

transportation pursuant to area exemptions. Moreover, under section 1601(a)(1)(C) of the Federal Aviation Act, the Board will not have authority after December 31, 1981, to specify terminal and intermediate points in air carriers' certificates for domestic transportation. An area exemption would then be superfluous because it would add nothing to the unlimited route authority that a helicopter carrier would already have under its certificate.

Because the elimination of Part 376 will have no substantive effect, the Board finds that notice and public procedure are unnecessary and contrary to the public interest, and that this action may become effective less than 30 days after publication in the Federal Register.

PART 376—AMENDMENT OF FLIGHT PATTERNS OF HELICOPTER OPERATORS [REMOVED]

Accordingly, the Civil Aeronautics Board amends 14 CFR Chapter II by removing Part 376, *Amendment of Flight Patterns of Helicopter Operators*.

(Secs. 204, 405, 416, 1001, 1005, Pub. L. 85-726, as amended; 72 Stat. 743, 760, 771, 788, 794; (49 U.S.C. 1324, 1375, 1386, 1481, 1485))

By the Civil Aeronautics Board.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 81-34327 Filed 11-27-81; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 10

[T.D. 81-292]

Importation of Crude Petroleum From Canada; Duty-Free Entry

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to provide for the duty-free entry of crude petroleum, including reconstituted crude petroleum and crude shale oil, imported from Canada subject to a commercial exchange agreement between U.S. and Canadian refiners. The amendment is being made pursuant to legislation already enacted by the Congress which is intended to assure a continued supply of Canadian crude petroleum at the lowest cost to U.S. refiners located in the northern United States, near the Canadian border.

EFFECTIVE DATE: November 30, 1981.

FOR FURTHER INFORMATION CONTACT: Herbert Geller, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5307).

SUPPLEMENTARY INFORMATION:

Background

At present, petroleum refiners located in the northern United States near the Canadian border rely heavily upon crude petroleum imported from Canada for use in their operations. Due to a lack of pipelines and other factors, Canada is the most economical source of sufficient quantities of crude petroleum for these refiners. The Canadian Government has imposed export quotas on crude petroleum, severely curtailing these exports to the United States. Nevertheless, that Government has continued to supply crude petroleum to refiners in the United States in excess of export quotas in exchange for an equivalent quantity of domestic crude petroleum from the United States.

Because allowing Canadian crude petroleum to be entered without the payment of any Customs duty would remove one economic barrier to such exchanges, and to assure a continued supply of Canadian crude petroleum at the lowest cost to U.S. refiners, by an Act of November 8, 1977 (Pub. L. 95-159, Sec. 2, 91 Stat. 1269), Congress amended the headnotes to Schedule 4, Part 10, Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202). As amended, the TSUS provides that crude petroleum, including reconstituted crude petroleum and Canadian crude shale oil, imported from Canada subject to: (1) A commercial exchange agreement between U.S. and Canadian refiners; and (2) certain other specified criteria, may be entered free of duty.

Part 10, Customs Regulations, is being amended to ensure that these exchanges will continue.

In accordance with Pub. L. 95-159, this amendment was prepared after consultation with the Secretaries of Commerce and Energy.

Inapplicability of Notice and Delayed Effective Date Provisions

Because the amendment merely conforms the Customs Regulations to changes made to the tariff schedules by Pub. L. 95-159, which already are in effect, pursuant to 5 U.S.C. 553(b)(B), notice and public procedure thereon are found to be unnecessary, and pursuant to 5 U.S.C. 553(d)(B), a delayed effective date is not required.

