

in the Federal Register. However, as previously indicated, interested persons are invited to comment on these special conditions if they so desire.

List of Subjects in 14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, and 44704; 14 CFR 21.16 and 21.101; and 14 CFR 11.28 and 11.49.

Adoption of Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the modified Beech Models 200, 200C, 200CT, 200T, B200, B200C, B200CT, B200T, 300, 300LW, B300, and B300C airplanes:

1. *Protection of Electrical and Electronic Systems from High Intensity Radiated Fields (HIRF)*. Each system that performs critical functions must be designed and installed to ensure that the operations, and operational capabilities of these systems to perform critical functions, are not adversely affected when the airplane is exposed to high intensity radiated electromagnetic fields external to the airplane.

2. For the purpose of these special conditions, the following definition applies:

Critical Functions: Functions whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Kansas City, Missouri on November 28, 1995.

Henry A. Armstrong,
Acting Manager, Small Airplane Directorate,
Aircraft Certification Service.

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 19, 24, 146 and 151

[T.D. 95-99]

Technical Amendments to the Customs Regulations

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

ACTION: Final rule.

SUMMARY: This document makes various minor technical changes and corrections

to the Customs Regulations, in accordance with Customs policy of periodically reviewing its regulations to ensure that they are current.

EFFECTIVE DATE: December 7, 1995.

FOR FURTHER INFORMATION CONTACT: For part 151: William Kotlowy, Cargo Control, (202-927-1364).

For parts 19, 24 and 146: Marcus Sircus, Trade Compliance, (202-927-0510).

SUPPLEMENTARY INFORMATION:

Background

The technical amendments summarized below are made with respect to parts 19, 24, 146 and 151, Customs Regulations (19 CFR parts 19, 24, 146 and 151).

Discussion of Changes

1. The warehouse fee suspension authorized in § 9501 of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 58c(e)(6)(C)(ii)) is recognized by eliminating the references to this fee contained in §§ 19.2(a), 19.3(a), 19.17(a) and 24.21(b)(2), Customs Regulations (19 CFR 19.2(a), 19.3(a), 19.17(a) and 24.21(b)(2)). It is noted that § 19.5, which provided for the assessment of a fee to establish, alter or relocate a bonded warehouse, and for an annual operation fee with respect thereto, was previously removed from the Customs Regulations (see T.D. 92-81, 57 FR 37692, 37697 (August 20, 1992) and 60 FR 42431 (August 16, 1995)).

2. Furthermore, the foreign trade zone fee suspension also authorized in section 9501 of the Omnibus Budget Reconciliation Act of 1987 (see 19 U.S.C. 58c(e)(6)(C)(i)) is acknowledged by removing and reserving § 146.5, Customs Regulations (19 CFR 146.5), which required the assessment of an activation fee and an annual fee in relation to a zone. In addition, the references to this fee appearing in §§ 146.6(b)(1), 146.7(a) and (b), and 146.82(a)(6) are likewise deleted, with these provisions being amended as appropriate.

3.a. Generally, imported merchandise may not be opened, examined or inspected until it has been entered under some form of entry for consumption or warehouse. Exceptions to this general requirement are set forth in § 151.4, Customs Regulations (19 CFR 151.4).

In particular, § 151.4(c)(2), under the conditions prescribed therein, permits an operation not amounting to a manufacture to be performed in connection with imported merchandise entered or withdrawn for transportation under bond or for exportation, provided

that the permitted operation is approved by both the applicable Customs field office and the Commissioner of Customs. Customs has since decided, however, that this approval authority may simply remain at the field office level. To implement this change of policy, § 151.4(c)(2) is amended by removing the reference to the Commissioner of Customs. By simplifying the approval procedure as described, this amendment confers a benefit upon both the importing public as well as Customs itself.

3.b. Section 151.5(c) requires that the Government be reimbursed for the compensation and other expenses of the Customs officer who must supervise a permitted operation under § 151.4(b) and (c). It is stated that such compensation would be computed in accordance with § 19.5(b), Customs Regulations (19 CFR 19.5(b)). However, pursuant to T.D. 82-204, 47 FR 49355, 49365, 49374-49375 (November 1, 1982), the procedure for computing the charges for reimbursable Customs services then contained in § 19.5, including the compensation of Customs officers as detailed in § 19.5(b), was transferred to § 24.17(d) of the Customs Regulations (19 CFR 24.17(d)). See also the Notice of Proposed Rulemaking in this matter, 47 FR 9225, 9231 (March 4, 1982). (As previously noted, § 19.5, due to the warehouse fee suspension, was later removed from the Customs Regulations in its entirety.)

Accordingly, § 151.5(c) is amended by removing the reference to "§ 19.5(b)" and inserting in place thereof a reference to "§ 24.17(d)".

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

Because the amendments merely conform to existing law or regulation, or simplify an administrative procedure resulting in a benefit to the importing public as noted above, notice and public procedure in this case are inapplicable and unnecessary pursuant to 5 U.S.C. 553(b)(B), and, pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required. Since this document is not subject to the aforesaid requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). Nor do these amendments result in a "significant regulatory action" under E.O. 12866.

Drafting Information: The principal author of this document was Russell Berger, Regulations Branch, U.S. Customs Service. However, personnel from other offices participated in its development.