

Country/locality	Common name	Botanical name	Plant part(s)
* China .....	* Bamboo .....	* <i>Bambuseae spp.</i> .....	* Edible shoot, free of leaves and roots.
* Dominican Republic .....	* Bamboo .....	* <i>Bambuseae spp.</i> .....	* Edible shoot, free of leaves and roots.
* Japan .....	* Bamboo .....	* <i>Bambuseae spp.</i> .....	* Edible shoot, free of leaves and roots.
* Taiwan .....	* Bamboo .....	* <i>Bambuseae spp.</i> .....	* Edible shoot, free of leaves and roots.
* .....	* .....	* .....	* .....

\* \* \* \* \*

Done in Washington, DC, this 5th day of September 1997.

**Craig A. Reed,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-24129 Filed 9-10-97; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Federal Crop Insurance Corporation

#### 7 CFR Part 400

RIN 0563-AB15

#### General Administrative Regulations; Submission of Policies and Provisions of Policies, and Rates of Premium

**AGENCY:** Federal Crop Insurance Corporation.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Crop Insurance Corporation (FCIC) proposes to amend its General Administrative Regulations. The intended effect of this action is to prescribe the guidelines necessary to implement and administer sections 506 and 508 of the Federal Crop Insurance Act, as amended, (Act) with respect to the submission of policies and provisions of policies and rates of premium to FCIC's Board of Directors (Board) for review, approval or disapproval, publication, and implementation.

**DATES:** Written comments and opinions on this rule will be accepted until close of business November 10, 1997, and will be considered when the rule is to be made final.

**ADDRESSES:** Interested persons are invited to submit written comments to the Director, Product Development Division, Federal Crop Insurance Corporation, United States Department

of Agriculture, 9435 Holmes Road, Kansas City, MO 64131.

#### FOR FURTHER INFORMATION CONTACT:

Timothy Hoffmann, Director, Product Development Division, Federal Crop Insurance Corporation, at the Kansas City, MO, address listed above, telephone (816) 926-3707.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order No. 12866

The Office of Management and Budget (OMB) has determined this rule to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

##### Paperwork Reduction Act of 1995

It has been determined by OMB that this rule is exempt from the information collection requirement contained under the Paperwork Reduction Act of 1995 (44 U.S.C., chapter 35).

##### Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. This rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

##### Executive Order No. 12612

It has been determined under section 6(a) of Executive Order 12612, Federalism, that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The provision contained in this rule will not have a substantial direct effect on States or their political

subdivisions, or on the distribution of power and responsibilities among the various levels of government.

#### Regulatory Flexibility Act

The Manager, Federal Crop Insurance Corporation, certifies that this regulation will not have a significant economic impact on a substantial number of small entities. The action provides the guidelines to be used by approved insurance providers, or any other applicant, FCIC, and its Board, for the submission, review, and approval of policies, provisions of policies, or rates of premium which, if approved by FCIC, may ultimately be sold to producers through approved insurance providers and reinsured by FCIC or incorporated into policies reinsured by FCIC. Section 508(h)(5) of the Act requires FCIC to publish the guidelines and regulations for the submission and Board review of policies and other related materials. This regulation will not impose more stringent requirements on small entities than on large entities. Therefore, this action is determined to be exempt from the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and no Regulatory Flexibility Analysis was prepared.

#### Federal Assistance Program

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.450.

#### Executive Order 12372

This program is not subject to the provisions of Executive Order 12372 which require intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115, June 24, 1983.

**Executive Order No. 12988**

This proposed rule has been reviewed in accordance with Executive Order 12988 on civil justice reform. The provisions of this rule will not have retroactive effect prior to the effective date. The administrative appeal provisions published at 7 CFR part 11 must be exhausted before any action against FCIC for judicial review may be brought.

**Environmental Evaluation**

This action is not expected to have a significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

**National Performance Review**

This regulatory action is being taken as part of the National Performance Review Initiative to eliminate unnecessary or duplication of regulations and improve those that remain in force.

