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Jean A. Webb,

Secretary to the Commission.

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 101 and 122

[T. D. 95-62]

Establishment of New Port-Rockford, Illinois

AGENCY: Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations pertaining to Customs field organization by establishing a new port of entry in the Customs District of Chicago, Illinois, North Central Region at Rockford, Illinois, and by deleting Greater Rockford Airport from the list of user fee airports. The new port of entry will include Greater Rockford Airport, which is currently operated as a user fee airport. This change will assist the Customs Service in its continuing efforts to achieve more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public.

EFFECTIVE DATE: September 13, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Brad Lund, Office of Field Operations, 202-927-0192.

SUPPLEMENTARY INFORMATION:

Background

In order to achieve more efficient use of its personnel, facilities, and resources, and in order to provide better service to carriers, importers, and the public in the North Central Region, Customs is amending its regulations to include Rockford, Illinois, as a port of entry. The new port of entry will include Greater Rockford Airport, which is currently, but will no longer be, a user fee airport. Section 101.3, Customs Regulations (19 CFR 101.3) is amended to add Rockford, Illinois to the list of Customs ports, and § 122.15, Customs Regulations (19 CFR 122.15) is amended by removing Greater Rockford Airport from the list of user fee airports.

In a Notice of Proposed Rulemaking published in the **Federal Register** on

October 5, 1994 (59 FR 50717), Customs proposed these regulatory changes because it believes that there is sufficient justification for the establishment of a new port of entry at Rockford, Illinois.

Analysis of Comments

In its Notice of Proposed Rulemaking, Customs invited the public to comment on the proposed establishment of Rockford as a new port. One comment was received. The commenter stated that importer costs were reduced and that the time for Customs clearance and delivery of goods was reduced from 3 or 4 days to 1 day once Rockford became a user fee airport. He predicted that once Rockford becomes a full port of entry, the perceived permanency of the operation would encourage more companies to clear their imports at Rockford, thereby reducing the workload at other ports. He concluded that Rockford's new port status would benefit both Rockford and the Customs Service.

Conclusion

Inasmuch as the only comment received from the public was a positive one, the proposed amendments are adopted.

Description of Port Limits

The geographical limits of the new port of Rockford, Illinois, which include Greater Rockford Airport, are as follows:

Bounded to the north by the Illinois/Wisconsin border; bounded to the west by Illinois State Route 26; bounded to the south by Illinois State Route 72; and bounded to the east by Illinois State Route 23 north to the Wisconsin/Illinois border.

Regulatory Flexibility Act and Executive Order 12866

Customs routinely establishes, expands, and consolidates Customs ports of entry throughout the United States to accommodate the volume of Customs-related activity in various parts of the country. Thus, although a Notice of Proposed Rulemaking was issued with notice for public comment, because this matter relates to agency management and organization it is not subject to the notice and public procedure requirements of 5 U.S.C. 553. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Because this document relates to agency organization and management, it is not subject to Executive Order 12866.

Drafting Information

The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

Lists of Subjects

19 CFR Part 101

Customs duties and inspection, Exports, Imports, Organization and functions (Government agencies).

19 CFR Part 122

Air carriers, Aircraft, Airports, Customs duties and inspection, Freight.

Amendments to the Regulations

For the reasons set forth above, parts 101 and 122 of the Customs Regulations (19 CFR parts 101 and 122) are amended as set forth below.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 continues 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 (HTSUS)), 1623, 1624.

§ 101.3 [Amended]

2. Section 101.3(b) containing the list of Customs regions, districts and ports of entry is amended by adding "Rockford, Ill. (T.D. 95-62)" in the appropriate alphabetical order in the "Ports of Entry" column in the Chicago, Illinois district of the North Central Region.

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.

2. The list of user fee airports in § 122.15(b) is amended by removing the words "Rockford, Ill." from the "Location" column and by removing the words "Greater Rockford Airport" on the same line from the adjacent "Name" column.

George J. Weise,

Commissioner of Customs.

Approved: July 31, 1995.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

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