

Issued in Des Plaines, Illinois on March 15, 2002.

**Nancy B. Shelton,**

*Manager, Air Traffic Division, Great Lakes Region.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**[Airspace Docket No. 01-AGL-08]**

#### Modification of Class E Airspace; Frankfort, MI

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Frankfort, MI. A VHF Omnidirectional Range-A (VOR-A) Standard Instrument Approach Procedure (SIAP) has been developed for Frankfort Dow Memorial Field, Frankfort, MI. Controlled airspace extending upward from 700 feet above the surface of the earth is needed to contain aircraft executing this approach. This action adds an extension to the existing Class E airspace for Frankfort Dow Memorial Field Airport.

**EFFECTIVE DATE:** 0901 UTC, June 13, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Denis C. Burke, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (845) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### History

On Monday, January 7, 2002, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Frankfort, MI (67 FR 705). The proposal was to modify controlled airspace extending upward from 700 feet above the surface of the earth to contain Instrument Flight Rules (IFR) operations in controlled airspace portions of the terminal operations and while transmitting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005, of FAA Order 7400.9J dated August 31, 2001,

and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the order.

#### The Rule

This amendment to 14 CFR part 71 modifies Class E airspace at Frankfort, MI, to accommodate aircraft executing instrument flight procedures into and out of Frankfort Dow Memorial Field Airport. The area will be depicted on appropriate aeronautical charts.

The FAA has determined that this 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 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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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

Airspace, Incorporation by reference, Navigation (air)

#### Adoption of the Amendment

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

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 the Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AGL MI E5 Frankfort, MI [Revised]

Frankfort Dow Memorial Field Airport, MI (Lat. 44°37'30" N., long. 86°12'02"W.)

Manistee VOR/DME

(Lat. 44°16'14"N., long. 86°15'14"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Frankfort Dow Memorial Field Airport, and within 2 miles each side of the Manistee VOR/DME 006° radial extending from the 6.4 mile radius to 9.8 miles south of the airport.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**[Airspace Docket No. 01-AGL-07]**

#### Modification of Class E Airspace; Brainerd, MN

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Brainerd, MN. An Area Navigation (RNAV) Standard Instrument Approach Procedure (SIAP) has been developed for Brainerd-Crow Wing County Regional Airport. Controlled airspace extending upward from 700 feet or more above the surface of the earth is needed to contain aircraft executing this approach. This action increases the radius of the existing controlled airspace for Brainerd-Crow Wing County Regional Airport.

**EFFECTIVE DATE:** 0901 UTC, June 13, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Denis C. Burke, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### History

On Wednesday, January 16, 2002, the FAA proposed to amend 14 CFR part 71 to modify Class A airspace at Brainerd, MN (67 FR 2150). The proposal was to

modify controlled airspace extending upward from 700 feet above the surface of the earth to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposals were received. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9J dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

### The Rule

This amendment to 14 CFR part 71 modifies Class E airspace at Brainerd, MN, to accommodate aircraft executing instrument flight procedures into and out of Brainerd-Crow County Regional Airport. The area will be depicted on appropriate aeronautical charts.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### Adoption of the Amendment

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

## PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 95665, 3 CFR, 1959–1963 Comp., p. 389.

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 Feet or more above the surface of the earth.*

\* \* \* \* \*

### AGL MN E5 Brainerd, MN [Revised]

Brainerd-Crow County Regional Airport, MN (Lat. 46°23'52"N., long. 94°08'14"W.)

That airspace extending upward from 700 feet above the surface within a 7.9-mile radius of the Brainerd-Crow County Regional Airport, Brainerd, MN.

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**Nancy B. Shelton,**

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## DEPARTMENT OF THE TREASURY

### Customs Service

### 19 CFR Part 181

[T.D. 02–15]

RIN 1515–AD08

### North American Free Trade Agreement

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document sets forth amendments to the Customs Regulations that implement the preferential tariff treatment and other Customs-related provisions of the North American Free Trade Agreement (NAFTA) entered into by the United States, Canada and Mexico. The amendments involve technical rectifications and other conforming changes to reflect amendments to the NAFTA uniform regulations agreed upon by the three NAFTA parties and to reflect changes to

the Harmonized Tariff Schedule of the United States.

**EFFECTIVE DATE:** These amendments are effective April 1, 2002.

**FOR FURTHER INFORMATION CONTACT:** John Valentine, International Agreements Staff, Office of Regulations and Rulings (202–927–2255).

### SUPPLEMENTARY INFORMATION:

#### Background

On December 17, 1992, the United States, Canada and Mexico entered into an agreement, the North American Free Trade Agreement (NAFTA), which, among other things, provides for preferential duty treatment on goods of those three countries. For purposes of the administration of the NAFTA preferential duty provisions, the three countries agreed to the adoption of (1) verbatim NAFTA Rules of Origin Regulations and (2) additional uniform regulatory standards to be followed by each country in promulgating NAFTA implementing regulations under its national law.

The regulations implementing the NAFTA preferential duty and related provisions under United States law are set forth in part 181 of the Customs Regulations (19 CFR part 181) which incorporates, in the Appendix, the verbatim NAFTA Rules of Origin Regulations. When the final rule document setting forth those NAFTA implementing regulations was published in the **Federal Register** (at 60 FR 46334) on September 6, 1995, Customs also published in that same issue of the **Federal Register** (at 60 FR 46464), in a general notice, the text of a document entitled “Uniform Regulations for the Interpretation, Application, and Administration of Chapters Three (National Treatment and Market Access for Goods) and Five (Customs Procedures) of the North American Free Trade Agreement” that contained the additional uniform regulatory standards agreed to by the United States, Canada and Mexico. The principles contained in those additional uniform regulatory standards are reflected, as appropriate, in the part 181 regulatory provisions that precede the Appendix.

On December 12, 2001, the United States Trade Representative, the Canadian Minister of International Trade, and the Mexican Secretary of the Economy in an exchange of letters agreed, among other things, to make certain technical rectifications to the NAFTA uniform regulation provisions referred to above, subject to the completion of each Party’s domestic legal procedures. This rulemaking