**Background**

The Corporation makes available standard policies and forms for producers to insure certain crops against various agricultural production risks and perils. Under the provisions of section 508(h) of the Act, any person may submit or propose other crop insurance policies, provisions of policies, or rates of premium for insuring wheat, soybeans, field corn, and any other crop as determined by the Secretary of Agriculture. The Act states that these policies may be submitted without regard to limitations contained in the Act. The Act also requires that FCIC issue regulations to establish guidelines for the submission, and FCIC Board review, of policies or other material submitted to the Board under the Act.

This regulation provides the guidelines needed to carry out the requirements of the Act with respect to the submission of policies and materials to the Board.

**List of Subjects in 7 CFR part 400**

Administrative practice and procedures, Claims, Crop insurance, Reporting and record keeping requirements.

**Proposed Rule**

Accordingly, for the reasons set forth in the preamble, the Federal Crop Insurance Corporation proposes to amend 7 CFR part 400 by adding Subpart V to read as follows:

**PART 400—GENERAL ADMINISTRATIVE REGULATIONS****Subpart V—Submission of Policies, Provisions of Policies and Rates of Premium****Sec.**

- 400.700 Basis, purpose, and applicability.
- 400.701 Definitions.
- 400.702 Confidentiality of submission.
- 400.703 Timing of submission.
- 400.704 Type of submission.
- 400.705 Contents of submission.
- 400.706 RMA review.
- 400.707 Presentation to and review by the Board for approval or disapproval.
- 400.708 Approved submission.
- 400.709 Review of an approved program.
- 400.710 Preemption and premium taxation.
- 400.711 Right of review, modification, and amendment.

Authority: 7 U.S.C. 1506(l), 1506(p).

**Subpart V—Submission of Policies, Provisions of Policies and Rates of Premium****§ 400.700 Basis, purpose, and applicability.**

(a) The Act requires FCIC to issue regulations that establish guidelines for the submission of policies or other material to the FCIC Board under section 508(h) of the Act. These guidelines prescribe the timing, submission, and approval process so that the Board may timely consider any submission for approval and if approved, make it available for sale to producers by any approved insurance providers for the first crop year that the submission is authorized for either reinsurance, subsidies, or other financial support that may be available under the Act. These guidelines also authorize FCIC and the Board to monitor the submission to ensure continued compliance with the requirements of the Act, this subpart, and required changes in the case of noncompliance.

(b) These regulations apply to all applicants.

(c) An applicant may submit for consideration by the Board:

(1) Crop insurance policies that are not currently reinsured or subsidized by FCIC;

(2) Provisions of policies that may amend existing crop insurance policies that are approved by FCIC; or

(3) Rates of premiums for multiple peril crop insurance pertaining to wheat, soybeans, field corn, or any other crop authorized by the Secretary of Agriculture.

(d) A policy or other material submitted to the Board under section 508(h) of the Act may be prepared without regard to limitations contained in the Act including the requirements

concerning the level of coverage, rates of premium, or the requirement that a price level for each commodity insured must equal the expected market price for the commodity as established by the Board.

(e) Any FCIC payment of a portion of the premium may not exceed the amount authorized under section 508(e) of the Act, and payment of administrative and operating expense subsidy may not exceed the amount authorized under section 508(d).

**§ 400.701 Definitions.**

*Act.* The Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*).

*A&O subsidy.* The subsidy for the administrative and operating expenses authorized by the Act and paid by FCIC on behalf of the producer to the Company.

*Applicant.* Any person who submits a policy, provisions of a policy, or premium rates to the Board for approval under section 508(h) of the Act.

*Board.* The Board of Directors of the Federal Crop Insurance Corporation.

*FCIC.* The Federal Crop Insurance Corporation, a wholly owned government corporation within the United States Department of Agriculture.

*Insurance provider.* A private insurance company that has been approved by FCIC to provide crop insurance coverage under the Act.

*Manager.* The Manager of FCIC.

