United States (HTSUS)), 1624.

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PART 152—CLASSIFICATION AND APPRAISEMENT OF MERCHANDISE

1. The general authority citation for part 152 continues, and the specific authority for § 152.13 is revised, to read as follows:

Authority: 19 U.S.C. 66, 1401a, 1500, 1502, 1624.

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Section 152.13 also issued under 19 U.S.C. 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)).

§ 152.13 [Amended]

2. In § 152.13:

a. The reference in paragraphs (b)(1) and (b)(2) to "General Note 19" is removed and added, in its place, is the reference "General Note 20";

b. The reference in the introductory text of paragraph (c) and in paragraphs (c)(1), (c)(2), and (c)(3) to "General Note 19" is removed and added, in its place, is the reference "General Note 20"; and

c. The references in paragraph (d) to "General Note 19" are removed and added, in their place, are the references "General Note 20".

PART 177—ADMINISTRATIVE RULINGS

1. The general authority citation for part 177 is revised 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), 1624.

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PART 181—NORTH AMERICAN FREE TRADE AGREEMENT

1. The authority citation for part 181 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1624, 3314.

PART 191—DRAWBACK

1. The general authority citation for part 191 is revised 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), 1313, 1624.

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Dated: March 25, 2002.

Douglas M. Browning,
Acting Assistant Commissioner, Office of Regulations and Rulings.

[FR Doc. 02–7532 Filed 3–28–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF STATE

22 CFR Parts 123 and 125

[Public Notice 3954]

International Traffic in Arms Regulations; Exemptions for U.S. Institutions of Higher Learning

AGENCY: Department of State.

ACTION: Interim final rule.

SUMMARY: This rule amends the International Traffic in Arms Regulations (ITAR) by establishing an exemption for accredited U.S. institutions of higher learning from obtaining a license for the permanent export, temporary export, and temporary import of most articles fabricated only for fundamental research purposes covered by Category XV(a) or (e) of the U.S. Munitions List. Consistent with the current exemption found in the regulations on registration of manufacturers and exporters, registration is not required for use of these exemptions.

EFFECTIVE DATE: March 29, 2002.

FOR FURTHER INFORMATION CONTACT: David C. Trimble, Director, Compliance Division, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 663–2700.

SUPPLEMENTARY INFORMATION: Following the March 1999 transfer of commercial communications satellites to the USML required by the National Defense Authorization Act Fiscal Year 1999, some parts of the academic community expressed concern about potential government restriction on disclosure of information in university classrooms by virtue of the application of the International Traffic in Arms Regulations ("ITAR"). The March 1999 transfer of licensing jurisdiction back to State affected only commercial communications satellites and did not affect the continuation of the Department's longstanding jurisdiction over research, experimental, and scientific satellites. To clarify any underlying concerns of the universities, the Department worked with the Office of Science and Technology Policy, the Department of Defense, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration. The exemptions herein address these concerns and are designed to facilitate the conduct of university-based space research and are fully consistent with the Department's longstanding policy of not regulating fundamental research.

Consistent with NSDD 189 (National Policy on the Transfer of Scientific, Technical and Engineering Information), the Department does not regulate fundamental research and the March 1999 transfer of commercial communications satellites to the USML did not change this policy. Similar concerns that the State Department might regulate academic exchanges of information under the ITAR generated considerable debate in the late 1970s and early 1980s. In response thereto, the State Department published revisions to the ITAR in December 1984, which specifically noted that concern had been expressed that the ITAR could be read in an overbroad manner to encompass exchanges of information in a purely academic setting. See Revisions to the International Traffic in Arms Regulations, Supplementary Information, 49 FR 47683 (Dec. 6, 1984). The Department acknowledged these concerns and took steps to alleviate them. Since 1984, the ITAR has been amended in order to indicate more clearly that publicly available information and academic exchanges