

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies Class E2 airspace at London, KY. An automated weather observing system has been installed at the London-Corbin Airport—Magee Field. This system transmits the required weather observations continuously to the Indianapolis Air Route Traffic Control Center, which is the controlling facility for the airport. Therefore, the Class E2 surface area is amended from part time to continuous.

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. 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 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—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

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ASO KY E2 London, KY [Revised]

London-Corbin Airport-Magee Field, KY
(Lat. 37°05'14" N., long. 84°04'37" W.)

Within a 6-mile radius of London-Corbin Airport-Magee Field.

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Issued in College Park, Georgia, on October 31, 1996.

Benny L. McGlamery,
*Acting Manager, Air Traffic Division,
Southern Region.*

[FR Doc. 96-28794 Filed 11-7-96; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Docket No. 96-ACE-17]

Amendment to Class E Airspace, Knob Noster, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule, request for comments.

SUMMARY: This action amends the Class E airspace area at Whiteman AFB, Knob Noster, MO. A review of military instrument approach procedures found that there is not sufficient Class E airspace and requires an increase of 0.5 mile extension to the north in order to protect the point at which arrivals leave 1,000 feet AGL. The effect of this rule is to provide additional controlled airspace for aircraft executing the SIAPs at Whiteman AFB.

DATES: *Effective Date:* March 27, 1997.

Comment Date: Comments must be received on or before December 31, 1996.

ADDRESSES: Send comments in triplicate to: Manager, Operations Branch, Air Traffic Division, ACE-530, Federal Aviation Administration, Docket Number 96-ACE-17, 601 East 12th St. Kansas City, MO 64106.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Operations Branch, ACE-530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-3408.

SUPPLEMENTARY INFORMATION: The FAA has reviewed the controlled airspace at Whiteman AFB, Knob Noster, MO. The existing Class E airspace does not protect the point at which arrivals leave 1,000 feet AGL. Therefore, we have added a 0.5 mile extension to the north.

The amendment to Class E airspace at Knob Noster, MO, will provide additional controlled airspace to segregate aircraft operating under Visual Flight Rules (VFR) from aircraft operating under Instrument Flight Rules (IFR) procedures while arriving or departing the airport. The area will be depicted on appropriate aeronautical charts thereby enabling pilots to either circumnavigate the area, continue to operate under VFR to and from the airport, or otherwise comply with IFR procedures. Class E airspace areas extending from surface of the earth are published in paragraph 6000 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and therefore is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the Federal Register indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the Federal Register, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications

should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96-ACE-17." The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not as 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) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the

Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

PART 71—AMENDED

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; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporated by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 6000 Class E airspace areas extending upward from the surface of the earth.

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ACE NE E2 Knob Noster, MO. [Revised]

Knob Noster, MO.

(Lat. 38°43'49" N., long. 93°32'53" W.)

Whiteman TACAN

(Lat. 38°44'09" N., long. 93°33'02" W.)

Within a 4.6-mile radius of Whiteman AFB and within 1.8 miles each side of the Whiteman TACAN 185° radial extending from the 4.6-mile radius to 6.1 miles south of the TACAN and within 1 mile each side of the Whiteman TACAN 008° radial extending from the 4.6-mile radius to 5.1 miles north of the TACAN. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airman. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Kansas City, MO, on October 17, 1996.

Herman J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 96-28793 Filed 11-7-96; 8:45 am]

BILLING CODE 4910-17-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 201

[Release Nos. 33-7361; 34-37912; IC-22310; IA-1596]

Adjustments to Civil Monetary Penalty Amounts

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: This rule implements the Debt Collection Improvement Act of 1996, which requires that the Commission adopt a regulation adjusting for inflation the maximum amount of civil monetary penalties under the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940 and the Investment Advisers Act of 1940.

EFFECTIVE DATE: December 9, 1996.

FOR FURTHER INFORMATION CONTACT: Richard A. Levine, Senior Special Counsel, or Laura Leedy Gansler, Senior Counsel, Office of the General Counsel, at (202) 942-0900.

SUPPLEMENTARY INFORMATION: This regulation implements the Debt Collection Improvement Act of 1996 ("DCIA").¹ The DCIA amended the Federal Civil Penalties Inflation Adjustment Act ("FCPIAA")² to require that the Commission adopt regulations no later than 180 days after the enactment of the statute and at least once every four years thereafter adjusting for inflation the maximum amount of the civil monetary penalties under the statutes administered by the Commission.

A civil monetary penalty is defined in relevant part as any penalty, fine, or other sanction that: (1) is for a specific amount, or has a maximum amount, as provided by federal law; and (2) is assessed or enforced by an agency in an administrative proceeding or by federal court pursuant to federal law.³ This definition covers the monetary penalty provisions contained in the statutes administered by the Commission.

The DCIA requires that the penalties be adjusted by the cost-of-living adjustment set forth in section 5 of the FCPIAA.⁴ The cost-of-living adjustment is defined as the percentage by which the U.S. Department of Labor's Consumer Price Index ("CPI") for the month of June of the year preceding the adjustment exceeds the CPI for the

¹ P.L. 104-134, section 31001(s) (April 26, 1996)

² 28 U.S.C. 2461 (1990).

³ *Id.* at § 3(2).

⁴ P.L. 104-134.