Inapplicability of Regulatory Flexibility Act

Pursuant to the provisions of section 605(b) of the Regulatory Flexibility Act

(Pub. L. 96-354 (5 U.S.C. 601, *et seq.*)), the Secretary of the Treasury has determined that the amendment set forth in this document will not have a significant economic impact on a substantial number of small entities. Accordingly, the amendment is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

It is presumed that in considering Pub. L. 95-159, the Congress determined that the benefits accruing from the legislation would outweigh any burdens on the affected parties. Because any effects that were contemplated, either expressly or necessarily by the underlying legal authority are considered to flow from that authority and not from the regulation, the regulation is not expected to: have significant secondary or incidental effects on a substantial number of small entities; impose or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities; or generate significant interest or attention from small entities through comments, either formal or informal.

Executive Order 12291

Because this will not result in a "major" rule as defined by section 1(b) of Executive Order 12291, the regulatory analysis and review prescribed by section 3 of the Executive Order is not required.

Drafting Information

The principal author of this document was Lawrence P. Dunham, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices and the Departments of Commerce and Energy participated in its development.

Amendment to the Regulations

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

Part 10, Customs Regulations (19 CFR Part 10), is amended by adding a new § 10.179 to read as follows:

Canadian Crude Petroleum

§ 10.179 Canadian crude petroleum subject to a commercial exchange agreement between United States and Canadian refiners.

(a) Crude petroleum (as defined in Schedule 4, Part 10, Headnote 4(a), Tariff Schedules of the United States (19 U.S.C. 1202)) produced in Canada may be admitted free of duty if the entry is

accompanied by a certificate from the importer establishing that:

(1) The petroleum is imported pursuant to a commercial exchange agreement between United States and Canadian refiners which has been approved by the Secretary of Energy;

(2) The petroleum is imported pursuant to an import license issued by the Secretary of Energy;

(3) An equivalent amount of domestic or duty-paid foreign crude petroleum on which the importer has executed a written waiver of drawback, has been exported to Canada pursuant to the export license and previously has not been used to effect the duty-free entry of like Canadian products; and,

(4) An export license has been issued by the Secretary of Commerce for the petroleum which has been exported to Canada.

(b) The provisions of this section may be applied to:

(1) Liquidated or reliquidated entries if the required certification is filed with the district director at the port where the original entry was made on or before the 180th day after the date of entry; and

(2) Articles entered, or withdrawn from warehouse, for consumption, pursuant to a commercial exchange agreement.

(c) Verification of the quantities of crude petroleum exported to or imported from Canada under such a commercial exchange agreement shall be made in accordance with import verification provided in Part 151, Subpart C, Customs Regulations (19 CFR Part 151, Subpart C).

(R.S. 251, as amended; sec. 624, 46 Stat. 759, 77A Stat. 14, Sec. 2, 91 Stat. 1269 (5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11) 1624))

William T. Archey,

Acting Commissioner of Customs.

Approved: October 26, 1981.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

[FR Doc. 81-34324 Filed 11-27-81; 8:45 am]

BILLING CODE 4810-22-M

19 CFR Part 134

[T.D. 81-290]

Country of Origin Marking

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations, relating to the scope of country of origin marking requirements, by including a cross reference to a section in another part of the Customs Regulations which

describes procedures for falsely marked importations.

EFFECTIVE DATE: December 28, 1981.

FOR FURTHER INFORMATION CONTACT: Benjamin Mahoney, Entry Procedures and Penalties Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20029 (202-566-5765).

SUPPLEMENTARY INFORMATION:

Background

Section 134.0, Customs Regulations (19 CFR 134.0), outlines the scope of country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). Section 134.0 also indicates that the provisions regarding false or misleading markings as to the country of origin are set forth under Part 134, as well as the consequences and procedures to be followed if imported articles are not legally marked.

Although Part 134 does contain the provisions and procedures governing imported articles not legally marked (19 CFR 134.51), the provisions and procedures concerning false markings are not found in Part 134, § 134.0 notwithstanding. The procedures involving falsely marked articles are set forth in § 11.13, Customs Regulations (19 CFR 11.13), which prohibits importation of articles which bear, or the containers of which bear, false designations of origin or false descriptions or representations. Such falsely designated or falsely described articles are subject to detention by Customs.

