

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 (FAA Docket No. FAA-2003-16457, and Airspace Docket No. 03-ASO-4) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://dms.dot.gov>.

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 FAA Docket No. FAA-2003-16457, and Airspace Docket No. 03-ASO-4." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov>, or the Federal Register's Web page at <http://www.gpoaccess.gov/fr/index.html>.

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 be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, Southern Region Headquarters, 1701 Columbia Avenue, College Park, Georgia 30337.

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

#### The Proposal

The FAA is proposing an amendment to title 14 Code of Federal Regulations (14 CFR) part 71 to revise a segment of V-521 in the vicinity of Fort Myers, FL, between the Lee County VORTAC, and the RINSE intersection (a navigation fix on V-521). Specifically, this action would change the alignment of that segment of the airway from the Lee County VORTAC 014° (T) radial to the Lee County VORTAC 012° (T) radial. This change is needed to support a new arrival route called the "RINSE ONE STAR" that is being developed to serve aircraft arriving at the Southwest Florida International Airport, and Page Field Airport in Fort Myers, FL. In conjunction with the development of the new STAR, the RINSE intersection will be relocated to a point within one mile of its current position. The proposed modification of V-521 is needed to ensure that the airway remains aligned with the RINSE intersection. These changes are the result of a comprehensive airspace redesign plan to enhance the management of aircraft operations traffic into and out of southwest Florida.

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. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 proposed 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.

#### Environmental Review

The FAA has determined that this proposed action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### 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 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

*Paragraph 6010(a)—Domestic VOR Federal Airways*

\* \* \* \* \*

#### V-521 (Revised)

From Dolphin, FL; INT Dolphin 318° and Lee County, FL, 099° radials; Lee County; INT Lee County 012° and Lakeland, FL, 154° radials; Lakeland; Cross City, FL; INT Cross City 287° and Marianna, FL, 141° radials; Marianna; Wiregrass, AL; INT Wiregrass 333° and Montgomery, AL, 129° radials; Montgomery; INT Montgomery 357° and Vulcan, AL, 139° radials; Vulcan.

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Issued in Washington, DC, on January 6, 2004.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 04-754 Filed 1-13-04; 8:45 am]

**BILLING CODE 4910-13-P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Bureau of Customs and Border Protection

#### 19 CFR Part 101

#### Extension of Port Limits of Memphis, TN

**AGENCY:** Customs and Border Protection, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to extend the port limits of the port of Memphis, Tennessee, to include all of the territory within the limits of DeSoto

County, northern Mississippi. The port extension is being proposed in order to facilitate economic development in northern Mississippi, and to provide convenience and improved service to carriers, importers, and the general public.

**DATES:** Comments must be received on or before March 15, 2004.

**ADDRESSES:** Comments must be submitted to the Bureau of Customs and Border Protection, Office of Regulations and Rulings, (Attention: Regulations Branch), 1300 Pennsylvania Avenue, NW., Washington, DC 20229. Submitted comments may be inspected at the CBP, 799 9th Street, NW., Washington, DC during regular business hours.

Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at 202-572-8768.

**FOR FURTHER INFORMATION CONTACT:** Dennis Dore, Office of Field Operations, 202-927-6871.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Bureau of Customs and Border Protection (CBP) is proposing to extend the port limits of the port of Memphis, to include all of the territory within the limits of DeSoto County, northern Mississippi, as described below. Recently, northern Mississippi has experienced marked business expansion and population growth. Currently, businesses located in northern Mississippi utilize the nearest port of entry at Memphis, Tennessee, and the port limits of Memphis do not extend beyond the Tennessee border. The proposed extension of the port limits to include the specified territory will facilitate economic development in northern Mississippi, and provide convenience and improved service to carriers, importers, and the general public.

**Current Port Limits of Memphis, Tennessee**

The current port limits of Memphis, Tennessee are described as follows in Treasury Decision (T.D.) 84-126 of May 14, 1984:

[T]he corporate limits of the city of Memphis, Tennessee\* \* \* [and] all of the territory within the limits of Shelby County, Tennessee.

**Proposed Port Limits of Memphis, Tennessee**

CBP proposes to extend the port limits of the port of Memphis, Tennessee, to include DeSoto County, Mississippi so that the description of the port limits would read as follows:

The city limits of Memphis, Tennessee and all of the territory within the limits of Shelby County, Tennessee and DeSoto County, Mississippi.

**Proposed Amendment to Customs Regulations**

If the proposed port limits are adopted, CBP will amend § 101.3(b)(1), Customs Regulations (19 CFR 101.3(b)(1)) to reflect the new boundaries of the Memphis port of entry.

**Authority**

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

**Signing Authority**

The document is being issued in accordance with section 0.2(a) of the Customs Regulations (19 CFR 0.2(a)).

**Comments**

Before adopting this proposal, consideration will be given to any written comments that are timely submitted to CBP. All such comments received from the public, pursuant to this notice of proposed rulemaking, will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552) and section 103.11(b), Customs Regulations (19 CFR 103.11(b)), during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations Branch, Office of Regulations and Rulings, Customs and Border Protection, Department of Homeland Security, 799 9th Street, NW., Washington, DC.

**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. Thus, although this document is being issued with notice for public comment, because it 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). Agency organization matters such as this proposed port extension are exempt from consideration under Executive Order 12866.

**Drafting Information**

The principal author of this document was Isaac D. Levy, Regulations Branch, Office of Regulations and Rulings, CBP.

However, personnel from other offices participated in its development.

Dated: January 9, 2004.

**Robert C. Bonner,**  
*Commissioner, Customs and Border Protection.*

**Tom Ridge,**  
*Secretary, Department of Homeland Security.*  
[FR Doc. 04-813 Filed 1-13-04; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Bureau of Customs and Border Protection**

**19 CFR Part 162**

**RIN 1651-AA48**

**Publication of Administrative Forfeiture Notices**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Customs Regulations set forth the procedure that the Bureau of Customs and Border Protection (CBP) must follow in administrative forfeiture proceedings, as required by section 607 of the Tariff Act of 1930, as amended. The statutory language allows for administrative forfeiture when CBP seizes: A prohibited importation; a transporting conveyance if used to import, export, transport or store a controlled substance or listed chemical; any monetary instrument within the meaning of 31 U.S.C. 5312(a)(3); or any conveyance, merchandise or baggage for which its value does not exceed \$500,000.

If the value of the seized property exceeds \$2,500, the current regulations require CBP to publish notice of seizure and intent to forfeit in a newspaper circulated at the Customs port and in the judicial district where the seizure occurred. When the value of the seized property does not exceed \$2,500, CBP may publish the notice by posting it in a conspicuous place accessible to the public at the customhouse nearest the place of seizure.

This document proposes to amend the Customs Regulations by raising the threshold value of seized property for which CBP must publish a notice in a newspaper from \$2,500 to \$5,000. By changing the requirements for publication of administrative forfeiture notices, the proposed amendment would significantly reduce the publication costs incurred by CBP, which have often exceeded the value of seized property.