

**FOR FURTHER INFORMATION CONTACT:**

Kathy Randolph, Air Traffic Operations Branch, ACE-530C, Federal Aviation Administration, 601 E. 12th St., Kansas City, MO, 64106; telephone (816) 426-3408.

**SUPPLEMENTARY INFORMATION:**

## History

On August 2, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing Class E airspace at the new Clay County Regional Airport, Mosby, MO (61 FR 40365). The proposed action would provide controlled airspace to accommodate the new SIAP to Clay County Regional Airport.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace areas extending from 700 feet or more above the surface of the earth are published in paragraphs 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation 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) establishes the Class E airspace area at Mosby, MO, by providing additional controlled airspace for aircraft executing the new SIAP to the airport.

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 11034; 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

Aviation, Incorporation by reference, Navigation (air).

## Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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. 106(g); 40103, 40113 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

*Paragraph 6005 Class E airspace areas extending from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

ACE MO E5 Mosby, MO [New]

Clay County Regional Airport  
(Lat. 39°19'50"N., long. 94°18'36"W.)  
Mosby NDB  
(Lat. 39°20'46"N., long 94°18'27"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Clay County Regional Airport and within 2.5 miles each side of the 007° bearing from the Mosby NDB extending from the 6.4-mile radius of 7.9 miles north of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on September 12, 1996.

Jack L. Skelton,  
*Acting, Manager, Air Traffic Division, Central Region.*

[FR Doc. 96-25127 Filed 10-1-96; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 71**

[Docket No. 96-ACE-8]

**Amendment to Class E Airspace, McCook, NE**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This rule amends the Class E airspace area at McCook Municipal Airport, McCook, NE. The effect of this rule is to provide additional controlled airspace for aircraft executing the new Standard Instrument Approach Procedure (SIAP) at McCook Municipal Airport and departing aircraft to transition into controlled airspace.

**EFFECTIVE DATES:** 0901 UTC October 10, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Randolph, Air Traffic Division, Operations Branch, ACE-530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the Federal Register on July 17, 1996 (61 FR 37204). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on October 10, 1996. No adverse comments were received, and thus, this notice confirms that this final rule will become effective on that date.

Issued in Kansas City, MO, on August 21, 1996.

Donovan D. Schardt,  
*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 96-25125 Filed 10-1-96; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 71**

[Docket No. 96-ACE-10]

**Amendment to Class E Airspace, Seward, NE**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This rule amends the Class E airspace area at Seward Airport, Seward, Nebraska. The effect of this rule is to provide additional controlled airspace for aircraft executing the new Standard Instrument Approach Procedure (SIAP) at Seward Airport and departing aircraft to transition into controlled airspace.

**EFFECTIVE DATE:** 0901 UTC October 25, 1996.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Operations Branch, ACE-530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the Federal Register on August 6, 1996 (61 FR 40718). The FAA uses the direct final

rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on October 25, 1996. No adverse comments were received, and thus this notice confirms that this final rule will become effective on that date.

Issued in Kansas City, MO, on September 16, 1996.

Herman J. Lyons, Jr.,  
*Manager, Air Traffic Division, Central Region.*  
 [FR Doc. 96-25128 Filed 10-1-96; 8:45 am]  
 BILLING CODE 4910-13-M

## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 101

[T.D. 96-68]

#### Customs Service Field Organization— Corpus Christi, Freeport and Port Lavaca-Point Comfort, Texas as Ports of Entry

**AGENCY:** U.S. Customs Service,  
 Department of the Treasury.

**ACTION:** Final rule; technical correction.

**SUMMARY:** This document corrects an error in the Customs Regulations regarding the listing of ports of entry in the State of Texas as the listing does not reflect the proper status of Corpus Christi, Freeport and Port Lavaca-Point Comfort as separate ports of entry. This technical correction has no operational impact, since all three of these locations have consistently operated as separate ports of entry, notwithstanding the technical error in the Customs Regulations.

**EFFECTIVE DATE:** October 2, 1996.

**FOR FURTHER INFORMATION CONTACT:**  
 Harry Denning, Office of Field  
 Operations, Resource Management  
 Division, (202) 927-0196.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

It has come to the attention of the Customs Service that the listing of the ports of entry in the State of Texas in § 101.3, Customs Regulations (19 CFR 101.3) does not reflect the proper status of Corpus Christi, Freeport and Port Lavaca-Point Comfort as separate ports of entry.

When Customs amended its regulations in T.D. 95-77, published in the Federal Register (60 FR 50008) on September 27, 1995, to reflect Customs new organizational structure, the listing of Customs ports of entry in § 101.3 was redrafted, for ease of reference, to list the ports of entry by State. Previously, the listing of ports was organized by districts and regions. Districts and regions were eliminated in Customs new organizational structure set forth in T.D. 95-77.

Despite the fact that the port description of the Houston-Galveston consolidated port in T.D. 95-77 merely reiterated a previously published description of the port (with minor editorial changes), the new method of listing the ports of entry in § 101.3 set forth in T.D. 95-77 first brought to the attention of certain readers of the Customs Regulations that Corpus Christi, Freeport and Port Lavaca-Point Comfort, Texas, were not listed as separate ports of entry, but were included within the consolidated port of entry of Houston-Galveston. Corpus Christi, Freeport and Port Lavaca-Point Comfort have consistently operated as separate ports, with separate port codes.

Research reveals that the incorrect description of the Houston-Galveston port stems from an earlier punctuation error—periods were inadvertently converted to commas—in the regulations by T.D. 83-209, published in the Federal Register (48 FR 45538) on October 6, 1983. This typographical error has been carried forward in each volume of the regulations since that date. T.D. 83-209, the purpose of which was to reflect a 1983 reorganization of Customs field organization, was intended to have no effect on services provided by Customs. However, because of the punctuation errors, Corpus Christi, Freeport and Port Lavaca-Point Comfort appeared as part of the description of the Houston-Galveston port of entry rather than as separate port of entry listings under the Houston-Galveston district.

Further research reveals that this listing was in error because when the districts and ports of Galveston and Houston were consolidated in 1981 pursuant to T.D. 81-160, the port limits of the consolidated port of entry of Houston and Galveston were set forth to encompass Galveston, including Port Bolivar and Texas City, Texas, and the area within the present Houston, Texas limits including territory described in T.D. 54409. Corpus Christi, Freeport and Port Lavaca-Point Comfort were listed as separate ports of entry in the Houston-Galveston consolidated district in T.D. 81-160. It is noted that the port limits

of the consolidated port of Houston-Galveston were later amended by T.D. 82-15, but that change also did not affect Corpus Christi, Freeport or Port Lavaca-Point Comfort.

In accordance with the above discussion, in this document, Customs is correcting the listing of the ports of entry in the State of Texas in § 101.3 of the Customs Regulations to accurately reflect that Corpus Christi, Freeport and Port Lavaca-Point Comfort, which have consistently operated as separate ports of entry with separate port codes, are indeed separate ports of entry, outside the Houston-Galveston consolidated port of entry.

Regulatory Flexibility Act, Executive Order 12866, Inapplicability of Public Notice and Comment Requirements, and Delayed Effective Date Requirements

Inasmuch as this document relates to agency management, merely corrects a typographical error and has no operational impact, it is not subject to the notice and public procedure requirements or the delayed effective date requirements of 5 U.S.C. 553. Because the document relates to agency management and organization and is not subject to notice and public comment, the document is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 or 604. Agency organization matters such as this are exempt from Executive Order 12866.

#### List of Subjects in Part 101

Customs duties and inspection, Harbors, Organization and functions (Government agencies), Seals and insignia, Vessels.

#### Amendments to the Regulations

For the reasons set forth in the preamble, part 101 of the Customs Regulations (19 CFR part 101) is amended as set forth below:

#### **PART 101—GENERAL PROVISIONS**

1. The general authority citation for part 101 and the relevant specific authority citation continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1623, 1624.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

\* \* \* \* \*

2. In the table under § 101.3(b)(1), the listings for the State of Texas are amended by revising the entry for Houston—Galveston and adding in appropriate alphabetical order entries