*MPCI.* The multiple peril crop insurance policies authorized under the Act and 7 CFR chapter IV.

*NASS.* National Agriculture Statistics Service, an agency of the United States Department of Agriculture, or a successor agency.

*Person.* An individual, partnership, association, corporation, or other legal entity.

*Policy.* A crop insurance contract between a person and an insurance provider consisting of the accepted application, the Basic Provisions, the Crop Provisions, the Special Provisions, the Catastrophic Risk Protection Endorsement, if applicable, and the applicable actuarial material for the insured crop.

*Premium or rate of premium.* The dollar amount per insured unit or percentage rate per dollar of liability that is needed to pay expected losses and provide for a reasonable reserve.

*Replacement program.* A crop insurance program that provides coverage at least equal to that provided under the MPCI program or an existing crop insurance program with similar terms, conditions, and covered causes of loss.

*Revenue insurance.* Plans of insurance providing protection against loss of income which are designated as such by FCIC.

*Risk subsidy.* That portion of the FCIC approved insurance premium for the risk of loss paid by FCIC on behalf of the policyholders.

*RMA.* Risk Management Agency, an agency of the United States Department of Agriculture which administers the crop insurance program for FCIC.

*Secretary.* The Secretary of the United States Department of Agriculture.

*Submission.* Any policy provisions, rates of premium, and related material that differ from an MPCCI or existing replacement program or that request a material change in an approved insurance program.

*Supplemental program.* A submission requesting reinsurance only that provides coverage in addition to, and is written concurrently with, an MPCCI policy or an approved replacement program.

#### **§ 400.702 Confidentiality of submission.**

(a) A submission made to the Board under section 508(h) of the Act will be considered as confidential commercial or financial information for purposes of 5 U.S.C. 552(b)(4) until approved by the Board. An applicant may waive such confidentiality by advising RMA in writing, or by releasing such information outside the applicant.

(b) Once a submission is approved, all information provided by the applicant to the Board will be made public.

(c) Any submission disapproved by the Board will remain confidential commercial or financial information in accordance with 5 U.S.C. 552(b)(4).

#### **§ 400.703 Timing of submission.**

(a) Any submission for Board review must be received not later than 240 days prior to the first sales closing date for which sales are requested for a crop to provide adequate time for review, approval, and marketing of the program. If the submission applies to more than one crop, the earliest applicable crop sales closing date controls. Any untimely submission will be considered for the subsequent crop year. Since policies vary in complexity and availability of required data, neither FCIC nor RMA make any assurance that approval will be given in time for sales in any crop year.

(b) Six copies of the submission under this section must be sent to the Deputy Administrator, Research and Development, Federal Crop Insurance Corporation, 9435 Holmes Road, Kansas City, MO 64131.

#### **§ 400.704 Type of submission.**

An applicant may submit to the Board:

(a) Policies and related material identified as one of the following types:

- (1) A supplemental program;
- (2) A replacement program; or
- (3) Any other submission under

section 508(h) of the Act not classified by paragraphs (a) and (b) of this section.

(b) One or more proposed revisions of any MPCCI policy, revenue insurance policy, or any other policy approved by the Board under section 508(h) of the Act; and

(c) Provisions or rates of premiums for MPCCI policies.

#### **§ 400.705 Contents of submission.**

Each submission may contain any information that the applicant wishes to provide but, at a minimum, it must include the following identified material:

(a) All submissions must contain at a minimum:

- (1) The applicant's name;
- (2) The type of submission;
- (3) The proposed crops, types, varieties, or practices, as applicable, to be covered by the submission;
- (4) The geographical areas where the submission will be applicable;
- (5) The percentage of the crop production and acreage that potentially could be affected by the submission and the estimated total liability (by state and crop);
- (6) The percentage of the crop production and acreage that is expected to be affected by the submission (estimated participation by crop and state) and the estimated liability (by state and crop);
- (7) The crop year in which the proposed submission will be effective;
- (8) The proposed duration of the program, if applicable;
- (9) A statement of whether the applicant intends to expand the program in future crop years to different geographical areas or crops, types, varieties, or practices, as applicable;
- (10) A statement of whether the applicant is requesting reinsurance, risk subsidy, or A&O subsidy for the submission, and if so, the proposed methods of calculating the risk subsidy or A&O subsidy. In the event that circumstances change, procedures also must be included to show how to recompute the risk subsidy or A&O subsidy so that the amounts of subsidy do not exceed the amount authorized by law;
- (11) A schedule of the tasks to be completed for the implementation of the submission including:

