

**Federal Register** a notice of proposed rulemaking and request for comment on the subject. The Census Bureau did not receive any public comments.

**Program Requirements**

In order to clarify and update the general rules applying to the Age Search Program, the Census Bureau is making the following four amendments to Title 15, Code of Federal Regulations (CFR), parts 50 and 80:

- Amend Section 50.1 to change the time frame from 120 days to 90 days for submitting any required additional information after completing an initial, unsuccessful search. This change is inconsistent with current policy on the issue.
- Amend Section 50.5 to update the note following the chart on the fee structure. The Census Bureau has not had a fee increase since 1993.
- Amend Section 80.1 to clarify the procedures for releasing census information. This change is consistent with current policy on the issue.
- Amend Section 80.1 to reflect the current address.

**Regulatory Flexibility Act**

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this rule would not have a significant economic impact on a substantial number of small entities. The factual basis for this certification was published with the proposed rule. No comments were received regarding the economic impact of this rule. As a result, no final regulatory flexibility analysis was prepared.

**Executive Orders**

This rule has been determined to be not significant for purposes of Executive Order 12866. This rule does not contain policies with federalism implications as that term is defined in Executive Order 13132.

**Paperwork Reduction Act**

This notice contains a collection of information requirements subject to the Paperwork Reduction Act. The Form BC-600, referenced in the amended language for section 80.1, has been cleared under OMB control number 0607-0117.

**List of Subjects**

15 CFR Part 80

Census data, Population census, Statistics.

15 CFR Part 80

Census data, Population census, Statistics.

■ For reasons set out in the preamble, 15 CFR parts 50 and 80 are amended as follows:

**PART 50—SPECIAL SERVICES AND STUDIES BY THE BUREAU OF THE CENSUS**

■ 1. The authority citation for 15 CFR part 50 continues to read as follows:

**Authority:** Sec. 3, 49 Stat. 293, as amended; and 15 U.S.C. 192a. Interprets or applies Sec. 1, 40 Stat. 1256, as amended; Sec. 1, 49 Stat. 292; Sec. 8, 60 Stat. 1013, as amended; 15 U.S.C. 192, 189a; and 13 U.S.C. 8.

■ 2. Amend § 50.1 by revising paragraph (d) to read as follows:

**§ 50.1 General.**

\* \* \* \* \*

(d) If a search is unsuccessful and additional information for a further search is requested by the Census Bureau, such information must be received within 90 days of the request or the case will be considered closed. Additional information received after 90 days must be accompanied by a new fee and will be considered a new request.

■ 3. Amend § 50.5 by revising the following note on the chart to read as follows:

**§ 50.5 Fee structure for age search and citizenship information.**

\* \* \* \* \*

**Note.**—The \$10.00 for each full schedule requested is in addition to the \$40.00 transcript fee.

**PART 80—FURNISHING PERSONAL CENSUS DATA FROM CENSUS OF POPULATION SCHEDULES**

■ 1. The authority citation for 15 CFR part 80 continues to read as follows:

**Authority:** Sec. 1, Pub. L. 83-1158, and 68 Stat. 1013 (13 U.S.C. 8).

■ 2. Amend § 80.1 by revising paragraphs (c) and (g) to read as follows:

**§ 80.1 General requirements.**

\* \* \* \* \*

(c) Requests for information from decennial census of population records (herein “Census Information”) should be made available on Form BC-600, which is available from offices at the Census Bureau in Suitland, Maryland 20233, and Jeffersonville, Indiana 47131; all county courthouses; Social Security Administration field offices; post offices; and Immigration and Naturalization Service offices. A letter request—without Form BC-600—will be

accepted only if it contains the information necessary to complete a Form BC-600. No application will be processed without payment of the required fee as set forth in 15 CFR 50.5.

\* \* \* \* \*

(g) Census information will not be furnished to another person unless the person to whom the information relates authorizes such release in the space provided on the Form BC-600.

Dated: July 14, 2003.

**Charles Louis Kincannon,**

*Director, Bureau of the Census.*

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**BILLING CODE 3510-07-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Bureau of Customs and Border Protection**

**19 CFR Part 101**

[CBP Dec. 03-08]

**Expansion of the Port Limits of Portland, ME**

**AGENCY:** Customs and Border Protection, Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations pertaining to the field organization of Customs by extending the geographical limits of the port of entry of Portland, Maine, to include the City of Auburn, Maine. This change is being made to provide better service to carriers, importers, and the general public.

**EFFECTIVE DATE:** August 18, 2003.

**FOR FURTHER INFORMATION CONTACT:** John P. Wagner, Office of Field Operations, (202) 927-3825.

**SUPPLEMENTARY INFORMATION:**

**Background**

A Notice of Proposed Rulemaking was published in the **Federal Register** (68 FR 1172) on January 9, 2003, which proposed to amend § 101.3(b)(1), Customs Regulations (19 CFR 101.3(b)(1)), to extend the geographical limits of the port of entry of Portland, Maine, to include the City of Auburn in order to provide better service to carriers, importers, and the general public. The proposal was made in order to include the City of Auburn within the port limits to facilitate the clearance of international cargo at the Auburn Intermodal Facility (“AIF”). AIF is a rail/truck intermodal facility with a high cube, doublestack intermodal terminal.

