

DEPARTMENT OF JUSTICE**Immigration and Naturalization Service****8 CFR Part 100**

[INS No. 1677-94]

RIN 1115-AD84

DEPARTMENT OF THE TREASURY**Customs Service****19 CFR Part 122**

[T.D. 96-44]

RIN 1515-AB64

Customs/INS Field Organizations; Revocations and Designation of International Airport Status for Customs Services and Ports of Entry for Aliens Arriving by Aircraft

AGENCIES: Immigration and Naturalization Service, Justice; Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the regulations of both the Customs Service (Customs) and the Immigration and Naturalization Service (the Service) pertaining to their respective field organizations. The document removes Eagle Pass Municipal Airport located in Eagle Pass, Texas, as an international airport for Customs purposes and as a port of entry for aliens arriving by vessel or by land transportation for Service purposes. This document also designates Maverick County Airport located in Maverick County, Texas, as a new international airport for Customs purposes and as a port of entry for aliens arriving by vessel, land transportation, or by aircraft for Service purposes. These changes will assist both agencies in their continuing efforts to achieve more efficient use of their personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public.

EFFECTIVE DATE: June 24, 1996.

FOR FURTHER INFORMATION CONTACT:

At Customs Service—Priscilla Frink, Passenger Operations Division, Office of Field Operations, (202) 927-1323; *At Immigration and Naturalization Service*—Andrea Sickler, Assistant Chief Inspector, Office of Inspections, Immigration and Naturalization Service, 425 I Street, N.W., Room 7228, Washington, D.C. 20536, (202) 616-7993.

SUPPLEMENTARY INFORMATION:**Background**

On March 27, 1995, the Customs Service (Customs) and the Immigration

and Naturalization Service (the Service) published a joint notice of proposed rulemaking in the Federal Register (60 FR 15703) that solicited comments concerning proposals to amend their respective regulations regarding their field organizations. Customs proposed amending § 122.13 of the Customs Regulations (19 CFR 122.13), which lists international airports, to reflect (1) The revocations of international airport designations for Ranier International Seaplane Base located in Ranier, Minnesota, and Eagle Pass Municipal Airport located in Eagle Pass, Texas, and (2) the designation of Maverick County Airport located in Maverick County, Texas, as an international airport. Similarly, the Service proposed amending 8 CFR 100.4(c)(2) and (3) which pertain to ports of entry for aliens arriving by vessel, land transportation, or by aircraft, to reflect (1) The removal of the same two ports of entry (Ranier International Seaplane Base in the Service District of St. Paul, Minnesota, and Eagle Pass Municipal Airport in the Service District of San Antonio, Texas), and (2) the designation of Maverick County Airport as a port of entry for the processing of aliens arriving by vessel, land transportation, or by aircraft.

At the time of drafting the joint notice of proposed rulemaking it was believed that the proposed changes to the field organizations of the two agencies would not result in any significant reduction in Customs/Immigration services in those areas. Future Minnesota transactions were to be handled at either Sky Harbor Airport or Crane Lake Seaplane Base, both landing rights airports. Future Texas transactions were to be handled at Maverick County Airport, also a landing rights airport, which was to be designated as an international airport for Customs purposes and a port of entry for Service purposes. The public comment period for the proposed amendments closed May 26, 1995.

Discussion of Comments**Ranier**

Two comments were received, both protesting the revocation/withdrawal of the international airport/port of entry designation for Ranier International Seaplane Base located in Ranier, Minnesota. Both comments stated that revocation of the Ranier International Seaplane Base would be inappropriate because the facility was important to the commercial and private seaplane traffic crossing at the Ontario and Northern Minnesota borders. Accordingly, after further consideration of the matter and discovering that the community has taken action to improve the inspection

facilities at the Seaplane Base and to eliminate unsafe working conditions, Customs and the Service have decided to withdraw their proposal regarding the revocation/withdrawal of international airport/port of entry status for Ranier International Seaplane Base, Minnesota.

Eagle Pass/Maverick

No comments were received regarding the: (1) Revocation/withdrawal of the international airport/port of entry status for Eagle Pass Municipal Airport, Texas, and the (2) designation of Maverick County Airport, Texas, as an international airport/port of entry. Accordingly, after further consideration of this matter, Customs and the Service have decided to proceed with the final rule respecting this change in their field organization. However, it will not be necessary to amend 8 CFR 100.4(c)(3) to remove "Eagle Pass, TX, Eagle Pass Airport" as a port of entry for aliens arriving by aircraft, since this action has already been accomplished by the Service in a final rule published on November 14, 1995, at 60 FR 57165.

Conclusion

Accordingly, Customs and the Service are amending their respective regulations regarding the: (1) Revocation/withdrawal of the international airport/port of entry status for Eagle Pass Municipal Airport, Texas, and the (2) designation of Maverick County Airport, Texas, as an international airport/port of entry. The International Seaplane Base located in Ranier, Minnesota, will continue to provide Customs and Immigration services.

Authority

This change is proposed under the authority of 5 U.S.C. 301, 8 U.S.C. 1103, and 19 U.S.C. 2, 66, and 1624.

Inapplicability of the Regulatory Flexibility Act and Executive Orders 12606, 12612, and 12866

Although the joint notice of proposed rulemaking published solicited public comments, because these regulatory amendments relate to agency management and organization matters, pursuant to the provisions of 5 U.S.C. 553(a)(2), they are not subject to the notice and public procedure requirements. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Pursuant to the provisions of E.O. 12606, the Commissioners of Customs and the Immigration and Naturalization Service certify that they have assessed these amendments in light of the criteria

set forth in that E.O., and determined that this regulation will not have a significant impact on family formation, maintenance, and general well-being.

Pursuant to the provisions of E.O. 12612, it is certified that this regulation has been assessed in light of the principles, criteria, and requirements specified in that E.O. and that they will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, the preparation of a Federalism Assessment is not warranted.

This document does not meet the criteria for a "significant regulatory action" as defined in E.O. 12866.

Drafting Information

The principal author of this document was Gregory R. Vilders, Attorney, Office of Regulations and Rulings, U.S. Customs Service; however, personnel from other offices and agencies participated in its development.

List of Subjects

8 CFR Part 100

Administrative practice and procedure, Organizations and functions (Government agencies).

19 CFR Part 122

Administrative practice and procedure, Air carriers, Aircraft, Airports, Air transportation, Baggage, Customs duties and inspection, Drug traffic control, Imports, Reporting and recordkeeping requirements.

Amendments to the Regulations

Accordingly, part 100 of chapter I of title 8 of the Code of Federal Regulations and part 122 of chapter I of title 19 of the Code of Federal Regulations are amended as follows:

Title 8—Aliens and Nationality

PART 100—STATEMENT OF ORGANIZATION

1. The authority citation for part 100 continues to read as follows:

Authority: 8 U.S.C. 1103; 8 CFR part 2.

§ 100.4 [Amended]

2. In § 100.4, paragraph (c)(2) is amended by:

- a. Removing "Eagle Pass, TX" from the Class A listing under District No. 14—San Antonio, Texas; and by
- b. Adding, in proper alphabetical sequence, "Maverick, TX" to the Class A listing under District No. 14—San Antonio, Texas.

3. In § 100.4, paragraph (c)(3) is amended by adding, in proper alphabetical sequence, "Maverick, TX, Maverick County Airport" to the Class A listing under District No. 14—San Antonio, Texas.

Title 19—Customs Duties

PART 122—AIR COMMERCE REGULATIONS

1. The authority citation for part 122 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 58b, 66, 1433, 1436, 1459, 1590, 1594, 1623, 1624, 1644.; 49 U.S.C. app. 1509.

§ 122.13 [Amended]

2. In § 122.13, the list of international airports is amended by removing "Eagle Pass, Tex.—Eagle Pass Municipal Airport" and adding, in appropriate alphabetical order, "Maverick, Tex.—Maverick County Airport".

Approved: May 2, 1996.

George J. Weise,

Commissioner of Customs.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

April 12, 1996.

Doris Meissner,

Commissioner of Immigration and Naturalization Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM-125; Special Conditions No. 25-ANM-115]

Special Conditions: Dassault Aviation Model Falcon 900EX Airplane; High-Intensity Radiated Fields

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Dassault Aviation Model Falcon 900EX airplane. This airplane is a derivative of the Model Mystere-Falcon 900, which is itself derived from the Mystere-Falcon 50, and will utilize new avionics/electronic systems that provide critical data to the flightcrew. The applicable regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity radiated fields. These special conditions contain the additional safety

standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date of these special conditions is May 14, 1996. Comments must be received on or before June 24, 1996.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, Attn: Rules Docket (ANM-7), Docket No. NM-125, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Office of the Assistant Chief Counsel at the above address. Comments must be marked: Docket No. NM-125. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Thomas Groves, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; telephone (206) 227-1503; facsimile (206) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that good cause exists for making these special conditions effective upon issuance; however, interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and special condition number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this request must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM-125." The postcard will be date stamped and returned to the commenter.

Background

On March 3, 1993, Dassault Aviation, B.P. 24—33701 Merignac CEDEX,