

children from serious personal injury or serious illness resulting from handling, using, or ingesting such substances, and the special packaging herein required is technically feasible, practicable, and appropriate for these substances:

* * * * *

(28) *Minoxidil*. Minoxidil preparations for human use and containing more than 14 mg of minoxidil in a single retail package shall be packaged in accordance with the provisions of § 1700.15 (a), (b) and (c). Any applicator packaged with the minoxidil preparation and which it is reasonable to expect may be used to replace the original closure shall also comply with the provisions of § 1700.15 (a), (b) and (c).

* * * * *

Dated: March 11, 1998.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 98-6773 Filed 3-16-98; 8:45 am]

BILLING CODE 6355-01-P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 1

Proposed Rulemaking Concerning Account Identification for Eligible Bunched Orders

AGENCY: Commodity Futures Trading Commission.

ACTION: Extension of comment period on proposed rulemaking.

SUMMARY: The Commodity Futures Trading Commission has repropoed to amend Commission Regulation 1.35(a-1) to permit eligible customer orders to be placed on a contract market without individual customer account identifiers either at the time of order placement or the time of report of execution. Specifically, the proposal would exempt from the customer account identification requirements of Regulation 1.35(a-1)(1), (2)(i), and (4) bunched futures and/or option orders placed by an eligible account manager on behalf of consenting eligible customer accounts as part of its management of a portfolio also containing instruments which are either exempt from regulation pursuant to the Commission's regulations or excluded from regulation under the Commodity Exchange Act. The proposed rule would permit orders entered on behalf of these accounts to be allocated no later than the end of the day on which the order is executed. The proposed rulemaking was in initially published for comment

on January 7, 1998 (63 FR 695) with comments on the proposal due by March 9, 1998. In response to requests from the Futures Industry Association, the Managed Funds Association, the Investment Company Institute, and the New York Mercantile Exchange, the Commission has determined to extend the comment period on this proposal for an additional seven days. The extended deadline for comments on this proposed rulemaking is March 16, 1998. In response to requests from the Futures Industry Association, the Managed Funds Association, the Investment Company Institute, and the New York Mercantile Exchange, the Commission has determined to extend the comment period on this proposal for an additional seven days. The extended deadline for comments on this proposed rulemaking is March 16, 1998.

Any person interested in submitting written data, views, or arguments on the proposals should submit such views and comments by the specified date to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, DC 20581. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418-5521, or by electronic mail to secretary@cftc.gov.

DATES: Comments must be received on or before March 16, 1998.

FOR FURTHER INFORMATION CONTACT: Duane C. Andresen, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581. Telephone: (202) 418-5490.

Issued in Washington, D.C., on this 11th day of March, 1998, by the Commodity Futures Trading Commission.

Jean A. Webb,

Secretary on the Commission.

[FR Doc. 98-6769 Filed 3-16-98; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 101 and 122

Customs Service Field Organization: Establishment of Port of Entry in Fort Myers, FL

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

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Customs Regulations pertaining to the field organization of

the Customs Service by designating Fort Myers, Florida, as a port of entry. The new port of entry would include Southwest Florida International Airport, which is currently a user fee airport. The geographical boundaries of the new port will be the same as those of Lee County, Florida. The change is being proposed as part of Customs continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers and the general public.

DATES: Comments must be received on or before May 18, 1998.

ADDRESSES: Written comments (preferably in triplicate) may be submitted to the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, Third Floor, 1300 Pennsylvania Avenue N.W., Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Harry Denning, Office of Field Operations, 202-927-0196.

SUPPLEMENTARY INFORMATION:

Background

As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public, Customs is proposing to amend §§ 101.3(b)(1) and 122.15(b), Customs Regulations (19 CFR 101.3(b)(1) and 122.15(b)), by designating Fort Myers, Florida, as a port of entry. The Lee County Port Authority of Florida requested this designation. The geographical boundaries of the new port will be the same as those of Lee County, Florida, and will include the Southwest Florida International Airport (hereafter known as SFIA). SFIA is currently a user fee airport.

The criteria used by Customs in determining whether to establish a port of entry are found in T.D. 82-37 (47 FR 10137), as revised by T.D. 86-14 (51 FR 4559) and T.D. 87-65 (52 FR 16328). Under these criteria, which are not absolute, a community requesting a port of entry designation must: (1) Demonstrate that the benefits to be derived justify the Federal Government expense involved; (2) be serviced by at least two major modes of transportation (rail, air, water or highway); (3) have a minimum population of 300,000 within the immediate service area (approximately a 70 mile radius); and (4) make a commitment to make optimal use of electronic data transfer capabilities to permit integration with Customs Automated Commercial System (ACS), which provides a means for the electronic processing of entries

of imported merchandise. Further, the actual or potential Customs workload (i.e., number of transactions per year) at the proposed port of entry must meet one of several alternative minimum requirements, among which are 15,000 passenger arrivals per year. Finally, facilities at the proposed port of entry must include cargo and passenger facilities, warehousing space for the secure storage of imported cargo pending final Customs inspection and release, and administrative office space, inspection areas, storage areas and other space necessary for regular Customs operations.

The request for port of entry status states that there will be several Federal Government benefits if the port of entry is approved. As tourism is on the rise in the Fort Myers area and there is an ever increasing demand for goods in that area, the SFIA airport located within the proposed port of entry would assist in moving aircraft, passengers and cargo efficiently.

The proposed port of Fort Myers is serviced by air, by highway and by railroad spur. SFIA is ranked the 56th busiest airport in North America. It is located three miles from Interstate 75, providing easy access to other points in Florida and the United States. The airport is adjacent to a railroad spur which allows Seminole Gulf Railway to provide freight service to the area.

The proposed port of Fort Myers includes all of Lee County, Florida. In a 70 mile radius, including Sarasota, the population is already well over one million people.

The proposed port of Fort Myers meets the criteria for a port of entry in terms of number of international passengers; SFIA far exceeds the 15,000 international passengers per year criterion. In 1996, Customs cleared flights carrying 57,962 arriving international passengers at SFIA. There were 58,431 outbound international passengers during the same time period.

All the U.S. government agencies which must be included in a port are already in place because SFIA is currently a user fee airport. In addition, Customs has the concurrence of other necessary federal agencies. The facilities required for these other federal agencies are already present because SFIA is a user fee airport. The requisite electronic data processing systems are also in place.

Based on the information provided above, Customs believes that Fort Myers meets the current standards for port of entry designations set forth in T. D. 82-37, as revised by T. D. 86-14 and T. D. 87-65. If Fort Myers is established as a

port of entry, SFIA would lose its status as a user fee airport.

Proposed Limits of Port of Entry

The geographical limits of the proposed port of entry of Fort Myers, Florida, would be the same as those of Lee County, Florida, which includes SFIA and the city of Fort Myers.

Proposed Amendments

If the proposed port of entry designation is adopted, the list of Customs ports of entry in 19 CFR 101.3(b)(1) and the list of user fee airports in § 122.15(b) will be amended accordingly.

Comments

Before adopting this proposal, consideration will be given to any written comments timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4, Treasury Department Regulations (31 CFR 1.4) and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, Third Floor, 1300 Pennsylvania Avenue N.W., Washington, D.C.

Authority

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

The Regulatory Flexibility Act and Executive Order 12866

Customs establishes, expands, and consolidates Customs ports of entry throughout the United States to accommodate the volume of Customs-related activity in various parts of the country. Although this document is being issued for public comment, it is not subject to the notice and public procedure requirements of 5 U.S.C. 553 because it relates to agency management and organization. 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 are exempt from consideration under 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.

D. M. Browning,

Acting Commissioner of Customs.

Approved: February 23, 1998.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary of the Treasury.

[FR Doc. 98-6882 Filed 3-16-98; 8:45 am]

BILLING CODE 4820-02-P

DEPARTMENT OF STATE

22 CFR Part 41

[Public Notice 2763]

Bureau of Consular Affairs; Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended—Filing an Application

AGENCY: Bureau of Consular Affairs, DOS.

ACTION: Proposed rule.

SUMMARY: Consular offices abroad have been experiencing an ever-increasing volume of nonimmigrant visa (NIV) applications. Some have had to begin declining to accept new applications from persons denied as intending immigrants in the recent past. This proposed rule would put this practice on a regulatory footing by formalizing a non-acceptance-for-six-months policy with respect to a new application from an alien whose prior NIV application has been refused under the provisions of INA 214(b).

DATES: Written comments must be received on or before May 18, 1998.

ADDRESSES: Written comments should be submitted, in duplicate, to the Chief, Legislation and Regulations Division, Visa Services, Department of State, Washington, D.C. 20520-0106.

FOR FURTHER INFORMATION CONTACT: H. Edward Odom, Chief, Legislation and Regulations Division, Visa Services, CA/VO/L/R, Department of State, Washington, D.C. 20520-0106, (202) 663-1204.

SUPPLEMENTARY INFORMATION: Section 214(b) of the Immigration and Nationality Act (INA) establishes a presumption that an alien is an intending immigrant unless he or she can establish entitlement to a nonimmigrant classification. Moreover, for certain classes of nonimmigrants, there is also a statutory requirement incorporated in the definitions of those nonimmigrant classifications (INA 101(a)(15)) that the alien establish that he or she has a residence abroad which