## Analysis of Comments

Three comments were received in response to the proposal. All three comments strongly supported the inclusion of the City of Auburn in the port of Portland, Maine, for the purposes of international trade facilitation and of expanded economic development in the Auburn area.

According to the comments, the AIF will afford the Bureau of Customs and Border Protection (CBP) great flexibility in protecting our borders against terrorist activities when conducting examinations and clearance of cargo entering the United States. The expansion of the port of Portland will also help to eliminate needless truck traffic on the highway system by allowing examinations and clearance closest to the point of entry. Trucks will no longer need to travel further in bound to be examined. These benefits are in addition to the economic boost which is expected to occur as a result of the port expansion.

## Conclusion

CBP believes that the expansion of the port of Portland, Maine, to include the City of Auburn is a positive step in the facilitation of the processing of international cargo. Accordingly, CBP has decided to proceed with the proposed expansion.

## New Port Limits

The port limits of the port of entry of Portland, Maine, are expanded to include the City of Auburn. The territory included in the port of Portland is as follows:

Portland, Maine and the territory embracing the municipalities of Auburn, South Portland, Falmouth, and Cape Elizabeth, in the State of Maine, and Peak, Long, Cliff, Cushing and Diamond Islands, in the State of Maine.

## Authority

This change is being made under the authority of 5 U.S.C. 301 and 19 U.S.C. 2, 66 and 1624.

## Regulatory Flexibility Act and Executive Order 12866

CBP establishes, expands and consolidates CBP ports of entry throughout the United States to accommodate the volume of CBP-related activity in various parts of the country. Although a notice was issued for public comment on this subject matter, because this document relates to agency management and organization, it is not subject to the notice and 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.*). Agency organization matters such as this port expansion are 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.

## List of Subjects in 19 CFR Part 101

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

## Amendment to the Regulations

■ For the reasons set forth above, 19 CFR part 101 of the Customs Regulations is amended as set forth below.

## PART 101—GENERAL PROVISIONS

■ 1. The general authority citation for part 101 and the specific authority citation for § 101.3 continue to read as follows:

**Authority:** 5 U.S.C. 301, 19 U.S.C. 2, 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624, and 1646a. Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b.

\* \* \* \* \*

■ 2. In the list of ports in § 101.3(b)(1), under the state of Maine, the "Limits of port" column adjacent to "Portland" in the "Ports of entry" column is amended by removing the citation "E.O. 9297, Feb. 1, 1943 (8 FR 1479)" and by adding in its place "CBP Dec. 03-08".

**Robert C. Bonner,**

*Commissioner, Customs and Border Protection.*

Dated: July 14, 2003.

**Tom Ridge,**

*Secretary, Department of Homeland Security.*

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## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

### 19 CFR Parts 101 and 122

[CBP Dec. 03-09]

### Customs and Border Protection Field Organization; Fargo, ND

**AGENCY:** Customs and Border Protection, Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations pertaining to the field organization of Customs and

Border Protection (CBP) by establishing a new port of entry at Fargo, North Dakota. The new port of entry includes Hector International Airport, located in the city of Fargo, Cass County, North Dakota, which is currently operated as a user-fee airport; and a portion of Clay County in Minnesota. This change will assist CBP in its continuing efforts to provide better service to carriers, importers, and the general public.

**EFFECTIVE DATE:** August 18, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Richard L. Balaban, Mission Support, Office of Field Operations, Bureau of Customs and Border Protection, (202) 927-0031.

#### SUPPLEMENTARY INFORMATION:

#### Background

As part of its continuing efforts to provide better service to carriers, importers, and the general public, on December 2, 2002, Customs (then under the Department of the Treasury) published a document in the **Federal Register** (67 FR 71510) that proposed to amend parts 101 and 122 of the Customs Regulations (19 CFR parts 101 and 122) to establish a port of entry at Fargo, North Dakota, to include Hector International Airport, located in the city of Fargo, Cass County, North Dakota, which is currently operated as a user-fee airport, and, accordingly, to remove Hector International Airport as a user-fee airport. As well as including Hector International Airport, the port limits of Fargo were also proposed to include a portion of Clay County in Minnesota. The proposed change of status for Hector International Airport from a user-fee airport to being included within the boundaries of a port of entry would subject the airport to the passenger processing fee provided for at 19 U.S.C. 58c(a)(5)(B).

The proposal to establish Fargo, North Dakota as a port of entry was based on Customs analysis of the following information:

1. Fargo is serviced by three modes of transportation:

(a) rail (the Burlington Northern Santa Fe railroad);

(b) air (at Hector International Airport, two passenger carriers (Northwest and United Express) and five courier-delivery carriers (Air Bourne Express, Corporate Express, DHL, FED EX, and UPS)); and

(c) highway (two U.S. interstate highways: I-29 and I-94);

2. The Fargo, North Dakota area has a population of approximately 175,000, with the potential to increase even further;

3. Regarding the five actual or potential workload criteria: