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 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, Selfs, NDB OR GPS–A, Amdt 2, CANCELLED
Marks, MS, Selfs, 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

[FR Doc. 02–23825 Filed 9–19–02; 8:45 am]

BILLING CODE 4910–13–M

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-Sahara 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]

BILLING CODE 4820–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[DEA–226F]

Schedules of Controlled Substances: Temporary Placement of Benzylpiperazine and Trifluoromethylphenylpiperazine Into Schedule I

AGENCY: Drug Enforcement Administration (DEA), Department of Justice.

ACTION: Final rule.

SUMMARY: The Deputy Administrator of the Drug Enforcement Administration (DEA) is issuing this final rule to temporarily place N-benzylpiperazine (BZP) and 1-(3-trifluoromethylphenyl) piperazine (TFMPP) into Schedule I of the Controlled Substances Act (CSA) pursuant to the temporary scheduling provisions of the CSA. This final action is based on a finding by the DEA Deputy Administrator that the placement of BZP and TFMPP into Schedule 1 of the CSA is necessary to avoid an imminent hazard to the public safety. As a result of this rule, the criminal sanctions and regulatory controls of Schedule I substances under the CSA will be applicable to the manufacture, distribution, and possession of BZP and TFMPP.

EFFECTIVE DATE: September 20, 2002.

FOR FURTHER INFORMATION CONTACT: Frank Sapienza, Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, (202) 307–7183.

SUPPLEMENTARY INFORMATION:

Under What Authority Are BZP and TFMPPP Being Temporarily Scheduled?

The Comprehensive Crime Control Act of 1984 (Pub. L. 98–473), which was signed into law on October 12, 1984, amended section 201 of the Controlled Substances Act (CSA)(21 U.S.C. 811) to give the Attorney General the authority to temporarily place a substance into Schedule I of the CSA for one year without regard to the requirements of 21 U.S.C. 811 (b) if he finds that such action is necessary to avoid an imminent hazard to the public safety. The Attorney General may extend the temporary scheduling up to 6 months. A substance may be temporarily scheduled under the emergency provisions of the CSA if that substance is not listed in any other schedule under section 202 of the CSA (21 U.S.C. 812) or if there is no exemption or approval in effect under 21 U.S.C. 355 for the substance. The Attorney General has delegated his authority under 21 U.S.C. 811 to the Administrator of DEA (28 CFR 0.100). The Administrator has redelgated this function to the Deputy Administrator, pursuant to 28 CFR 0.104.

A notice of intent to temporarily place BZP and TFMPP into Schedule I of the CSA was published in the **Federal Register** on July 18, 2002 (67 FR 47341). The Deputy Administrator transmitted notice of his intention to temporarily place BZP and TFMPP into Schedule I of the CSA to the Assistant Secretary for Health of the Department of Health and Human Services (HHS). In response to this notification, the Food and Drug Administration has advised DEA that there are no exemptions or approvals in effect under 21 U.S.C. 355 of the Food, Drug and Cosmetic Act for BZP and TFMPP and HHS has no objection to DEA's intention to temporarily place N. benzylpiperazine and 1-(3-trifluoromethylphenyl)piperazine into Schedule I of the CSA.

What Factors Were Considered in the Determination To Temporarily Schedule N-benzylpiperazine and 1-(3-trifluoromethylphenyl)piperazine?

The Deputy Administrator has considered the available data and the following three factors required for a determination to temporarily schedule a substance under the CSA (21 U.S.C. 811 (c)):

4. Its history and current pattern of abuse;

5. Scope, duration and significance of abuse; and

6. What, if any, risk there is to the public health.

Additionally, DEA has considered the three criteria for placing a substance into Schedule I of the CSA (21 USC 812). The data available and reviewed for BZP and TFMPP indicate that they have a high potential for abuse, no currently accepted medical use in treatment in the US and are not safe for use under medical supervision.

What Are BZP and TFMPP?

BZP and TFMPP are piperazine derivatives, BZP was first synthesized in 1944 as a potential antiparasitic agent. There are no therapeutic applications for BZP and TFMPP, BZP and TFMPP have no accepted medical use in treatment in the United States. The safety for use of these two substances has not been determined. They are available primarily as chemical intermediates in syntheses. These two substances are similar in chemical structure and are often found to be abused together in tablets or powder form.

Why Are BZP and TFMPP Being Controlled?

Abuse of BZP was first reported in late 1996 in California. BZP and TFMPP are being encountered in several regions of the United States and their abuse has spread rapidly from the states where they were initially encountered. Over the past few years, in the United States, BZP and TFMPP have increasingly been found in similar venues as the popular club drug 3,4-methylenedioxymethamphetamine (MDMA, also known as Ecstasy). BZP and TFMPP are also sold as MDMA and are targeted to the youth population. The tablet form often bears imprints commonly seen on MDMA tablets such as a fly, crown, heart, butterfly, or bull's head logos in pink, tan, white, or green. BZP and TFMPP have also been found in powder form or liquid form packaged in small convenience sizes sold on the Internet, Illicit distributions occur through smuggling of bulk powder through organizations with connections to overseas sources of supply. The bulk powder is then processed into capsule, tablet, or pill form and distributed through organized networks. These organizations also distribute other controlled substances such as MDMA, 2C–B, marijuana and anabolic steroids.

The increasing abuse of BZP and TFMPP in the United States is evidenced by increasing encounters by law enforcement agencies. DEA, State and local law enforcement agencies reported BZP and TFMPP in drug exhibits seized in the states of California, Connecticut, Florida, Illinois, Indiana, Iowa, Louisiana, Minnesota, Nevada, New York, Oregon, Rhode Island, South Carolina, Texas, Virginia, Washington and Wisconsin. Over fifty (50) seizures have been reported and amounted to over 39,000 tablets and 1000 pounds of powder. BZP and TFMPP are being promoted as legal alternatives to MDMA. They are often sold as ''Ecstasy'', or as ''BZP'', ''A^2'', ''legal E'' or ''legal X''. BZP and TFMPP, with their easy availability and their so-called legal status, are becoming drugs of abuse in the United States.

As with amphetamine and MDMA, the effects of BZP are stimulant-like and those of TFMPP are hallucinogen-like. The risks to the public health associated with MDMA and amphetamine, both substances with high potential for abuse, are well known and documented. BZP acts as a stimulant similar in effect to MDMA or amphetamine, producing euphoria and inducing cardiovascular