

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-ACE-34]

**Amendment to Class E Airspace;
Kansas City, MO**AGENCY: Federal Aviation
Administration [FAA], DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects an error in the study number of a final rule that was published in the **Federal Register** on September 13, 1999 (64 FR 49376), Airspace Docket No. 98-ACE-34.

EFFECTIVE DATE: October 4, 1999.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 99-23725, Airspace Docket No. 98-ACE-34, published in September 13, 1999 (64 FR 49376), revised the description of the Class E airspace area at Kansas City, MO. An error was noted in the study number of Kansas City, MO. This action corrects that error.

Corrections to Final Rule

Accordingly, pursuant to the authority delegated to me, the study number, Airspace Docket No. 98-ACE-34 for Kansas City, MO, as published in the **Federal Register** on September 13, 1999 (64 FR 49376), (**Federal Register** Document 99-23725, page 49376, Column 1), is corrected as follows:

By removing study number [Airspace Docket No. 98-ACE-34] and substituting [Airspace Docket No. 99-ACE-34].

Issued in Kansas City, MO, on September 22, 1999.

Herman L. Lyons, Jr.,

Manager, Air Traffic Division Central Region.
[FR Doc. 99-25730 Filed 10-1-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 122

[T.D. 99-71]

RIN 1515-AC51

Flights To and From CubaAGENCY: U.S. Customs Service,
Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to provide that aircraft and passengers departing the U.S. for, or entering the U.S. from, Cuba must depart or enter through either the John F. Kennedy International Airport, Jamaica, New York; the Los Angeles International Airport, Los Angeles, California; or the Miami International Airport, Miami, Florida. At present, such aircraft and passengers may depart or enter only through the Miami International Airport. The change is in accordance with a statement by the President that direct passenger flights would be authorized between Cuba and some cities in the U.S. besides Miami, in order to facilitate licensed travel to and from Cuba, including family reunification for Cuban resident aliens and U.S. citizens of Cuban heritage living in U.S. cities other than Miami. To this end, the Department of State and the National Security Council have specifically directed that direct charter passenger flights by persons that possess a valid Office of Foreign Assets Control Carrier Service Provider authorization may operate between Cuba and the two additional U.S. airports.

EFFECTIVE DATE: October 4, 1999.

FOR FURTHER INFORMATION CONTACT: Margaret R. Fearon, Office of Field Operations, 202-927-0494.

SUPPLEMENTARY INFORMATION:

Background

In part 122, Customs Regulations, subpart O, consisting of §§ 122.151-122.158 (19 CFR 122.151-122.158), sets forth special Customs procedures that apply to all aircraft except public aircraft that depart or enter the U.S. to or from Cuba.

In particular, § 122.153, Customs Regulations (19 CFR 122.153), provides that unless otherwise authorized by the Assistant Commissioner, Field Operations, Customs Headquarters, the owner or person in command of an aircraft clearing the U.S. for, or entering from, Cuba, must clear or obtain permission to depart from, or enter at, the Miami International Airport, Miami, Florida.

In addition, § 122.154, Customs Regulations (19 CFR 122.154), requires that the person in command of the aircraft furnish advance notice of arrival at least one hour before crossing the U.S. coast or border. The notice must be given either through the Federal Aviation Administration flight notification procedure or directly to the Customs officer in charge at the Miami International Airport.

Flights Between Cuba and Additional Cities in the U.S.

In a statement issued on January 5, 1999, the President announced a series of humanitarian measures designed to reach out to and ease the plight of the Cuban people, and to help them prepare for a democratic future. As one of these measures, the President authorized the restoration of flights between Cuba and some cities in the U.S. in addition to Miami. The purpose of this measure is to facilitate licensed travel to and from Cuba, including family reunification for Cuban resident aliens and U.S. citizens of Cuban heritage living in U.S. cities other than Miami.

To this end, the Department of State and the National Security Council have specifically directed that direct charter passenger flights by persons that possess a valid Office of Foreign Assets Control Carrier Service Provider authorization may operate between Cuba and two additional U.S. airports—the John F. Kennedy International Airport in Jamaica, New York, and the Los Angeles International Airport in Los Angeles, California.

Accordingly, §§ 122.153 and 122.154 are amended to reflect that flights between Cuba and the U.S. will be permitted at these two additional U.S. airports.

