

Manufacturing. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of these special conditions has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. Because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

■ The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the Boeing Model 727-100/-200 series airplanes modified by Aircraft Systems & Manufacturing.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

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 Renton, Washington, on March 5, 2004.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 04-6150 Filed 3-18-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30408; Amdt. No. 3092]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or 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 March 19, 2004. 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 March 19, 2004.

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

For Examination—

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

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

3. The Flight Inspection Area Office which originated the SIAP; or,
4. The Office of the **Federal Register**, 800 North Capitol Street, NW., Suite 700, Washington, DC.

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 (AMCAFS-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: PO 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, Navigation (air).

Issued in Washington, DC, on March 12, 2004.

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 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:

* * * *Effective April 15, 2004*

San Francisco, CA, San Francisco Intl, LDA/DME RWY 28R, Orig
Oxford, CT, Waterbury-Oxford, NDB RWY 18, Amdt 6
Oxford, CT, Waterbury-Oxford, NDB RWY 36, Amdt 9
Oxford, CT, Waterbury-Oxford, VOR/DME RNAV RWY 18, Amdt 6, CANCELLED
Oxford, CT, Waterbury-Oxford, ILS OR LOC RWY 36, Amdt 13
Oxford, CT, Waterbury-Oxford, RNAV (GPS) RWY 18, Orig
Oxford, CT, Waterbury-Oxford, GPS RWY 18, Orig-A, CANCELLED
Oxford, CT, Waterbury-Oxford, RNAV (GPS) RWY 36, Orig
Oxford, CT, Waterbury-Oxford, GPS RWY 36, Orig-B, CANCELLED
Miami, FL, Miami Intl, LOC/DME RWY 8L, Orig-A
Miami, FL, Miami Intl, LOC/DME RWY 26R, Orig-A
Miami, FL, Miami Intl, NDB RWY 27, Amdt 20A
Miami, FL, Miami Intl, ILS OR LOC RWY 8R, Amdt 29B
Miami, FL, Miami Intl, ILS OR LOC RWY 9, Amdt 9A
Miami, FL, Miami Intl, ILS OR LOC RWY 26L, Amdt 14C
Miami, FL, Miami Intl, ILS OR LOC RWY 27, Amdt 23C
Miami, FL, Miami Intl, RNAV (GPS) RWY 8L, Orig-A
Miami, FL, Miami Intl, RNAV (GPS) RWY 8R, Orig-C
Miami, FL, Miami Intl, RNAV (GPS) RWY 9, Orig-C
Miami, FL, Miami Intl, RNAV (GPS) RWY 26L, Orig-C
Miami, FL, Miami Intl, RNAV (GPS) RWY 26R, Orig-A
Miami, FL, Miami Intl, RNAV (GPS) RWY 27, Orig-C
Orlando, FL, Orlando Intl, VOR RWY 18L, Amdt 3C
Orlando, FL, Orlando Intl, VOR RWY 18R, Amdt 3C
Orlando, FL, Orlando Intl, VOR/DME RWY 18L, Amdt 5D
Orlando, FL, Orlando Intl, VOR/DME RWY 18R, Amdt 5D
Orlando, FL, Orlando Intl, VOR/DME RWY 36L, Amdt 5A
Orlando, FL, Orlando Intl, VOR/DME RWY 36R, Amdt 10A
Orlando, FL, Orlando Intl, ILS OR LOC RWY 17L, Orig-A, ILS RWY 17L (CAT II), Orig-A
Orlando, FL, Orlando Intl, ILS OR LOC RWY 17R, Amdt 4A, ILS RWY 17R (CAT II), Amdt 4A
Orlando, FL, Orlando Intl, ILS OR LOC RWY 18R, Amdt 6B
Orlando, FL, Orlando Intl, ILS OR LOC RWY 35L, Amdt 5A, ILS RWY 35L (CAT II/III), Amdt 5A
Orlando, FL, Orlando Intl, ILS OR LOC RWY 35R, Orig-A, ILS RWY 35R (CAT II), Orig-A
Orlando, FL, Orlando Intl, ILS OR LOC RWY 36R, Amdt 7B, ILS RWY 36R (CAT II/III), Amdt 7B

Orlando, FL, Orlando Intl, RNAV (GPS) RWY 17L, Orig-A
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 17R, Orig-B
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 18L, Orig-A
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 18R, Orig-A
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 35L, Orig-B
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 35R, Orig-A
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 36L, Orig-A
Orlando, FL, Orlando Intl, RNAV (GPS) RWY 36R, Orig-A
Prentiss, MS, Prentiss-Jefferson Davis County, NDB OR GPS RWY 30, Orig-A, CANCELLED
Prentiss, MS, Prentiss-Jefferson Davis County, RNAV (GPS) RWY 30, Orig
Tunica, MS, Tunica Muni, RNAV (GPS) RWY 35, Orig
Manchester, NH, Manchester, ILS OR LOC/DME RWY 17, Orig
Manchester, NH, Manchester, ILS RWY 17, Amdt 2A, CANCELLED
Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 5, Amdt 37
Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 18L, Amdt 6
Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 18R, Amdt 9
Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 36L (CAT II/III), Amdt 15
Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 36R (CAT II/III), Amdt 10
Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 5, Amdt 1
Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 18L, Amdt 1
Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 18R, Amdt 1
Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 36R, Amdt 1
Akron, OH, Akron-Canton Regional, ILS OR LOC RWY 19, Amdt 7
Cleveland, OH, Cleveland-Hopkins Intl, ILS OR LOC/DME RWY 24R, Amdt 1
Newark, OH, Newark-Heath, LOC RWY 9, Orig
Philadelphia, PA, Philadelphia Intl, Converging ILS RWY 17, Amdt 4
Tooele, UT, Bolinder Field-Tooele Valley, NDB RWY 17, Amdt 1
Stafford, VA, Stafford Regional, VOR RWY 33, Amdt 1
Stafford, VA, Stafford Regional, ILS OR LOC RWY 33, Orig
* * * *Effective May 13, 2004*
Waco, TX, Waco Regional, ILS OR LOC RWY 19, Amdt 15B
* * * *Effective June 10, 2004*
Pinckneyville, IL, Pinckneyville-Du Quoin, NDB-A, Orig, CANCELLED
Pinckneyville, IL, Pinckneyville-Du Quoin, GPS RWY 18, Orig, CANCELLED
Pinckneyville, IL, Pinckneyville-Du Quoin, GPS RWY 36, Orig, CANCELLED
Highgate, VT, Franklin County State, VOR/DME RWY 19, Amdt 4
Highgate, VT, Franklin County State, RNAV (GPS) RWY 1, Amdt 1

Highgate, VT, Franklin County State, RNAV (GPS) RWY 19, Orig
 Madison, WI, Dane County Regional-Truax Field, VOR/DME OR TACAN RWY 18, Amdt 1
 Douglas, WY, Converse County, VOR RWY 29, Amdt 1
 Douglas, WY, Converse County, RNAV (GPS) RWY 29, Orig

The FAA published an Amendment in Docket No. 30404, Amdt No. 3089 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 25, page 5685; dated February 6, 2004) under Section 97.33 effective 15 April 2004, which is hereby rescinded:

Platinum, AK, Platinum, RNAV (GPS) RWY 13, Orig
 Platinum, AK, Platinum, GPS RWY 13, Orig, CANCELLED

The FAA published an Amendment in Docket No. 30406, Amdt No. 3091 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 45, Page 10615; dated March 8, 2004) under Section 97.33 effective 15 April 2004, which is hereby rescinded:

Los Alamos, NM, Los Alamos, RNAV (GPS) RWY 27, Orig

The FAA published an Amendment in Docket No. 30406, Amdt No. 3091 to Part 97 of the Federal Aviation Regulations (Vol 69, FR No. 45, Page 10614; dated March 8, 2004) under Section 97.33 effective 13 May 2004, which is hereby rescinded:

Madison, WI, Dane County Regional-Truax Field, VOR/DME OR TACAN RWY 18, Amdt 1

[FR Doc. 04-6146 Filed 3-18-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 299

RIN 0790-AG96

National Security Agency/Central Security Service (NSA/CSS) Freedom of Information Act Program

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This part implements the Freedom of Information Act, as amended. It assigns responsibility for responding to written requests made pursuant to the Act and provides for the review required to determine the appropriateness of classification.

On May 23, 2003 (68 FR 28132), the Department of Defense published an interim final rule with a request for comments. No comments were received.

This final rule adopts the interim final rule as written with no changes.

DATES: This rule is effective March 19, 2004.

FOR FURTHER INFORMATION CONTACT: Pamela Phillips, 301-688-6527.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

It has been determined that 32 CFR part 299 is not a significant regulatory action. The rule does not (1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of the recipients thereof; or (4) raise novel legal or policy issues arising of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Unfunded Mandates Reform Act

It has been certified that 32 CFR part 299 does not contain a Federal Mandate that may result in the expenditure by State, local and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year.

Regulatory Flexibility Act

It has been determined that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

It has been certified that 32 CFR part 299 does not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 44).

Executive Order 13132

It has been certified that 32 CFR part 299 does not have federalism implications, as set forth in Executive Order 13132.

Dated: February 27, 2004.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 04-6183 Filed 3-18-04; 8:45 am]

BILLING CODE 5001-06-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

42 CFR Part 71

Foreign Quarantine

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Amendment of February 4, 2004, order to lift the embargo of birds and bird products from the Hong Kong Special Administrative Region (Hong Kong).

SUMMARY: On February 4, 2004, final rule published in the **Federal Register** on February 13, 2004 (69 FR 7165), the Centers for Disease Control and Prevention (CDC) issued an order immediately banning the import of all birds (Class: Aves) from specified Southeast Asian countries, subject to limited exemptions for pet birds and certain bird-derived products. CDC took this step because birds from these affected countries potentially can infect humans with avian influenza (Influenza A [(H5N1)]). The February 4 order complemented a similar action taken by the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS). CDC and APHIS are now lifting the embargo of birds and bird products from Hong Kong because of the documented public health and animal health measures taken by Hong Kong officials to prevent spread of the outbreak within Hong Kong and the lack of avian influenza cases in Hong Kong's domestic and wild bird populations. All other portions of the February 4, 2004 order remain in effect until further notice.

DATES: This action is effective on March 10, 2004 and will remain in effect until further notice.

FOR FURTHER INFORMATION CONTACT: Paul Arguin, National Center for Infectious Diseases, centers for Disease Control Prevention, Mailstop C-14, 1600 Clifton Rd., Atlanta, GA 30330, telephone, 404-498-1600.

SUPPLEMENTARY INFORMATION:

Background

On January 19, 2004, a single peregrine falcon was found dead near a residential development in Hong Kong. The bird carcass was submitted to public health authorities and was found to be positive for Influenza A (H5N1) by laboratory tests. On January 26, 2004, the Office of International Epizootics, an international organization that reports