

under the PORTPASS: one concerns travelers that enter the U.S. through designated lanes at busy Port of Entry (POE) crossings (the Dedicated Commuter Lane (DCL) program); the other concerns local residents who enter the U.S. at remote land border crossings (the Automated Permit Port (APP) program). Participation in PORTPASS is voluntary and, because such participation constitutes an exception to the normal reporting and presentation for inspection requirements contained at 19 CFR 123.1, participants must agree to abide by certain conditions and restrictions.

Because PORTPASS program specifics are provided for under the INS Regulations (title 8 of the Code of Federal Regulations), Customs decided to provide notice of PORTPASS by cross referencing those INS Regulations in the Customs Regulations. Accordingly, on September 12, 1996, Customs published a notice of proposed rulemaking in the **Federal Register** (61 FR 48100) that solicited comments concerning a proposal to amend § 123.1 of the Customs Regulations (19 CFR 123.1) to reference §§ 235.13 and 286.8 of the INS regulations (8 CFR 235.13 and 286.8) which provide for the PORTPASS.

The public comment period for the proposed amendment closed November 12, 1996. One comment was received, which, although discussed below, was not within the scope of the proposed amendment to the Customs Regulations. Accordingly, Customs has decided to adopt the proposed amendment to Part 123 of the Customs Regulations without change.

Discussion of Comment

Comment: One comment was received from the Air Transport Association of America which, while applauding Customs effort to facilitate the low risk land-border traveler, inquired if such innovations would be expanded to the airport inspection environment.

Customs response: A number of initiatives unique to the air environment are available to benefit the air passenger. The preclearance program is designed to expedite entry into the United States for air passengers traveling directly into the United States from Canada and the Caribbean; the Advanced Passenger Information System is designed to facilitate entry into the United States for passengers on participating carriers; and the General Aviation Telephonic Entry Program, currently being tested (see, 61 FR 46902), which provides telephonic entry into the United States for qualifying general aviation aircraft entering the United States from Canada has been developed for private aircraft.

Other additional methods to further expedite air passengers are currently under consideration as part of the National Performance Review (NPR).

Inapplicability of the Regulatory Flexibility Act and Executive Order 12866

Pursuant to provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), it is certified that the amendment will not have a significant economic impact on a substantial number of small entities, as the amendment concerns the entry status of individuals. Accordingly, the amendment is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604. This amendment does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

Drafting Information

The principal author of this document was Gregory R. Vilders, Attorney, Regulations Branch. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 123

Administrative practice and procedure, Aliens, Canada, Customs duties and inspection, Fees, Forms, Immigration, Imports, Mexico, Reporting and recordkeeping requirements, Test programs.

Amendment to the Regulations

For the reasons stated above, part 123 of the Customs Regulations (19 CFR part 123) is amended as set forth below:

PART 123—CUSTOMS RELATIONS WITH CANADA AND MEXICO

1. The general authority citation for part 123 continues to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1431, 1433, 1624.
* * * * *

2. In § 123.1, the first sentence in paragraph (a) is amended by adding the words ", unless excepted by voluntary enrollment in and compliance with PORTPASS—a joint Customs Service/ Immigration and Naturalization Service facilitated entry program (See, Immigration and Naturalization Regulations at 8 CFR 235.13)," after the words "Individuals arriving in the United States"; and, paragraph (b) is amended by removing the second and third sentences and adding, in their place, the sentence that reads as follows:

§ 123.1 Report of arrival from Canada or Mexico and permission to proceed.

* * * * *

(b) *Vehicles.* * * * Upon arrival of the vehicle in the U.S., the driver, unless he or she and all of the vehicle's occupants are excepted by enrollment in, and in compliance with, PORTPASS—a joint Customs Service/ Immigration and Naturalization Service facilitated entry program (See, Immigration and Naturalization Regulations at 8 CFR 235.1 and 286.8), immediately shall report such arrival to Customs, and shall not depart or discharge any passenger or merchandise (including baggage) without authorization by the appropriate Customs officer.

* * * * *

George J. Weise,
Commissioner of Customs.

Approved: May 21, 1997.

Dennis M. O'Connell,
Acting Deputy Assistant Secretary of the Treasury.
[FR Doc. 97-15329 Filed 6-11-97; 8:45 am]
BILLING CODE 4820-02-P

DEPARTMENT OF JUSTICE

28 CFR Part 0

[DEA-157F]

Redelegation of Functions; Delegation of Authority to Drug Enforcement Administration Official

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: The Drug Enforcement Administration (DEA), Department of Justice, is amending the appendix to the Justice Department regulations which redelegate certain functions and authorities vested in the Attorney General by the Controlled Substances Act and the Chemical Diversion and Trafficking Act of 1988 and are redelegated to the Administrator of the Drug Enforcement Administration to make technical corrections to reflect changes in position titles and to add listed chemicals, tableting machines and encapsulating machines to the things which a subpoena may regard.

EFFECTIVE DATE: June 12, 1997.