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

Pursuant to the provisions of 5 U.S.C. 553(a)(1), public notice and comment procedure is not applicable to this rule because the rule falls within the foreign affairs function of the United States. In this regard, as noted, the rule implements a January 5, 1999, announcement by the President that direct passenger flights would be authorized to and from Cuba and other U.S. cities in addition to Miami, as part of a humanitarian effort designed to reach out to and ease the plight of the Cuban people, and to help them prepare for a democratic future. The Department of State and the National Security Council have specifically directed that passenger flights be permitted between

Cuba and the U.S. through the John F. Kennedy International Airport in Jamaica, New York, and the Los Angeles International Airport in Los Angeles, California.

Because this document is not subject to the requirements of 5 U.S.C. 553, delayed effective date requirements are not applicable, and the document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because the document involves a foreign affairs function of the United States, it is not subject to the provisions of E.O. 12866.

List of Subjects in 19 CFR Part 122

Administrative practice and procedure, Air carriers, Aircraft, Airports, Air transportation, Cuba, Customs duties and inspection, Entry procedure, Organization and functions (Government agencies), Reporting and recordkeeping requirements, Security measures.

Amendments to the Regulations

Accordingly, part 122, Customs Regulations (19 CFR part 122), is amended as set forth below.

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, 1448, 1459, 1590, 1594, 1623, 1624, 1644, 1644a.

2. Section 122.153 is revised to read as follows:

§ 122.153 Limitations on airport of entry or departure.

The owner or person in command of any aircraft clearing the U.S. for, or entering the U.S. from, Cuba, whether the aircraft is departing on a temporary sojourn, or for export, must clear or obtain permission to depart from, or enter at, the Miami International Airport, Miami, Florida; the John F. Kennedy International Airport, Jamaica, New York; or the Los Angeles International Airport, Los Angeles, California, and comply with the requirements in this part unless otherwise authorized by the Assistant Commissioner, Office of Field Operations, Customs Headquarters.

3. Section 122.154 is amended by revising paragraph (b)(2) to read as follows:

§ 122.154 Notice of arrival.

* * * * *

(b) *Procedure for giving advance notice of arrival.* * * *

* * * * *

(2) Directly to the Customs officer in charge at the Miami International Airport, Miami, Florida; the John F. Kennedy International Airport, Jamaica, New York; or the Los Angeles International Airport, Los Angeles, California, whichever is applicable.

* * * * *

Raymond W. Kelly,

Commissioner of Customs.

Dated: September 15, 1999.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 99-25689 Filed 10-1-99; 8:45 am]

BILLING CODE 4820-02-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD08-99-052]

RIN 2115-AE46

Special Local Regulations; Tall Stacks 1999; Ohio River Mile 467.0-475.0, Cincinnati, OH

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for Tall Stacks 1999. This event will be held from 6 a.m. on October 13, 1999 through 12:01 a.m. on October 18, 1999 on the Ohio River near Cincinnati, Ohio. These regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: These regulations are effective from 6 a.m. on October 13, 1999, until 12:01 a.m. on October 18, 1999.

ADDRESSES: Unless otherwise indicated, all documents referred to in this document are available for review at Marine Safety Office, Louisville, 600 Martin Luther King Jr. Place, Room 360, Louisville, KY 40202-2230.

FOR FURTHER INFORMATION CONTACT: Lieutenant Jeff Johnson, Chief, Port Management Department, USCG Marine Safety Office, Louisville, KY at (502) 582-5194, ext. 39.

SUPPLEMENTARY INFORMATION:

Regulatory History

In accordance with 5 U.S.C. 553, a notice of proposed rule making for these regulations has not been published, and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rule making procedures would be impracticable. The details of the event were not finalized in sufficient time to publish proposed rules in advance of

the event or to provide for a delayed effective date.

Background and Purpose

The marine event requiring this regulation is Tall Stacks 1999, which is a national celebration of the steamboating era in America. The event is sponsored by the Greater Cincinnati Tall Stacks Commission. There will be boat races and parade cruises on the Ohio River between miles 467.0 to 475.0, mid-channel. Non-participating vessels will be able to transit the area when the river is reopened after each race and parade cruise.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because of the event's short duration.

Small Entities

The Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, that this temporary rule will not have a significant economic impact on a substantial number of small entities because of the event's short duration and the regularly scheduled river openings during the event.

Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism Assessment

The Coast Guard has analyzed this action in accordance with the principles and criteria of Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2-1, paragraph (34)(h) of Commandant