

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).

The Proposed Amendment

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

PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:
Authority: 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g), 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

* * * * *

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

* * * * *

AAL AK E5 Buckland, AK [New]

Buckland Airport, AK

(lat. 65°58'40"N, long. 161°07'44"W)

Buckland NDB

(lat. 65°58'45"N, long. 161°08'56"W)

Kotzebue VOR/DME

(lat. 66°53'09"N, long. 162°32'24"W)

Selawik VOR/DME

(lat. 66°36'00"N, long. 159°59'50"W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Buckland Airport; and that airspace extending upward from 1,200 feet above the surface within 6 miles southwest and 4 miles northeast of the 303° bearing of the Buckland NDB extending from the 6.5-mile radius to 21 miles northwest, and 4 miles either side of the Kotzebue VOR/DME 115° radial from the VOR/DME to 10.5 miles northwest on the 303° bearing from the Buckland NDB, and 4 miles either side of the Selawik VOR/DME 190° radial from the VOR/DME to 10.5 miles northwest on the 303° bearing from the Buckland NDB.

* * * * *

Issued in Anchorage, AK, on June 17, 1996.

Willis C. Nelson

Manager, Air Traffic Division, Alaskan Region.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 45

RIN 1076-AD16

Special Education

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Indian Affairs is proposing the elimination of regulations governing special education to streamline the regulatory process and enhance the planning and coordination of existing regulations.

DATES: Comments must be received on or before September 3, 1996.

ADDRESSES: Mail comments to Ken Whitehorn, Office of Indian Education Programs, Bureau of Indian Affairs, Department of the Interior, 1849 C Street, NW., MS-MIB 3512, Washington, DC 20240. Comments may be hand delivered to the same address from 9:00 a.m. to 4:00 p.m. Comments will be available for inspection at this address from 9:00 a.m. to 4:00 p.m., Monday through Friday beginning approximately July 16, 1996.

FOR FURTHER INFORMATION CONTACT: Ken Whitehorn, Office of Indian Education Programs, Bureau of Indian Affairs, (202) 208-6675.

SUPPLEMENTARY INFORMATION:

Background

The Office of Indian Education programs is proposing to eliminate 25 CFR Part 45, Special Education, because the information contained in this part is already included in Chapter III of 34 CFR, Parts 300-399, Office of Special Education and Rehabilitative Services, Department of Education. The Office of Indian Education programs has entered into an agreement with the Department of Education to use 34 CFR Parts 300-399, as the standards for its special education programs.

Supplementary Information

The authority to issue rules and regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes, 25 U.S.C. 2 and 9.

Publication of the proposed rule by the Department of the Interior (Department) provides the public an opportunity to participate in the rulemaking process. Interested persons may submit written comments regarding the proposed rule to the location identified in the "addresses" section of this document.

Executive Order 12988

The Department has determined that this rule meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988.

Executive Order 12866

This rule is not a significant regulatory action under Executive Order 12866 and does not require review by the Office of Management and Budget.

Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Executive Order 12630

The Department has determined that this rule does not have "significant takings" implications. This rule does not pertain to "taking" of private property interests, nor does it impact private property.

Executive Order 12612

The Department has determined that this rule does not have significant federalism effects because it pertains solely to Federal-tribal relations and will not interfere with the roles, rights and responsibilities of states.

NEPA Statement

The Department has determined that this rule does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

Unfunded Mandates Act of 1995

This rule imposes no unfunded mandates on any governmental or private entity and is in compliance with the provisions of the Unfunded Mandates Act of 1995.

Paperwork Reduction Act of 1995

This rule contains no information collection requirement the elimination of which would require notification to the Office of Management and Budget.

Drafting Information

The primary author of this document is Glenn Allison, Office of Indian Education Programs, Bureau of Indian Affairs.

List of Subjects in 25 CFR Part 45

Indians—education.

Under the authority of Executive Order 12866 and for the reasons stated above, Part 45 is proposed to be removed.

Dated: June 6, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96-16041 Filed 7-1-96; 8:45 am]

BILLING CODE 4310-02-P

25 CFR Part 152

RIN 1076-AD42

Issuance of Patents in Fee, Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The purpose of this proposed rule making action is to revise the Issuance of Patents in Fee, Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands regulations. This rule was identified for reinvention under the National Performance Review. It is written in plain English to make the rule easier to read and understand for Indian landowners and Bureau realty staff.

DATES: Comments must be received on or before September 3, 1996.