(i) A list of the tasks that must be completed, including, as applicable;

(1) The name and title of the person responsible for completing each task;

(2) The date by which each task will be completed; and

(3) The date by which the information or documents will be made available to RMA, the policyholder, other insurance providers, or the Commissioner of Insurance, if applicable (Policy information, forms and other related documents must be made available to the producer not later than 30 days before the earliest crop sales closing date for the crops to which the submission applies.);

(12) A description of the benefits of the submission:

(i) To producers, that demonstrate how the submission offers coverages or costs that are significantly different from existing programs and that such coverage is generally not available from the private sector. Such descriptions should be supported by sample survey

- (A) Premium rates;
- (B) Actuarial data;
- (C) Crop prices;
- (D) Application and related policy forms;
- (E) Training materials;
- (F) Loss adjustment procedures;
- (G) Procedures for compliance reviews;
- (H) Examination of insurance experience;
- (I) A determination if:
- (1) The submission will be filed with the applicable Commissioner of Insurance for each state proposed for sales, and if not, the basis of why such submission will not be forwarded for review by the Commissioner; and
- (2) The submission complies in all material respects with the standards established by FCIC for processing and acceptance of data as specified in its Manual 13 "Data Acceptance System Handbook", unless FCIC has agreed otherwise as part of the development process. This handbook is available from the Actuarial Division, PO Box 419293, Kansas City, Mo 64141;
- (J) Identification of:
- (1) Parties and responsibilities for addressing the policy and procedural issues and questions that arise in administering the approved program; and
- (2) Party responsible for the product liability and the basis for such responsibility including liability for flaws in product design if such results in litigation against the applicant or FCIC; and
- (K) Procedures for annual reviews to ensure compliance with all requirements of the Act, this subpart and any agreements executed between the applicant and FCIC;

(1) The name and title of the person responsible for completing each task;

(2) The date by which each task will be completed; and

(3) The date by which the information or documents will be made available to RMA, the policyholder, other insurance providers, or the Commissioner of Insurance, if applicable (Policy information, forms and other related documents must be made available to the producer not later than 30 days before the earliest crop sales closing date for the crops to which the submission applies.);

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results from producers, producer groups, agents, lending institutions, and other interested parties; and

(ii) To taxpayers, that demonstrate how the submission meets the public policy goals and objectives as stated in the Act, the statements of the Secretary, or similar officials and laws. This must include the rationale and data supporting the request for FCIC's financial commitment to the submission;

(13) Any accumulated insurance experience from all years and in all states in which the submission has been offered for sale and a comparison of the submission's performance with other competing crop insurance programs; and

(14) An explanation of those provisions not authorized under the Act and the premium apportioned to those provisions.

(b) With respect to any submission that impacts the amount of premium charged to the producer, the applicant must provide with the submission:

(1) A detailed description of the rating methodology, including all mathematical formulae and equations used in determining all unsubsidized and subsidized premiums or rates of premium;

(2) A list of the assumptions used in the formulation of the premiums or rates of premium;

(3) Simulations of the performance of the proposed premiums or rates of premium based on one or more of the following:

(i) By determining the total premiums and anticipated losses that would be paid under the submission and comparing these totals to a comparable insurance plan offered under the authority of the Act. Such simulations must use all experience available to the applicant and must include at least one year in which indemnities for the submission and the comparable crop exceed total premiums;

(ii) By means of a stochastic simulation of the submission that is based on the same assumptions as those used to develop the premiums or rates of premium, including sensitivity tests with regard to each assumption that demonstrates the probable impact of an erroneous assumption; or

