

# Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Part 238

[INS No. 1681-94]

RIN 1115-AD85

#### Contracts With Transportation Lines; Signatory Authority

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

**SUMMARY:** This final rule amends Immigration and Naturalization Service (Service) regulations regarding the listing of preinspection stations and airlines who have entered into agreements with the Service. This rule is necessary so that air carriers, who become signatory to preinspection agreements with the Service, are listed in Service regulations.

**EFFECTIVE DATE:** June 9, 1995.

**FOR FURTHER INFORMATION CONTACT:** Una Brien, Assistant Chief Inspector, Inspections Division, Immigration and Naturalization Service, 425 I Street, NW., Room 7228, Washington, DC 20536, telephone (202) 514-2681.

**SUPPLEMENTARY INFORMATION:** Under the current regulations, air carriers are required to enter into contracts with the Service in order to participate in the preinspection program. Contracts have been signed using Forms I-425 (Agreement for Preinspection) and I-426 (Immediate and Continuous Transit Agreement) under the purview of section 238 of the Immigration and Nationality Act (Act). This rule also adds Dublin, Ireland, to the list of preinspection stations. Accordingly, 8 CFR 238.3 and 8 CFR 238.4 are being amended to include these changes.

#### Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities, as the revisions are administrative in nature and merely update the current listing of preinspection stations and airlines who have entered into agreements with the Service.

#### Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

#### Executive Order 12612

The regulations adopted herein 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, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federal Assessment.

#### Executive Order 12606

The Commissioner of the Immigration and Naturalization Service certifies that she has assessed this rule in light of the criteria in Executive order 12606 and has determined that this regulation will not have an impact on family well-being.

#### List of Subjects in 8 CFR Part 238

Administrative practice and procedures, Air carriers, Aliens, Government contracts, Travel.

Accordingly, part 238 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

#### PART 238—CONTRACTS WITH TRANSPORTATION LINES

1. The authority citation for part 238 continues to read as follows:

#### Federal Register

Vol. 60, No. 111

Friday, June 9, 1995

**Authority:** 8 U.S.C. 1103, 1228; 8 CFR part 2.

#### § 238.3 [Amended]

2. In § 238.3, paragraph (b) is amended by removing "Aeroflot—Soviet Airlines.", "Aeronaves de Mexico, S.A.", "Eastern Airlines, Inc.", "LAP-Lineas Aereas Paraguayas.", Pan Am Express", and "Pan American World Airways, Inc." from the list of carriers.

3. Section 238.3 paragraph (b) is further amended by adding the following airline carriers in alphabetical sequence to read as follows:

#### § 238.3 Aliens in immediate and continuous transit.

\* \* \* \* \*  
(b) \* \* \*

Aero Costa Rica

\* \* \* \* \*

Aeroflot Russian International Airlines

\* \* \* \* \*

Aerovias de Mexico, S.A. de C.V.

\* \* \* \* \*

Gulf Air

\* \* \* \* \*

Lineas Aereas de Paraguay Sociedad Anonima

\* \* \* \* \*

North American

\* \* \* \* \*

Pacific Islands Airways, Inc.

\* \* \* \* \*

Turks and Caicos

\* \* \* \* \*

USAfrica Airways, Inc.

\* \* \* \* \*

4. Section 238.4 is amended by removing "Eastern Airlines, Inc.", and "Pan American World Airways, Inc." at each location that any of these air carriers are listed as signatory to a preinspection agreement.

5. Section 238.4 is further amended by adding the following preinspection stations and airline carriers in alphabetical sequence within each location, to read as follows:

#### § 238.4 Preinspection outside the United States.

\* \* \* \* \*

At Aruba

\* \* \* \* \*

American Trans Air, Inc.

AvAtlantic

Carnival Airlines

Express One International, Inc.

\* \* \* \* \*

At Bermuda \* \* \* \* \*

AvAtlantic \* \* \* \* \*

At Calgary \* \* \* \* \*

Air Niagara Express, Inc. \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

At Dublin

Air Lingus

American Trans Air, Inc.

Delta Airlines

Tower Air

At Edmonton \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

At Freeport \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

At Montreal \* \* \* \* \*

Air Niagara Express, Inc. \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

At Nassau \* \* \* \* \*

Continental \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

Florida Air, Inc. \* \* \* \* \*

At Paradise Island

Express One International \* \* \* \* \*

At Toronto \* \* \* \* \*

Astral Aviation, Inc. d/b/a Skyway Airlines \* \* \* \* \*

Chautauqua Airlines, Inc. d/b/a USAir Express \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

At Shannon

Aer Lingus \* \* \* \* \*

Condor \* \* \* \* \*

Tower Air \* \* \* \* \*

At Vancouver \* \* \* \* \*

Air Niagara Express, Inc. \* \* \* \* \*

Empire Airlines, Inc. \* \* \* \* \*

Express One International, Inc. \* \* \* \* \*

At Winnipeg \* \* \* \* \*

Air Niagara Express, Inc. \* \* \* \* \*

Express One International, Inc.

Dated: June 1, 1995.

**Doris Meissner,**  
*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 95-14124 Filed 6-8-95; 8:45 am]  
BILLING CODE 4410-10-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

##### [Airspace Docket No. 95-AWP-2]

#### Amendment to Class D Airspace; Glendale, AZ and Class E Airspace; Luke Air Force Base (AFB), AZ

**AGENCY:** Federal Aviation Administration [FAA], DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class D airspace area at Glendale, AZ, and Class E airspace area at Luke AFB, AZ. This action is necessary due to the relocation of the Luke AFB TACAN. This amendment will provide adequate Class D and E airspace for instrument flight rules (IFR) operations at these locations.

**EFFECTIVE DATE:** 0901 UTC, September 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Scott Speer, System Management Specialist, System Management Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 297-0010.

#### SUPPLEMENTARY INFORMATION:

##### History

On March 3, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by modifying the Class D airspace area at Glendale, AZ, and Class E airspace area at Luke AFB, AZ (60 FR 13931).

Interested parties were invited to participate in this proposed rulemaking

by submitting written comments to the FAA. No comments were received. Class D and E airspace designations are published in paragraphs 5000 and 6002, respectively, of FAA Order 7400.9B, dated July 18, 1994, and effective September 16, 1994, which is incorporated by reference in 14 CFR 71.1. Class D and E airspace designations listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies the Class D airspace area at Glendale, AZ, and Class E airspace area at Luke AFB, AZ. The relocation of the Luke AFB TACAN has made this action necessary. The intended effect of this action is to provide adequate Class D and E airspace for aircraft executing instrument approach procedures at these locations.

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 a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 10034; 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.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

#### PART 71—[AMENDED]

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

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation