

Dated: June 25, 2002.

A.J. Yates,

Administrator.

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### 12 CFR Chapter III

#### Agency Reorganization; Nomenclature Changes

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Final rule.

**SUMMARY:** On June 30, 2002, the FDIC, through an internal organizational order, merged the Division of Supervision and the Division of Compliance and Consumer Affairs and as a result of the merger, changed the name of the "Division of Supervision" and "Division of Compliance and Consumer Affairs" to the "Division of Supervision and Consumer Protection" (DSC). In addition, the internal reorganizational order merged the Division of Insurance and the Division of Research and Statistics and changed the name of the "Division of Insurance" to the "Division of Insurance and Research." Consistent with this action, this rule makes appropriate conforming changes in chapter III of title 12 of the Code of Federal Regulations. The rule also sets forth a Savings Provision in **SUPPLEMENTARY INFORMATION** that preserves, under the new names, all actions taken under the name of the "Division of Supervision," "Division of Compliance and Consumer Affairs" and the "Division of Insurance" and provides that any references to the Division of Supervision and Division of Compliance and Consumer Affairs or the Division of Insurance respectively in any document or other communication shall be deemed to be references to the Division of Supervision and Consumer Protection or the Division of Insurance and Research respectively.

**DATES:** This rule is effective June 30, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Legal Division: Robert E. Feldman, Executive Secretary (202) 898-3811, Susan van den Toorn, Counsel, (202) 898-8707, Federal Deposit Insurance Corporation, 550 17th Street, NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:**

**Background**

This rule implements the decision by the FDIC, through an internal

reorganization order dated June 30, 2002 to merge certain divisions of the FDIC and, as a result, to change the names of the "Division of Supervision" and the "Division of Compliance and Consumer Affairs" to the "Division of Supervision and Consumer Protection (DSC) and the name of the "Division of Insurance" to the "Division of Insurance and Research (DIR)". These new names more accurately reflect the breadth of the Divisions' activities as a result of the FDIC reorganization. Consistent with these name changes, this rule makes a number of changes in chapter III of title 12 of the Code of Federal Regulations. Specifically, this rule changes all references to "Division of Supervision", and "DOS", "Division of Compliance and Consumer Affairs", and "DCA" wherever they appear in chapter III to the "Division of Supervision and Consumer Protection" and "DSC" respectively. In addition, the rule changes all references to "Division of Insurance" and "DOI" to the "Division of Insurance and Research" and "DIR" wherever they appear in chapter III. At a later date, the FDIC intends to make further revisions to 12 CFR chapter III to reflect other changes as a result of the reorganization and recent statutory changes.

**Savings Provision**

This rule shall constitute notice that all references to the Division of Supervision (DOS), the Division of Compliance and Consumer Affairs (DCA) or the Division of Insurance (DOI) in any documents, statements, and other communications, in any form or media, and whether made before, on or after the effective date of this rule, shall be deemed to be references to the Division of Supervision and Consumer Protection (DSC) or the Division of Insurance and Research (DIR). Any actions undertaken in the name of or on behalf of the Division of Supervision (DOS), the Division of Compliance and Consumer Affairs (DCA) or Division of Insurance (DOI) whether taken before, on, or after the effective date of this rule, shall be deemed to have been taken in the name of or on behalf of the Division of Supervision and Consumer Protection (DSC) or Division of Insurance and Research (DIR) respectively.

**Rulemaking Requirements**

1. This rule does not impose information collection and recordkeeping requirements. Consequently, it need not be reviewed by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1995.

2. 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 rule involves a rule of agency organization, procedure, or practice. 5 U.S.C. 553(b)(B). 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 opportunity for public comment are not required to be given for this rule under 5 U.S.C. or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*) are not applicable. Accordingly, this rule is issued in final form. Although there is no formal comment period, public comments on this rule are welcome on a continuing basis. Comments should be submitted to Thomas E. Nixon, FDIC Clearance Officer, Legal Division, 550 17th Street, NW, Washington, DC 20429, (202) 898-8766. Comments may be hand-delivered to the guard station at the rear of the 17th Street building (located on F Street) on business days between 7 a.m. and 5 p.m. [Fax number (202) 898-3838; Internet address [COMMENTS@FDIC.GOV](mailto:COMMENTS@FDIC.GOV)].

For the reasons set forth in the preamble, under the authority of 12 U.S.C. 1819(a)(tenth), 12 CFR chapter III is amended as set forth below:

**CHAPTER III—[AMENDED]**

In 12 CFR chapter III revise all references to "Division of Supervision" and "Division of Compliance and Consumer Affairs" to read the "Division of Supervision and Consumer Protection (DSC)", revise all references to "DOS" to read "DSC", all references to "DCA" to read "DSC", all references to "DOS and DCA" to read "DSC", all references to "DOS or DCA" to read "DSC", all references to "Division of Supervision's" to read "Division of Supervision and Consumer Protection's", all references to "Division of Compliance and Consumer Affairs" to read "Division of Supervision and Consumer Protection's". Also in 12 CFR chapter III revise all references to the "Division of Insurance" to read the "Division of Insurance and Research", all references to "DOI" to read "DIR" and all references to "Division of Insurance's" to read "Division of Insurance and Research's".

Dated: June 26, 2002.

Federal Deposit Insurance Corporation.  
**Robert E. Feldman,**  
*Executive Secretary.*  
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## DEPARTMENT OF STATE

### 22 CFR Part 126

#### [Public Notice 4057]

#### Bureau of Political-Military Affairs: Amendment to the List of Proscribed Destinations in the International Traffic in Arms Regulations

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** This rule amends the International Traffic in Arms Regulations (ITAR) by modifying the policy regarding Afghanistan on the list of proscribed destinations for exports and sales. This action is being taken in the interests of foreign policy and national security pursuant to section 38 of the Arms Export Control Act.

**EFFECTIVE DATE:** July 2, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mary Sweeney, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 663-2700.

**SUPPLEMENTARY INFORMATION:** Afghanistan was added to the list of proscribed destinations at § 126.1(a) of the ITAR in the **Federal Register** publication of June 27, 1996 (61 FR 33313). In the **Federal Register** publication of May 8, 2001 (66 FR 23310) a denial policy notice was published regarding the territories of Afghanistan under Taliban control in implementation of UN Security Council Resolution 1333 (2000). UN Security Council Resolution 1390 (2002) replaced Resolution 1333 (2000), which had expired.

The Department of State is amending the ITAR to modify the denial policy regarding Afghanistan. It is the policy of the United States to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in Afghanistan except for the Government of Afghanistan (currently the Afghan Interim Authority or AIA) and the International Security Assistance Force (ISAF). Further, lists of persons subject to an arms embargo due to their affiliation with the Taliban, Usama bin Laden, Al-Qaida and their associates will continue to be published in a separate notice or notices. This action is being taken in the interests of foreign

policy and national security pursuant to section 38 of the Arms Export Control Act. Requests for licenses or other approvals for the Government of Afghanistan and ISAF involving items covered by the U.S. Munitions List (22 CFR Part 121) will be reviewed on a case-by-case basis.

This amendment involves a foreign affairs function of the United States and, therefore, is not subject to the procedures required by 5 U.S.C. 553 and 554. It is exempt from review under Executive Order 12866 but has been reviewed internally by the Department to ensure consistency with the purposes thereof. This rule does not require analysis under the Regulatory Flexibility Act or the Unfunded Mandates Reform Act. It has been found not to be a major rule within the meaning of the Small Business Regulatory Enforcement Act of 1966. It will not have substantial direct effects on the States, the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant application of Executive Orders 12372 and 13123. However, interested parties are invited to submit written comments to the Department of State, Office of Defense Trade Controls, ATTN: Regulatory Change, Afghanistan, 2401 E. Street, NW., 12th Floor, H1200, Washington, DC 20522-0112. Such persons must be so registered with the Department's Office of Defense Trade Controls (DTC) pursuant to the registration requirements of section 38 of the Arms Export Control Act.

#### List of Subjects in 22 CFR Part 126

Arms and munitions, Exports.

Accordingly, for the reasons set forth above, title 22, chapter I, subchapter M, part 126, is amended as follows:

#### PART 126—GENERAL POLICIES AND PROVISIONS

1. The authority citation for part 126 continues to read as follows:

**Authority:** Secs. 2, 38, 40, 42, and 71, Pub. L. 90-629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2780, 2791, and 2797); 22 U.S.C. 2778; E.O. 11958, 42 FR 4311; 3 CFR, 1977 Comp., p. 79; 22 U.S.C. 2658; 22 U.S.C. 287c; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899.

2. Section 126.1 is amended by revising paragraph (a) and adding paragraph (g) to read as follows:

#### § 126.1 Prohibited exports and sales to certain countries.

(a) *General.* It is the policy of the United States to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in certain countries. This policy applies to Belarus, Cuba, Iran, Iraq, Libya, North Korea, Syria, and Vietnam. This policy also applies to countries with respect to which the United States maintains an arms embargo (*e.g.* Burma, China, Haiti, Liberia, Rwanda, Somalia, Sudan and Democratic Republic of the Congo (formerly Zaire)) or whenever an export would not otherwise be in furtherance of world peace and the security and foreign policy of the United States. Information regarding certain other embargoes appears elsewhere in this section. Comprehensive arms embargoes are normally the subject of a State Department notice published in the **Federal Register**. The exemptions provided in the regulations in this subchapter, except §§ 123.17 and 125.4(b)(13) of this subchapter, do not apply with respect to articles originating in or for export to any proscribed countries, areas, or persons in this § 126.1.

\* \* \* \* \*

(g) *Afghanistan.* It is the policy of the United States to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in Afghanistan except for the Government of Afghanistan (currently the Afghan Interim Authority) and the International Security Assistance Force, which will be reviewed on a case-by-case basis. In addition, lists of persons subject to a broad prohibition, including an arms embargo, due to their affiliation with the Taliban, Usama bin Laden, Al-Qaida or those associated with them will continue to be published from time to time.

Dated: June 3, 2002.

**John R. Bolton,**

*Under Secretary, Arms Control and International Security, Department of State.*  
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