(iii) By means of any simulation that can be proven to provide results comparable to those described in paragraphs (b)(3)(i) and (ii) of this section;

(4) Worksheets that provide the calculations in sequential order and in sufficient detail to allow verification that the premiums charged for the coverage are consistent with policy

provisions. Any unique premium component must be explained in sufficient detail to determine whether the existence or amount of the premium or premium rate is appropriate; and

(5) A certification that includes, but is not limited to, an evaluation of all supporting documentation and analysis, from an accredited associate or fellow of the Casualty Actuarial Society or a similar uninterested third party or peer review panel or both. The evaluation must demonstrate that the submission is consistent with sound insurance principles, practices, and requirements of the Act.

(c) With respect to those submissions that involve new crop insurance programs or revisions of the provisions of an existing crop insurance program, the applicant must provide with the submission:

(1) Copies of the application and related policy forms together with the instructions for completing and processing such forms;

(2) Copies of the insurance policy provisions;

(3) The underwriting rules, including but not limited to:

(i) The procedures for accepting the application;

(ii) The rules for determining program eligibility, including but not limited to, minimum acreage, premium requirements, sales closing dates, production reporting requirements, inception or termination dates of the policy;

(iii) The application of administrative fees as required by the Act;

(iv) The description of available options that are different from any existing crop insurance program;

(v) Any information needed to establish coverage and determine claims, including prices that must be made available during the insurance period (This information must specify how and when such determination is made and that the process is in compliance with policy provisions.); and

(vi) Any other applicable underwriting requirements that may be required by RMA;

(4) Statements from at least three commercial reinsurers or reinsurance brokers regarding the availability of commercial reinsurance, the amount of commercial reinsurance available, the proposed terms of reinsurance and, if applicable, any past insurance experience of the submission or similar crop insurance program;

(5) The loss adjustment procedures and calculations that include, but are not limited to:

(i) Procedures that clearly specify the methods for determining the existence of and the amount of any payable loss under the submission and that demonstrate that such determinations are consistent with policy provisions; and

(ii) Examples and worksheets that provide for the steps for calculating the amounts of any payment for indemnity (loss in yield or price), prevented planting payment or replant payment in sequential order and in sufficient detail to allow review and verification that the indemnity calculations are consistent with policy provisions. Any unique component must be explained in sufficient detail to determine whether the existence or amount of the claim is appropriate;

(6) A detailed calculation for determining commodity prices, coverage levels, the amounts of insurance, and production guarantees; and

(7) A detailed description of the causes of loss covered and excluded under the submission.

#### **§ 400.706 RMA review.**

Each submission will be reviewed by RMA to determine if all necessary and appropriate documentation is included. RMA will provide the Board with the result of its review and recommendation with respect to whether the submission complies with the Act and this subpart. The submission may be returned to the applicant if it does not comply in all material respects with these requirements. To be considered, any returned submission must be resubmitted in its entirety unless otherwise agreed to by RMA.

#### **§ 400.707 Presentation to and review by the board for approval or disapproval.**

(a) Upon completion of RMA's review, RMA's recommendations will be forwarded to the Board.

(b) The Manager shall schedule the submission to be presented to the Board and inform the applicant of the date, time, and place of such meeting.

(c) The applicant will be given the option of presenting the submission to the Board. The applicant must notify FCIC in writing in advance of the Board meeting as to whether the applicant or a representative of FCIC will present the submission to the Board. If the applicant plans to present the submission and fails to appear, an FCIC representative will present the submission to the Board.

