

proposed rule in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the regulations of the Council on Environmental Quality (40 CFR part 1500), and DHS Management Directive 023-01, Environmental Planning Program of April 19, 2006.

NPS prepared an environmental assessment (EA) that examines the effects on the natural and human environment associated with the proposed construction and operation of a visitor station and establishment of a Class B port of entry on the Rio Grande between the United States and Mexico within Big Bend National Park. The NPS EA encompasses all components of the Boquillas border crossing, including CBP operations of the port of entry. On April 29, 2011, NPS posted a notice of availability of the EA on NPS's Planning, Environment and Public Comment (PEPC) Web site at <http://parkplanning.nps.gov/bibe> and described how the public may provide comments on the EA. On June 28, 2011, NPS issued a Finding of No Significant Impact (FONSI) concluding that the proposed activities would not result in a significant impact to the human and natural environment.

In accordance with NEPA, CBP has carefully reviewed the EA developed by NPS and has determined that it accurately considers all potential impacts of the project; therefore, CBP intends to adopt the EA developed by NPS and issue a FONSI. CBP has posted the EA prepared by NPS and a Draft FONSI on the CBP Web site at <http://www.cbp.gov> and in the docket for this rulemaking at <http://www.regulations.gov> and solicits public comment. Members of the public may submit comments via email to [CBP.EnvironmentalPrograms@cbp.dhs.gov](mailto:CBP.EnvironmentalPrograms@cbp.dhs.gov) or via mail to U.S. Customs and Border Protection, Environmental Planning Branch, 1331 Pennsylvania Ave. NW., Suite 1220, Washington, DC 20229. Please reference "Boquillas" in the subject line. CBP will accept comments on these documents until December 27, 2011.

#### Signing Authority

The signing authority for this document falls under 19 CFR 0.2(a) because the establishment of this Customs station is not within the bounds of those regulations for which the Secretary of the Treasury has retained sole authority. Accordingly, this notice of proposed rulemaking may be signed by the Secretary of Homeland Security (or her delegate).

#### List of Subjects

##### 8 CFR Part 100

Organization and functions (Government agencies).

##### 19 CFR Part 101

Customs duties and inspection, Harbors, Organization and functions (Government agencies), Seals and insignia, Vessels.

#### Amendments to the Regulations

For the reasons stated in the preamble, we propose to amend 8 CFR part 100 and 19 CFR part 101 as set forth below.

#### Title 8—Aliens and Nationality

##### CHAPTER I—DEPARTMENT OF HOMELAND SECURITY

##### PART 100—STATEMENT OF ORGANIZATION

1. Revise the authority citation for part 100 to read as follows:

**Authority:** 8 U.S.C. 1103; 8 U.S.C. 1185 note (section 7209 of Pub. L. 108-458); 8 CFR part 2.

2. Amend § 100.4(a) as follows:

- a. Revise the fifth sentence of § 100.4(a) as set forth below.
- b. Under the heading "District No. 15—El Paso, Texas," add the subheading, "Class B" and add "Boquillas, TX" under the new "Class B" heading.

##### § 100.4 Field Offices

(a) \* \* \* Class B means that the port is a designated Port-of-Entry for aliens who at the time of applying for admission are exempt from document requirements by § 212.1(c)(5) of this chapter or who are lawfully in possession of valid Permanent Resident Cards, and nonimmigrant aliens who are citizens of Canada or Bermuda or nationals of Mexico and who at the time of applying for admission are lawfully in possession of all valid documents required for admission as set forth in §§ 212.1(a) and (c) and 235.1(d) and (e) of this chapter and are admissible without further arrival documentation or immigration processing. \* \* \*

#### Title 19—Customs Duties

##### CHAPTER I—U.S. CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY; DEPARTMENT OF THE TREASURY

##### PART 101—GENERAL PROVISIONS

3. The general authority citation for part 101, and the sectional authority citation for §§ 101.3 and 101.4, continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

Section 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

\* \* \* \* \*

#### § 101.4 [Amended]

4. In § 101.4(c), under the state of Texas, add "Boquillas" in alphabetical order to the Customs station column and add "Presidio." to the corresponding Supervisory port of entry column.

Janet Napolitano,

Secretary.

[FR Doc. 2011-27792 Filed 10-27-11; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### 14 CFR Part 71

[Docket No. FAA-2011-0630; Airspace Docket No. 11-ASW-8]

##### Proposed Amendment of Class D Airspace; Altus AFB, OK

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend Class D airspace at Altus Air Force Base (AFB), OK. Procedural changes implemented to enhance safety for aircraft operating in the vicinity of Altus/Quartz Mountain Regional Airport, Altus, OK, has made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at Altus AFB.

**DATES:** 0901 UTC. Comments must be received on or before December 12, 2011.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2011-0630/Airspace Docket No. 11-ASW-8, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-(800) 647-

5527), is on the ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: (817) 321-7716.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2011-0630/Airspace Docket No. 11-ASW-8." The postcard will be date/time stamped and returned to the commenter.

**Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), part 71 by modifying Class D airspace at Altus AFB, Altus, OK. Airspace reconfiguration is necessary due to procedural changes implemented to enhance safety for aircraft operating in the vicinity of Altus/Quartz Mountain Regional Airport. Controlled airspace is necessary for the safety and management of IFR operations at the airport.

Class D airspace areas are published in Paragraph 5000 of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify controlled airspace at Altus AFB, OK.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011, is amended as follows:

*Paragraph 5000 Class D Airspace*  
\* \* \* \* \*

**ASW OK D Altus AFB, OK [Amended]**

Altus AFB, OK  
(Lat. 34°39'59" N., long. 99°16'05" W.)  
Altus AFB ILS Localizer  
(Lat. 34°38'31" N., long. 99°16'26" W.)

That airspace extending upward from the surface to and including 3,900 feet MSL within a 6-mile radius of Altus AFB, and within 2 miles each side of the Altus AFB ILS 17R Localizer north course extending from the 6-mile radius to 7.6 miles north of the airport, and excluding that airspace below 2,500 feet MSL west of long. 99°18'52" W. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Fort Worth, TX, on September 29, 2011.

**Anthony D. Roetzel,**  
*Manager, Operations Support Group, ATO Central Service Center.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2011-1146; Airspace Docket No. 11-ASO-36]

**Proposed Amendment of Class E Airspace; Rockingham, NC**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).