FOR FURTHER INFORMATION CONTACT: G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC, Telephone (202) 307-7297.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act (CSA) (21 U.S.C. 801 *et seq.*) and subsequent

amendments establishes a comprehensive system of controls over the manufacture, distribution, dispensing, importation and exportation of controlled substances, listed chemicals, tableting machines and encapsulating machines. The CSA and subsequent amendments allow the Attorney General to subpoena witnesses, compel the attendance and testimony of witnesses, and the production of records which the Attorney General finds relevant or material in any investigation relating to the Attorney General's functions under the CSA (21 U.S.C. 875 and 876).

The Attorney General has delegated her functions under the CSA to the Administrator of the Drug Enforcement Administration and authorized the Administrator to redelegate any of his functions to any of his subordinates. See 21 U.S.C. 871(a), 28 CFR 0.100(b) and 28 CFR 0.104. To further enhance the administration of the CSA and its attendant regulations the Administrator has further redelegated to the Deputy Administrator the authority to carry out or to redelegate any of the functions which may be vested in the Administrator which are not specifically assigned or reserved by him. The Acting Deputy Administrator is amending the Appendix to Subpart R Section 4(a) of 28 CFR 0.104 to properly identify previously designated officials who have been assigned new job titles, and is adding individuals with newly titled positions with the delegated authority to sign and issue subpoenas under 21 U.S.C. 875 and 876. The Acting Deputy Administrator is also amending the Appendix to Subpart R Section 4(a) to add listed chemicals, tableting machines and encapsulating machines to the list of materials to which a subpoena may refer, thereby incorporating the additions made by the Chemical Diversion and Trafficking Act of 1988.

The Acting Deputy Administrator certifies that this action will have no impact on entities whose interests must be considered under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This action relates only to the organization of functions within DEA. As such, it is not a significant regulatory action under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget and does not require certification under Executive Order 12778. This action has been analyzed in accordance with Executive Order 12616. It has been determined that this matter has no federalism implications which would require preparation of a federalism assessment.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies), Organizations and functions (Government agencies).

For the reasons set forth above, and pursuant to the authority vested in the Deputy Administrator of the Drug Enforcement Administration by 28 CFR 0.100 and 0.104 and 21 U.S.C. 871, Title 28 of the Code of Federal Regulations, part 0, appendix to Subpart R, Redelegation of Functions, is amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

1. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301, 3151; 28 U.S.C. 509, 510, 515–519.

2. The Appendix to Subpart R is amended by revising Section 4(a) to read as follows:

Appendix to Subpart R—Redelegation of Functions

* * * * *

Sec. 4. Issuance of subpoenas. (a) The Chief Inspector of the DEA; the Deputy Chief Inspector and Associate Deputy Chief Inspector of the Office of Professional Responsibility of the DEA; all Special Agents-in-Charge of the DEA and the FBI; DEA Inspectors assigned to the Inspection Division; DEA Associate Special Agents-in-Charge; DEA and FBI Assistant Special Agents-in-Charge; DEA Resident Agents-in-Charge; DEA Diversion Program Managers; and FBI Supervisory Senior Resident Agents are authorized to sign and issue subpoenas with respect to controlled substances, listed chemicals, tableting machines and/or encapsulating machines under 21 U.S.C. 875 and 876 in regard to matters within their respective jurisdictions.

* * * * *

Dated: June 4, 1997.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 97–15316 Filed 6–11–97; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Parts 356 and 357

Sale and Issue of Marketable Book-Entry Treasury Bills, Notes and Bonds (Department of the Treasury Circular, Public Debt Series No. 1–93); Regulations Governing Book-Entry Treasury Bonds, Notes and Bills (Department of the Treasury Circular, Public Debt Series No. 2–86); Corrections

AGENCY: Bureau of the Public Debt, Fiscal Service, Department of the Treasury.

ACTION: Final rule; correction.

SUMMARY: The Fiscal Service published in the **Federal Register** of August 23, 1996, January 6, 1997 and April 11, 1997, documents revising regulations concerning book-entry Treasury bills, notes and bonds. This document corrects the amendatory instructions for two revisions to 31 CFR Part 356 and one in 31 CFR Part 357. This correction clarifies which provisions of 31 CFR 356.12(b), 356.17(b) and 357.20 are amended.

EFFECTIVE DATES: The correction to § 356.17 is effective on January 1, 1997; the correction to § 356.12 is effective January 6, 1997; the correction to § 357.20 is effective March 10, 1997.

FOR FURTHER INFORMATION CONTACT: Jacqueline L. Jackson, Attorney, Office of the Chief Counsel, Bureau of the Public Debt (202) 219–3485.

SUPPLEMENTARY INFORMATION: The Fiscal Service published documents in the issues of the **Federal Register** for August 23, 1996 (61 FR 43636), and January 6, 1997 (62 FR 846), revising text in Sections 356.12(b)(2) and 356.17(b) and April 11, 1997 (62 FR 18004) revising text in Section 357.20. This correction clarifies the amendatory instructions that described the intended revisions.

Correction

§ 356.17 [Corrected]

A. In final rule document 96–21488, beginning on page 43636 in the **Federal Register** issue of August 23, 1996, make the following correction. On page 43637, in the third column, correct instruction No. 12 to read as follows:

12. In § 356.17(b), the introductory paragraph is revised to read as follows:

§ 356.12 [Corrected]

B. In final rule document 96–33396, beginning on page 846 in the **Federal Register** issue of January 6, 1997, make the following corrections. On page 851,