(d) The Board may consider for approval the submission for sale to producers as an additional risk management tool if:

(1) Producers interests are being adequately protected;

(2) Premiums charged are actuarially appropriate with regard to the frequency and severity of anticipated losses;

(3) A memorandum of understanding or other such agreement has been executed between the applicant and FCIC, which specifies the responsibilities of each with respect to the implementation, delivery and oversight of the submission at least 60 days prior to the sales closing date of the crop with the earliest sales closing date;

(4) The sponsoring company agrees to make any adjustment FCIC may suggest in any terms and conditions of the policy, procedures, or other related materials as needed to protect the interests of producers and the integrity of the program;

(5) Company resources, procedures, and internal controls are adequate to make the product available to producers in a timely manner in the proposed market areas; and

(6) The applicant provides RMA all material and information necessary to administer the program including but not limited to:

(i) An agreement between FCIC and the applicant which specifies the amount of reinsurance coverage, risk subsidy, and A&O subsidy, as applicable, to be paid by FCIC. The agreement shall be completed at least 60 days before the sales closing date for the crop with the earliest sales closing date; and

(ii) Rates, forms, guidelines, standards, actuarial, rating procedures, indemnity procedures, and related documents in an electronic format that can be used by all interested parties.

(e) The Board may disapprove the submission for financial assistance if all the requirements in § 400.707(d) are not met. When the Board indicates its intention to disapprove, the Board will:

(1) Notify the applicant in writing of its intent to disapprove the submission not later than 30 days prior to taking such action. Such notice will contain the basis for disapproval, and may include recommended changes necessary for Board approval;

(2) Consider any resubmission as a new proposal and complete the review process at a later time; and

(3) Reserve the right to act upon an applicant's revised submission or defer action to a later time or subsequent crop year.

#### **§ 400.708 Approved submission.**

(a) A submission approved by the Board under this subpart shall be published as a notice of availability in

the **Federal Register**, and be made available to all persons contracting with or reinsured by FCIC under the same terms and conditions as required of the submitting company.

(b) Any solicitation, sales, marketing, or advertising of the program made by any party before FCIC has made the submission and related materials available to all interested parties through its official issuance system will result in the denial of reinsurance, risk subsidy and A&O subsidy for the first approved crop year.

#### **§ 400.709 Review of an approved program.**

(a) Responses to procedural issues, questions, problems or needed clarification regarding an approved submission shall be jointly addressed by the applicant and RMA. All such resolutions shall be communicated to all insurance providers through FCIC's official issuance system. Any corrected material must be presented to RMA in a format specified in § 400.707(d)(6)(ii).

(b) Any change causing a material impact upon a submission previously approved by the Board must be resubmitted for Board consideration and approval.

(c) The approved submission shall be administered in accordance with all terms of the reinsurance agreement, any applicable memorandum of understanding, or any other requirement deemed appropriate by the Board.

#### **§ 400.710 Preemption and premium taxation.**

A policy that is approved by the Board for FCIC reinsurance only, or FCIC reinsurance and full subsidy, and published in the **Federal Register** as a notice of availability is preempted from state and local taxation, and any policy provision changes requested under other state and local laws and regulations must be submitted to RMA for review and Board approval.

#### **§ 400.711 Right of review, modification, amendment.**

At any time after approval, if sufficient material, documentation or cause arises, the Board may review any approved program, request additional information, and require appropriate amendments, revisions or program changes for purposes of actuarial soundness, program integrity or protection of the interests of producers.

Signed in Washington, DC., on September 4, 1997.

**Kenneth D. Ackerman,**  
Manager, Federal Crop Insurance Corporation.

[FR Doc. 97-23904 Filed 9-10-97; 8:45 am]

BILLING CODE 3410-08-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

[Airspace Docket No. 97-AGL-38]

#### **Proposed Modification of the Legal Description of Class E Airspace; Dickinson, ND**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to modify the legal description of Class E airspace, Dickinson, ND. The current legal description indicates less than continuous times of operation for the Class E airspace for Dickinson Municipal Airport. Actual times of operation for the airspace are continuous. The legal description must reflect the actual times of operation. This proposal would accurately reflect the times of operation for the Class E airspace at Dickinson, ND.

**DATES:** Comments must be received on or before October 27, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 97-AGL-38, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Operations Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

**FOR FURTHER INFORMATION CONTACT:** Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic,