

# Rules and Regulations

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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.

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Part 214

[INS No. 1727-95]

RIN 1115-AE22

#### Adding Daytona, Florida and Memphis, Tennessee to the List of Ports of Entry Accepting Applications for Direct Transit Without Visa

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Final rule.

**SUMMARY:** This rule amends the Immigration and Naturalization Service (the Service) regulations by adding Daytona, Florida, and Memphis, Tennessee, to the list of ports of entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, an alien must make application for admission to the United States for direct transit without visa. This change is necessary to accommodate the increase in international commerce serving Daytona, Florida, and Memphis, Tennessee.

**EFFECTIVE DATE:** September 22, 1995.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Hutnick, Assistant Chief Inspector, Immigration and Naturalization Service, 425 I Street, NW., Room 7228, Washington, DC 20536, telephone number (202) 616-7499.

**SUPPLEMENTARY INFORMATION:** This final rule adds Daytona, Florida, and Memphis, Tennessee, to 8 CFR 214.2(c)(1) as ports of entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, application for direct transit without visa must be made. The Daytona Beach International Airport in Daytona, Florida, will be

adding additional international passenger service, specifically arrivals transiting between Frankfurt, Germany, and San Andrés, Colombia. The Memphis International Airport in Memphis, Tennessee, has added international passenger service which will be arriving from Amsterdam, The Netherlands, transiting to Canada, Mexico, and the Caribbean. By allowing these airports to accept applications for direct transit without visa, both Daytona and Memphis will be able to accommodate these transit air passengers.

The Service's implementation of this rule as a final rule is based on the "good cause" exception found at 5 U.S.C. 553(d)(3). The reasons and necessity for immediate implementation are as follows: This rule is necessary to accommodate the increase in international carriers serving Daytona, Florida, and Memphis, Tennessee, and to facilitate travel for the public.

#### 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. This rule merely allows the Daytona, Florida, and the Memphis, Tennessee, airports to accommodate international passengers by providing authority to accept applications for direct transit without visa. This rule with facilitate travel for the public.

#### 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 regulation proposed 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 Federalism Assessment.

#### List of Subjects in 8 CFR Part 214

Administrative practice and procedure, Aliens, Passports and Visas.

Accordingly, part 214 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

#### PART 214—NONIMMIGRANT CLASSES

1. The authority citation for part 214 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282; 8 CFR part 2.

#### § 214.2 [Amended]

2. In § 214.2, paragraph (c)(1) is amended, in the fourth sentence, by adding "Daytona, FL," immediately after "Dallas, TX," and by adding "Memphis, TN," immediately after "Los Angeles, CA," to the listing of ports of entry authorized to accept direct transit without visa applications.

Dated: September 13, 1995.

Doris Meissner,

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 95-23500 Filed 9-21-95; 8:45 am]

BILLING CODE 4410-01-M

## DEPARTMENT OF ENERGY

### 10 CFR Parts 210, 211, 212, 303, 305, 459, 465, 730, 761, 762, 763, 790, 791, 792, 794, 796, 797, 798, 799, and 1020

#### Removal of Obsolete Regulations

**AGENCY:** Department of Energy.

**ACTION:** Final rule.

**SUMMARY:** The Department of Energy is amending the Code of Federal Regulations (CFR) to remove obsolete regulations. This action is being taken in response to the President's Regulatory Reform Initiative to eliminate obsolete regulations and streamline existing rules. The Department has targeted 33 percent of all CFR pages for elimination, and has now completed the elimination of 21 percent of all such pages.

**EFFECTIVE DATE:** October 23, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Romulo L. Diaz, Jr., Director, Rulemaking Support, Office of the General Counsel, (GC-75), U.S.