

Donalsonville, GA, Donalsonville Muni, GPS Rwy 18, Orig, Cancelled

Donalsonville, GA, Donalsonville Muni, RNAV (GPS) Rwy 36, Orig

Donalsonville, GA, Donalsonville Muni, RNAV (GPS) Rwy 18, Orig

De Kalb, IL, De Kalb Taylor Muni, NDB Rwy 27, Orig

De Kalb, IL, De Kalb Taylor Muni, VOR/DME Rwy 27, Orig

De Kalb, IL, De Kalb Taylor Muni, RNAV (GPS) Rwy 9, Orig

De Kalb, IL, De Kalb Taylor Muni, RNAV (GPS) Rwy 27, Orig

De Kalb, IL, De Kalb Taylor Muni, NDB Rwy 27, Amdt 1, Cancelled

De Kalb, IL, De Kalb Taylor Muni, GPS Rwy 9, Amdt 1, Cancelled

De Kalb, IL, De Kalb Taylor Muni, VOR/DME OR GPS Rwy 27, Amdt 5, Cancelled

Greencastle, IN, Putnam County, NDB Rwy 18, Amdt 1

Greencastle, IN, Putnam County, VOR/DME-A, Amdt 6

Greencastle, IN, Putnam County, RNAV (GPS) Rwy 18, Orig

Greencastle, IN, Putnam County, RNAV (GPS) Rwy 36, Orig

Baton Rouge, LA, Baton Rouge Metropolitan, Ryan Field, RNAV (GPS) Rwy 4L, Orig

Baton Rouge, LA, Baton Rouge Metropolitan, Ryan Field, NDB Rwy 13, Amdt 25

Baton Rouge, LA, Baton Rouge Metropolitan, Ryan Field, VOR Rwy 4L, Amdt 17

Corinth, MS, Roscoe Turner, ILS OR LOC/ NDB Rwy 17, Amdt 1

Corinth, MS, Roscoe Turner, RNAV (GPS) Rwy 17, Orig

Corinth, MS, Roscoe Turner, GPS Rwy 17, Orig, Cancelled

Philadelphia, MS, Philadelphia Muni, NDB Rwy 18, Amdt 1

Philadelphia, MS, Philadelphia Muni, NDB Rwy 36, Amdt 1

Philadelphia, MS, Philadelphia Muni, RNAV (GPS) Rwy 36, Orig

Philadelphia, MS, Philadelphia Muni, RNAV (GPS) Rwy 18, Orig

Raymond, MS, John Bell Williams, NDB Rwy 12, Amdt 1

Raymond, MS, John Bell Williams, RNAV (GPS) Rwy 30, Orig

Raymond, MS, John Bell Williams, RNAV (GPS) Rwy 12, Orig

Burlington, NC, Burlington-Alamance Regional, LOC Rwy 6, Amdt 2, Cancelled

Burlington, NC, Burlington-Alamance Regional, ILS OR LOC/NDB Rwy 6, Orig

Salem, OR, McNary Fld, RNAV (GPS) Rwy 31, Orig

Salem, OR, McNary Fld, NDB Rwy 31, Amdt 18E

Chambersburg, PA, Chambersburg Muni, VOR/DME-B, Amdt 2

Dallas-Fort Worth, TX, Dallas/Fort Worth International, ILS OR LOC Rwy 18R, Amdt 6, ILS Rwy 18R (CAT II, III), Amdt 6

Dallas-Fort Worth, TX, Dallas/Fort Worth International, LOC/DME Rwy 18R, Orig, Cancelled

Dallas-Fort Worth, TX, Dallas/Fort Worth International, Converging ILS Rwy 18R, Amdt 4

Dallas-Fort Worth, TX, Dallas/Fort Worth Intl, Converging ILS Rwy 36L, Orig

Dallas-Fort Worth, TX, Dallas/Fort Worth International, Converging ILS Rwy 36L, Amdt 1A, Cancelled

Dallas-Fort Worth, TX, Dallas/Fort Worth International, ILS OR LOC Rwy 36L, Orig

Dallas-Fort Worth, TX, Dallas/Fort Worth International, ILS Rwy 36L, Amdt 1, Cancelled

* * * Effective November 27, 2003

Beaufort, SC, Beaufort County, Radar-1, Amdt 3

* * * Effective December 25, 2003

Anchorage, AK, Ted Stevens Anchorage Intl, RNAV (GPS) Rwy 14, Orig-B

Gustavus, AK, Gustavus, NDB-A, Amdt 1

Gustavus, AK, Gustavus, VOR/DME Rwy 29, Amdt 1

Gustavus, AK, Gustavus, RNAV (GPS) Y Rwy 29, Orig

Nelson Lagoon, AK, Nelson Lagoon, RNAV (GPS) Rwy 8, Orig

Nelson Lagoon, AK, Nelson Lagoon, RNAV (GPS) Rwy 26, Orig

Pilot Point, AK, Pilot Point, RNAV (GPS) Rwy 7, Orig

Pilot Point, AK, Pilot Point, RNAV (GPS) Rwy 25, Orig

Hemet, CA, Hemet-Ryan, NDB-A, Amdt 1

Hemet, CA, Hemet-Ryan, RNAV (GPS) Rwy 5, Orig

Hemet, CA, Hemet-Ryan, GPS Rwy 5, Orig, Cancelled

Los Angeles, CA, Los Angeles Intl, NDB Rwy 24R, Amdt 13, Cancelled

Los Angeles, CA, Los Angeles Intl, VOR OR TACAN OR GPS Rwy 7L/R, Amdt 18A, Cancelled

Los Angeles, CA, Los Angeles Intl, VOR OR TACAN OR GPS Rwy 25L/R, Amdt 15A, Cancelled

Grand Junction, CO, Walker Field, RNAV (GPS) Rwy 29, Amdt 1

New Bedford, MA, New Bedford Regional, LOC BC Rwy 23, Amdt 12

New Bedford, MA, New Bedford Regional, RNAV (GPS) Rwy 5, Orig

New Bedford, MA, New Bedford Regional, RNAV (GPS) Rwy 23, Orig

New Bedford, MA, New Bedford Regional, GPS Rwy 23, Amdt 1, Cancelled

St. Joseph, MO, Rosecrans Memorial, LOC BC Rwy 17, Amdt 9

St. Joseph, MO, Rosecrans Memorial, RNAV (GPS) Rwy 17, Orig

St. Joseph, MO, Rosecrans Memorial, RNAV (GPS) Rwy 35, Orig

St. Joseph, MO, Rosecrans Memorial, VOR/DME RNAV OR GPS Rwy 17, Amdt 4D, Cancelled

St. Joseph, MO, Rosecrans Memorial, VOR OR TACAN Rwy 17, Amdt 14

St. Joseph, MO, Rosecrans Memorial, VOR/DME OR TACAN Rwy 35, Orig

St. Joseph, MO, Rosecrans Memorial, NDB Rwy 35, Amdt 28F

Rocky Mount, NC, Rocky Mount-Wilson Rgnl, VOR/DME Rwy 22, Amdt 2

Rocky Mount, NC, Rocky Mount-Wilson Regional, NDB Rwy 4, Amdt 9

Rocky Mount, NC, Rocky Mount-Wilson Regional, ILS OR LOC Rwy 4, Amdt 16

Rocky Mount, NC, Rocky Mount-Wilson Regional, RNAV (GPS) Rwy 4, Orig

Rocky Mount, NC, Rocky Mount-Wilson Regional, RNAV (GPS) Rwy 22, Orig

Wilmington, OH, Clinton Field, VOR-A, Amdt 1

York, PA, York, RNAV (GPS) Rwy 17, Orig

York, PA, York, GPS Rwy 17, Amdt 1

Cancelled

[FR Doc. 03-26306 Filed 10-21-03; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 738, 740, and 772

[Docket No. 031010256-3256-01]

RIN 0694-AC90

Addition of Kazakhstan to the Nuclear Suppliers Group (NSG), and Other Revisions

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: As a result of the admission of Kazakhstan to the Nuclear Suppliers Group (NSG), this rule amends the Export Administration Regulations (EAR) to add Kazakhstan to Country Group A, Column A:4, which identifies the member countries of the NSG, and to the definition of "Nuclear Suppliers Group." The NSG member countries have agreed to establish export licensing procedures for the transfer of items identified on the Annex to the "Nuclear-Related Dual-Use Equipment, Materials, and Related Technology List," which is published by the International Atomic Energy Agency.

This action will lessen the administrative burden on U.S. exporters by decreasing licensing requirements for exports of items controlled for nuclear nonproliferation (NP) reasons to Kazakhstan.

DATES: This rule is effective October 22, 2003.

FOR FURTHER INFORMATION CONTACT: For questions of a general nature, call Sharron Cook, Regulatory Policy Division, at (202) 482-2440.

For questions of a technical nature, contact Steve Claggett, Nuclear Technology Division, at (202) 482-3550.

SUPPLEMENTARY INFORMATION:

Background

As a result of the admission of Kazakhstan to the Nuclear Suppliers Group (NSG), this rule amends the Export Administration Regulations (EAR) by revising Supplement No. 1 to Part 740, to add Kazakhstan to Country Group A, Column A:4 (Nuclear Suppliers Group) and by revising Supplement No. 1 to Part 738 by

removing the license requirement for Kazakhstan under NP Column 1 in conformance with the licensing policy that applies to other NSG member countries. Please note that exports of items controlled for nuclear nonproliferation (NP) reasons to Kazakhstan may require a license for other reasons set forth in the Commerce Control List or elsewhere in the EAR. This rule also revises the definition for "Nuclear Suppliers Group (NSG)", in part 772, to include Kazakhstan.

Although the Export Administration Act expired on August 20, 2001, Executive Order 13222 of August 17, 2001 (66 FR 44025, August 22, 2001), as extended by the Notice of August 7, 2003 (68 FR 47833, August 11, 2003), continues the Regulations in effect under the International Emergency Economic Powers Act.

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 be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. This regulation involves collections previously approved by the Office of Management and Budget under control numbers 0694-0088, "Multi-Purpose Application," which carries a burden hour estimate of 45 minutes per manual submission and 40 minutes per electronic submission. Miscellaneous

and record keeping activities account for 12 minutes per submission.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 12612.

4. The provisions of the Administrative Procedure Act requiring notice of proposed rule making, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military or foreign affairs function of the United States (see 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rule making and an opportunity for public comment be given for this rule. Because a notice of proposed rule making and opportunities for public comment are not required to be given for this rule by 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 inapplicable.

Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Sharron Cook, Office of Exporter Services, Bureau of Industry and Security, Department of Commerce, P.O. Box 273, Washington, DC 20044.

List of Subjects

15 CFR Parts 738 and 772

Exports, Foreign trade.

15 CFR Part 740

Administrative practice and procedure, Exports, Foreign trade, Reporting and recordkeeping requirements.

■ Accordingly, parts 738, 740, and 772 of the Export Administration Regulations (15 CFR parts 730-799) are amended as follows:

PART 738—[AMENDED]

■ 1. The authority citation for 15 CFR part 738 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 287c; 22 U.S.C. 3201 *et seq.*; 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 46 U.S.C. app. 466c; 50 U.S.C. app. 5; Sec. 901-911, Pub. L. 106-387; Sec. 221, Pub. L. 107-56; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2003, 68 FR 47833, August 11, 2003.

■ 2. Supplement No. 1 to part 738 is amended by removing the "X" under "NP 1" in the "Nuclear Nonproliferation" column for "Kazakhstan".

PART 740—[AMENDED]

■ 3. The authority citation for 15 CFR part 740 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; Sec. 901-911, Pub. L. 106-387; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2003, 68 FR 47833, August 11, 2003.

■ 4. Supplement Number 1 to part 740, Country Groups, is amended in the table for Country Group A, by adding an entry for "Kazakhstan" in alphabetic order, to read as follows:

SUPPLEMENT NO. 1 TO PART 740—COUNTRY GROUPS
COUNTRY GROUP A

Country	Missile technology control regime	Australia group	Nuclear suppliers group
	[A:1]	[A:3]	[A:4]
Kazakhstan			X
* * * * *	*	*	*

PART 772—[AMENDED]

■ 5. The authority citation for 15 CFR part 772 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2003, 68 FR 47833, August 11, 2003.

■ 6. Section 772.1 is amended by revising the definition of "Nuclear Suppliers Group (NSG)" to read as follows:

§ 772.1 Definitions of Terms as used in the Export Administration Regulations (EAR).

* * * * *
Nuclear Suppliers Group (NSG). The United States and other nations in this multilateral control regime have agreed

to guidelines for restricting the export or reexport of items with nuclear applications. Members include: Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Latvia, Luxembourg, the Netherlands, New Zealand, Norway,

Poland, Portugal, Republic of Korea, Romania, Russia, Slovak Republic, Slovenia, Spain, South Africa, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom, and the United States. See also § 742.3 of the EAR.

* * * * *

Dated: October 15, 2003.

Matthew S. Borman,

Acting Assistant Secretary for Export Administration.

[FR Doc. 03-26563 Filed 10-21-03; 8:45 am]

BILLING CODE 3510-33-P

RAILROAD RETIREMENT BOARD

20 CFR Part 220

RIN 3220-AA99

Determining Disability

AGENCY: Railroad Retirement Board.

ACTION: Final rule.

SUMMARY: The Railroad Retirement Board (Board) updates its regulations to reflect a change in how it evaluates pain and other subjective symptoms when determining if an individual is disabled from all regular employment to reflect recent changes in law.

DATES: This rule is effective on October 22, 2003.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

FOR FURTHER INFORMATION CONTACT: Marguerite P. Dadabo, Assistant General Counsel, (312) 751-4945, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Courts have consistently held that disability for all regular employment under section 2(a)(1)(v) of the Railroad Retirement Act (45 U.S.C. 231a(a)(1)(v)) is synonymous with the inability to perform any substantial gainful activity under section 223(d) of the Social Security Act (42 U.S.C. 423(d)). Therefore, the Board has generally patterned its regulations dealing with the adjudication of claims for disability based upon the inability to engage in all regular employment (20 CFR Part 220) on regulations promulgated by the Social Security Administration (20 CFR Part 404, Subpart P). On November 14, 1991, the Social Security Administration published its final rule (56 FR 57928) expanding its regulations pertaining to how it evaluates symptoms, including pain, in its disability adjudication. The Board has generally followed these regulations in adjudication of claims for disability based on inability to engage in

regular employment and now amends its regulations to conform thereto.

Section 220.100(f) explains how a symptom, such as pain, is considered when it appears as a criterion in the Listing of Impairments found in Appendix 1 of this part. Appendix 1 contains medical criteria for finding a person disabled on medical factors alone without consideration of the person's age, education, and work experience.

Section 220.112(a) is amended by eliminating the reference to remarried widow(ers) and surviving divorced spouses. Section 5103 of Public Law 101-508 revised the standard of disability for these groups of beneficiaries to require the consideration of other than medical factors, such as age, education, and experience, in determining disability for all substantial activity for these groups. Prior to the amendment, only medical factors were required to be used in a disability determination for these beneficiaries.

Section 220.114 is revised to parallel the Social Security regulation dealing with the same subject. See § 404.1529 of this chapter. Section 220.114 provides guidance on the evaluation of symptoms, including pain. The regulation conforms to the Board's current procedures and applicable court decisions on the evaluation of symptoms, especially pain, in making disability determinations.

Section 220.114(a) is a general statement of how symptoms, such as pain, are considered in determining disability. It explains that the Board will consider a claimant's symptoms along with other objective medical evidence and other evidence relating to a claimant's condition.

Section 220.114(b) explains that the Board will not find that pain will affect an individual's ability to do basic work activities unless the claimant first establishes that he or she has a medically determinable physical or mental impairment, supported by medical signs and laboratory findings, to which the allegation of pain can reasonably be related.

Section 220.114(c) provides that when a symptom, such as pain, is established, the Board must then evaluate the intensity and persistence of the symptom with respect to how it limits the claimant's capacity for work. In making this evaluation the Board considers all available evidence, including the claimant's medical history, statements from the claimant and his treating physician, and statements from others who have knowledge of the claimant's situation.

Section 220.114(d) explains how symptoms, such as pain, are evaluated in the sequential evaluation process required in disability adjudication.

Section 220.120 is revised to explain that in determining the claimant's residual functional capacity the Board considers the claimant's symptoms, such as pain, and that such pain or other symptoms may limit the claimant's residual functional capacity beyond what can be determined from anatomical or physiological abnormalities taken alone. Consistent with the revision of § 220.120, a new § 220.135 explains that a claimant's symptoms, such as pain, may cause both exertional and nonexertional limitations. This new section defines those terms. Only when the claimant's impairments and related symptoms impose solely exertional restrictions do the rules set forth in Appendix 2 of this part direct a conclusion.

Appendix 2 contains the medical-vocational guidelines or "grids". The grids direct a finding of disabled or not disabled based on specified limitations combined with the individual's age, education and work experience. The amendment to § 200.00 of Appendix 2 of this part conforms the section to the revised § 220.120.

Collection of Information Requirements

The amendments to this part do not impose information collection and recordkeeping requirements. Consequently, the final rule need not be reviewed by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995.

Regulatory Impact Statement

Prior to publication of this final rule, the Board submitted the rule to the Office of Management and Budget for review pursuant to Executive Order 12866. Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for rules that constitute significant regulatory action, including rules that have an economic effect of \$100 million or more annually. This rule is not a major rule in terms of the aggregate costs involved. Specifically, we have determined that this rule is not a major rule with economically significant effects because it would not result in increases in total expenditures of \$100 million or more per year.