

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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have 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 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

*Paragraph 6005 Class E Airspace Areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AEA NY ES Calverton, NY [NEW]

Calverton Executive Airpark Airport, NY (Lat. 40°54'54" N., long. 72°47'31" W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Calverton Executive Airpark Airport, excluding that portion that coincides with the Shirley, NY and Westhampton Beach, NY Class E airspace areas.

\* \* \* \* \*

Issued in Jamaica, New York on January 14, 2004.

**John G. McCartney,**

*Assistant Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 04–1331 Filed 1–21–04; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA–2003–15086; Airspace Docket No. 03–AAL–07]

RIN 2120–AA66

#### Revision of Restricted Area 2202C, and the Establishment of Restricted Area 2202D; Big Delta, AK

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies Restricted Area 2202C (R–2202C), Big Delta, AK, by subdividing the altitude of R–2202C, to create R–2202D. The lateral dimensions of R–2202C will remain the same, however, the internal modification of the R–2202C and subsequent establishment of R–2202D will enable the military to activate only that portion of the airspace that is actually needed to contain their operations.

**EFFECTIVE DATE:** 0901 UTC, April 15, 2004.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–8783.

#### SUPPLEMENTARY INFORMATION:

##### Background

As a result of a recent review of R–2202 airspace, the U.S. Army requested that the FAA take action to internally subdivide R–2202C into two sub-areas. Dividing the airspace into two sub-areas will allow for more efficient real-time use of the airspace, and allow more public access.

##### The Rule

This action amends title 14 Code of Federal Regulations (14 CFR) part 73 (part 73) by subdividing R–2202C, and establishing R–2202D, to enable more efficient use of airspace. Specifically this action changes the vertical limit of R–2203C to FL 310 and establishes R–2202D in the former restricted airspace of R–2202C above FL 310. The internal stratification of R–2202C and subsequent establishment of R–2202D will enable the military to activate only that portion of the airspace that is actually needed to contain hazardous operations. There are no changes to the external boundaries, altitudes, and

times of designation or activities conducted within the restricted area.

Section 73.22 of part 73 was published in FAA Order 7400.8L, Special Use Airspace, dated October 7, 2003.

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. Therefore, this regulation: (1) Is not "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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106 (g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 73.22 [Amended]

■ 2. § 73.22 is amended as follows:

\* \* \* \* \*

#### R–2202C Big Delta, AK (Revised)

■ By removing the existing altitudes and substituting the following:

**Designated altitudes.** 10,000 feet MSL to and including FL310.

**R-2202D Big Delta, AK (New)**

**Boundaries.** Beginning at lat. 64°14'44" N., long. 146°43'23" W.; to lat. 64°03'34" N., long. 146°10'58" W.; to lat. 63°56'16" N., long. 145°49'38" W.; to lat. 63°54'19" N., long. 145°50'28" W.; to lat. 63°50'29" N., long. 145°50'08" W.; to lat. 63°42'59" N., long. 145°54'09" W.; to lat. 63°42'14" N., long. 146°13'34" W.; to lat. 63°43'59" N., long. 146°30'08" W.; to lat. 63°50'49" N., long. 146°47'38" W.; thence along the east bank of the East Fork and Little Delta Rivers to the point of beginning.

**Designated altitudes.** Above FL 310 to unlimited.

**Time of designation.** Intermittent by NOTAM.

**Controlling agency.** FAA, Anchorage ARTCC.

**Using agency.** U.S. Army, Commander, Cold Regions Test Activity, Fort Greely, AK.  
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Issued in Washington, DC on January 9, 2004.

**Reginald C. Mathews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 04-1268 Filed 1-21-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF COMMERCE****Bureau of Industry and Security****15 CFR Parts 732, 738, 740 and 746**

[Docket No. 031219324-3324-01]

**RIN 0694-AC86**

**Lifting of U.N. Sanctions Against UNITA**

**AGENCY:** Bureau of Industry and Security, Department of Commerce.  
**ACTION:** Final rule.

**SUMMARY:** This rule amends the Export Administration Regulations (EAR) by removing from the EAR references to sanctions on Angola administered by the Department of the Treasury's Office of Foreign Assets Control (OFAC). In response to United Nations Security Council (UNSC) resolutions regarding the conflict in Angola, the President, by Executive Order, directed the Department of the Treasury to maintain sanctions on the National Union for the Total Independence of Angola (UNITA). On December 9, 2002, the UNSC terminated the sanctions previously imposed on UNITA. On May 6, 2003, consistent with the UNSC action, the President terminated the relevant Executive Orders, effectively ending U.S. sanctions. This rule amends the EAR to remove certain references to the sanctions which had been maintained by OFAC with respect to UNITA.

**DATES:** This rule is effective January 22, 2004.

**FOR FURTHER INFORMATION CONTACT:** Joan Roberts, Director, Foreign Policy Controls Division, Office of Strategic Trade and Foreign Policy Controls, Bureau of Industry and Security, Department of Commerce, Telephone: (202) 482-4252, e-mail [jroberts@bis.doc.gov](mailto:jroberts@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:****Background**

Consistent with UNSC Resolution 864 (September 15, 1993) and subsequent related resolutions, and under the authority of the International Emergency Economic Powers Act (IEEPA), the National Emergencies Act, and section 5 of the United Nations Participation Act of 1945 (UNPA), the President issued Executive Orders 12865 (September 26, 1993), 13069 (December 12, 1997), and 13098 (August 18, 1998), imposing sanctions on UNITA (as defined therein) and Angola. Specifically, the Department of the Treasury was directed to maintain certain sanctions on UNITA, a task that it delegated to OFAC. OFAC implemented this mandate by issuing and amending the UNITA (Angola) Sanctions Regulations, set forth at Title 31, Part 590 of the Code of Federal Regulations. These provisions block all property within the possession or control of a U.S. person in which UNITA or its senior officials have an interest. They also prohibit the unauthorized exportation by U.S. persons of mining equipment, arms and related material of all types, petroleum and petroleum products, aircraft or aircraft components, and motorized vehicles or watercraft and spare parts for such items, to the territory of Angola, other than through approved points of entry designated by the Department of the Treasury.

On December 9, 2002, based on certain steps taken to resolve the conflict in Angola, the UNSC issued Resolution 1448, terminating the sanctions measures imposed on UNITA based on UNSC Resolutions 864, 1127 (August 28, 1997), 1130 (September 29, 1997), 1173 (June 12, 1998), and 1176 (June 24, 1998). On May 6, 2003, consistent with this UNSC action, the President issued Executive Order 13298, which revoked Executive Orders 12865, 13069 and 13098, and terminated U.S. sanctions imposed on UNITA and Angola.

Consistent with these actions, the Bureau of Industry and Security (BIS) is making certain changes to the EAR. Specifically, BIS is removing references to the measures imposed by OFAC on UNITA from parts 732, 738, 740 and 746 of the EAR.

**Rulemaking Requirements**

1. This final rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule involves collections of information subject to the PRA. These collections have been approved by OMB under control number 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of 40 minutes to prepare and submit electronically and 45 minutes to submit manually form BIS-748P. Send comments regarding these burden estimates or any other aspect of these collections of information, including suggestions for reducing the burden, to OMB Desk Officer, New Executive Office Building, Washington, DC 20503; and to the Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, P.O. Box 273, Washington, DC 20044.

3. This rule does not contain policies with Federalism implications as that term is defined under Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (Sec. 5 U.S.C. 553 (a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Therefore, this regulation is issued in final form. Although there is no public comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Sheila Quarterman, Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, P.O. Box 273, Washington, DC 20044.