To prevent readers from being misled, this document revises § 134.0 to indicate that the provisions relating to falsely marked importations are found in § 11.13.

Notice and Public Procedure Unnecessary

Because this minor amendment is informational in nature and essentially procedural, pursuant to 5 U.S.C. 553(b)(B), notice and public participation thereon are unnecessary.

Executive Order 12291 and Regulatory Flexibility Act

It has been determined that the amendment is not a "major rule" within the criteria provided in section 1(b) of E.O. 12291, and therefore no regulatory impact analysis has been prepared.

In addition, it has been determined that the amendment is not subject to the provisions of Pub. L. 96-354, the Regulatory Flexibility Act (5 U.S.C. 601-612), because publication of a notice of

proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), or any other law.

Drafting Information

The principal author of this document was Robert J. Pisani, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

PART 134—COUNTRY OF ORIGIN MARKING

Amendment to the Regulations

Section 134.0, Customs Regulations (19 CFR 134.0), is revised to read as follows:

§ 134.0 Scope

This part sets forth regulations implementing the country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). The consequences and procedures to be followed when articles are not legally marked are set forth in this part. The consequences and procedures to be followed when articles are falsely marked are set forth in § 11.13 of this chapter. Special marking and labeling requirements are covered elsewhere.

(R.S. 251, as amended, secs. 304, 624, 46 Stat. 687, as amended, 759, 77A Stat. 14, 80 Stat. 379; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11) 1304, 1624))

William T. Archey,

Deputy Commissioner of Customs.

Approved: November 9, 1981.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

[FR Doc. 81-34320 Filed 11-27-81; 8:45 am]

BILLING CODE 4820-02-M

19 CFR Part 141

[T.D. 81-291]

Entry of Merchandise; Special Invoice Requirements for Certain Articles of Steel

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations relating to special invoice requirements for certain articles of steel to identify 32 designated articles of steel by American Iron and Steel Institute ("AISI") category numbers.

EFFECTIVE DATE: December 28, 1981.

FOR FURTHER INFORMATION CONTACT:

Irene Barrack, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202 566-8235).

SUPPLEMENTARY INFORMATION:**Background**

When § 141.89, Customs Regulations (19 CFR 141.89), was amended on February 13, 1978, by T.D. 78-53 (43 FR 6065), to require that a special invoice be presented to Customs for each shipment of certain articles of steel having an aggregate purchase price over \$2500, the articles were listed in the document both by the AISI category number and by letter designation. Section 141.89(b)(2) lists the 32 articles of steel only by letter designations (A-FF). It is a common practice in the steel industry, both in the United States and abroad, to identify these articles of steel by AISI category numbers (1-32) and not by letter designations. All printed materials referencing these items identify them by the AISI category numbers.

In order to eliminate a possible source of confusion to readers, Customs is redesignating the articles of steel listed in the present § 141.89(b)(2) by AISI category numbers under a new subparagraph (i).

Notice and Public Procedure Unnecessary

Because this minor amendment is informational in nature and essentially procedural, pursuant to 5 U.S.C. 553(b)(B), notice and public participation thereon are unnecessary.

Executive Order 12291 and Regulatory Flexibility Act

It has been determined that the amendment is not a "major rule" within the criteria provided in section 1(b) of E.O. 12291, and therefore no regulatory impact analysis has been prepared.

In addition, it has been determined that the amendment is not subject to the provisions of Pub. L. 96-354, the Regulatory Flexibility Act (5 U.S.C. 601-612), because publication of a notice of proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), or any other law.

Drafting Information

The principal author of this document was Robert J. Pisani, Regulations Control Branch, Office of Regulations

and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Amendment to the Regulations**PART 141—ENTRY OF MERCHANDISE**

Section 141.89(b)(2), Customs Regulations (19 CFR 141.89(b)(2)), is amended by revising it to read as follows:

§ 141.89 Additional information for certain classes of merchandise.

* * * * *

(b) * * *

(2) The following articles of steel are subject to the special invoice requirements of § 141.89(b)(1):

(i) Category Number and Products:

- (1) Ingots, blooms, billets, slabs, etc.
- (2) Wire rods.
- (3) Structural shapes, plain 3 inches and over.
- (4) Sheet piling.
- (5) Plates.
- (6) Rail and track accessories.
- (7) Wheels and axles.
- (8) Concrete reinforcing bars.
- (9) Bar shapes under 3 inches.
- (10) Bars, hot rolled, carbon.
- (11) Bars, hot rolled, alloy.
- (12) Bars, cold finished.
- (13) Hollow drill steel.
- (14) Welded Pipe and tubing.
- (15) Other Pipe and tubing.
- (16) Round and shaped wire.
- (17) Flat wire.
- (18) Bale ties.
- (19) Galvanized wire fencing.
- (20) Wire nails.
- (21) Barbed wire.
- (22) Black plate.
- (23) Tin plate.
- (24) Terne plate.
- (25) Sheets, hot rolled.
- (26) Sheets, cold rolled.
- (27) Sheets, coated including galvanized.
- (28) Sheets, coated, alloy.
- (29) Strip, hot rolled.
- (30) Strip, cold rolled.
- (31) Strip, hot and cold rolled-alloy.
- (32) Sheets other, electric coated.

(R.S. 251, as amended, sec. 407, 42 Stat. 18; secs. 481, 484, 624, 46 Stat. 719, 722, as amended, 759, 77A Stat. 14, Tariff Schedules of the United States (General Headnote 11) (19 U.S.C. 66, 173, 1202, 1481, 1484, 1624))

William T. Archey,

Deputy Commissioner of Customs.

Approved: November 9, 1981.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

[FR Doc. 81-34321 Filed 11-27-81; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF STATE**Office of the Secretary****22 CFR Part 22**

[Docket No. SD-172; Departmental Reg. 108.813]

Change in Fees for Consular Services

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Schedule of Fees for consular services performed in foreign countries and in the United States is being revised primarily to clarify certain descriptions of services and to present new requirements for: (a) Surcharges related to fee services and (b) collections for transportation and other expenses when appropriate and necessary.

EFFECTIVE DATE: November 30, 1981.

FOR FURTHER INFORMATION CONTACT: Ronald K. Somerville, (202) 632-3528.

SUPPLEMENTARY INFORMATION: This revision of the Schedule of Fees was published as a proposed rule on October 2, 1981, (46 FR 48884). No public comments on the proposed rule have been received.

Dated: November 20, 1981.

Richard T. Kennedy,
Under Secretary for Management.

Accordingly, Part 22 of Title 22 of the Code of Federal Regulations is revised as set forth below.

**PART 22—SCHEDULE OF FEES FOR CONSULAR SERVICES—
DEPARTMENT OF STATE AND
FOREIGN SERVICE**

Sec.

- 22.1 Schedule of fees.
- 22.2 Requests for services in the United States.
- 22.3 Remittances in the United States.
- 22.4 Requests for services, Foreign Service.
- 22.5 Remittances to Foreign Service posts.
- 22.6 Refund of fees.
- 22.7 Collection and return of fees.
- 22.8 Effective date.

Authority: Secs. 3, 4, 63 Stat. 111, as amended (22 U.S.C. 811a; 2658; 22 U.S.C. 2851; 5 U.S.C. 483a; 22 U.S.C. 1201); E.O. 10718, 22 FR 4632; 3 CFR, 1954-1958 Comp. page 382.

§ 22.1 Schedule of fees.

Item number	Fee
<i>Passport and Citizenship Services</i>	
1. Execution of application for passports.....	\$5.00
2. Examination of passport application executed before a foreign official.....	\$5.00
3. Issuance of passport (22 U.S.C. 214).....	\$10.00
(Item No. 4 vacant)	
5. Issuance of card of identity.....	\$5.00