ADDRESSES: Mail or hand carry your comments to Terrance L. Virden, Acting Director, Office of Trust Responsibilities, Bureau of Indian Affairs, Department of the Interior, 1849 C Street, N.W., MS 4513 MIB, Washington, D.C. 20240. Comments may be hand delivered from 9:00 a.m. to 4:00 p.m., Monday through Friday or sent by facsimile to Facsimile No. (202) 219-1065.

FOR FURTHER INFORMATION CONTACT: Alice Harwood, Acting Chief, Division of Real Estates Services, Office of Trust Responsibilities, Bureau of Indian Affairs, Department of the Interior, 1849 C Street, N.W., MS 4513 MIB, Washington, D.C. 20240, Telephone No. (202) 208-7737.

SUPPLEMENTARY INFORMATION: The primary author of this document is Pearl Kennedy, Realty Specialist, Division of Real Estate Services, Bureau of Indian Affairs, Department of the Interior. The proposed rule has been rewritten to facilitate its use by the general public and the individual Indians affected by the rule. Sections that no longer apply have been deleted and sections added for clarification. No substantive revisions are proposed in this rule.

The authority to issue rules and regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes, 25 U.S.C. 2 and 9, and delegated to the

Assistant Secretary—Indian Affairs by 209 DM 8.

Publication of the proposed rule by the Department of the Interior (Department) provides the public an opportunity to participate in the rulemaking process. Interested persons may submit written comments regarding the proposed rule to the location identified in the "addresses" section of this document.

The Department has determined that this rule:

- does not have significant federalism effects.
- is not a major rule under E.O. 12866 and will not require a review by the Office of Management and Budget.
- will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et. seq.*) because this rule applies only to Indian applicants.
- does not have significant takings implications under E.O. 12630.
- does not have significant effects on the economy, nor will it result in increases in costs or prices for consumers, individual industries, Federal, State, or local governments, agencies, or geographical regions.
- does not have any adverse effects on competition, employment, investment, productivity, innovation, or the export/import market.
- is categorically excluded from the National Environmental Policy Act of 1969 because it is of an administrative, technical, and procedural nature. Therefore, neither an environmental assessment nor an environmental impact statement is warranted.
- does not impose any unfunded mandates on any governmental or private entity and is in compliance with the provisions of the Unfunded Mandates Act of 1995.
- is exempt by OMB from the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) and does not require a review by the Office of Management and Budget.

List of Subjects in Part 152

Indians—lands.

For the reasons given in the preamble, we propose to revise Part 152 to Title 25 Chapter 1 of the Code of Federal Regulations, as set forth below.

PART 152—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS

Sec.

152.1 What are the definitions of the terms used in this part?

Issuing Patents in Fee, Certificates of Competency, or Orders Removing Restrictions

- 152.2 Who can apply for a patent in fee?
- 152.3 How do I apply for a patent in fee?
- 152.4 What happens when I apply for a patent in fee?
- 152.5 Will patents in fee be issued to non-Indians and Indians with whom a special relationship does not exist?
- 152.6 Who can apply for a certificate of competency?
- 152.7 What happens when I apply for a certificate of competency?
- 152.8 Can certain Osage Indian adults apply for a certificate of competency?
- 152.9 Who can apply for an order removing restrictions?
- 152.10 How do I apply for an order removing restrictions?
- 152.11 What happens when I apply for an order removing restrictions?

Order Removing Restrictions for Members of the Five Civilized Tribes

- 152.12 If I am a member of the Five Civilized Tribes, how do I apply for removal of restrictions under authority other than section 2(a) of the Act of August 11, 1955?
- 152.13 If I am a member of the Five Civilized Tribes, what happens when I apply for removal of restrictions under section 2(a) of the Act of August 11, 1955?
- 152.14 If I am a member of the Five Civilized Tribes, can the restrictions be removed from my land without an application?
- 152.15 If I am a member of the Five Civilized Tribes, what happens when a removal of restrictions is issued to me without an application?
- 152.16 If I am a member of the Five Civilized Tribes, what is the effect of an order removing restrictions from my land under the Act of August 11, 1955 (69 Stat. 666)?

Sales, Exchanges, and Conveyances of Trust or Restricted Lands

- 152.17 Can I sell, exchange, or otherwise convey my Indian land?
- 152.18 Can a natural guardian or person designated by the Secretary sell my Indian land?
- 152.19 Can fiduciaries sell my Indian land?
- 152.20 Can the Secretary sell land owned by more than one person?
- 152.21 Can a tribe sell or exchange tribal land?
- 152.22 Is the Secretary's approval necessary to convey individual-owned trust or restricted lands or lands owned by a tribe?