closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA–230, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR part 71 to modify Class E airspace at Howell, MI, to accommodate aircraft executing the proposed GPS SIAP 036° helicopter point in space approach for McPherson Hospital Heliport by modifying existing controlled airspace. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The area would be depicted on appropriate aeronautical charts. 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 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed 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).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 incorporated by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, 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 Howell, MI [Revised]

Howell, Livingston County Airport, MI
(Lat. 42°37′46″ N., long. 83°59′03″ W)
McPherson Hospital, MI
Point in Space Coordinates
(Lat. 42°36′25″ N., long. 83°56′58″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Livingston County Airport, and within a 6.0-mile radius of the Point in Space serving McPherson Hospital, excluding that airspace within the Detroit, MI, Class E airspace area.

* * * * *

Issued in Des Plaines, Illinois on January 29, 1999.

Michelle M. Behm,

Acting Manager, Air Traffic Division.

[FR Doc. 99–3285 Filed 2–9–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF STATE

22 CFR Part 22

[Public Notice 2970]

Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates

AGENCY: Bureau of Consular Affairs, State Department.

ACTION: Proposed rule.

SUMMARY: This rule proposes to amend the Schedule of Fees for Consular Services. Specifically, it lowers the cost of the machine readable combined border crossing card and nonimmigrant visa for certain Mexican citizens under the age of 15 applying in Mexico and it exempts certain diplomatic visa applicants from visa fees for non-official travel.

DATES: Written comments must be received no later than March 12, 1999.

ADDRESSES: Interested persons are invited to submit comments in duplicate to: Office of the Executive Director, Bureau of Consular Affairs, Department of State, Washington, D.C. 20520–4818, telephone (202) 647–3682; telefax (202) 647–3677.

FOR FURTHER INFORMATION CONTACT: Alcy Frelick, Office of the Executive Director, Bureau of Consular Affairs, Department of State, telephone (202) 647–3682; telefax (202) 647–3677.

SUPPLEMENTARY INFORMATION:

Authority to Collect Fees

Public Law 103–236, enacted April 30, 1994, authorizes the Secretary of State to collect a surcharge for the processing of machine readable visa (MRV) applications and for the processing of machine readable combined border crossing card and nonimmigrant visa applications. This authority has been delegated to the Undersecretary for Management. The Secretary of State is also authorized under E.O. 10718 of June 27, 1957, to exercise the President's authority under 22 U.S.C. 4219 to prescribe the fees to be charged for official services performed by the Department of State. The Schedule of Fees for Consular Services is set forth in 22 CFR 22.1, as amended on January 30, 1998, [63 FR 5098].

Combined Border Crossing Card and Nonimmigrant Visa

Section 410 of Public Law 105–277, enacted October 21, 1998, provides for a revised fee for certain categories of applicants for the machine readable combined border crossing card and

nonimmigrant visa. This rule amends item 54 on the Schedule of Fees for Consular Services. Effective 6 months after October 21, 1998, it reduces the fee for the processing of an application for a combined border crossing card and nonimmigrant visa to $13 (for recovery of costs of manufacturing the combined card and visa) in the case of any Mexican citizen under 15 years of age where the application for the machine-readable combined border crossing card and nonimmigrant visa is made in Mexico by a person who has at least one parent or guardian who has a visa or is applying for a machine-readable combined border crossing card and nonimmigrant visa as well. This revised fee is proposed to take effect on April 21, 1999, as provided by the law.

Pub. L. 107–277 Section 410 (b)(3) states: ''Notwithstanding any other provision of law, the Secretary of State shall set the amount of the fee . . . at a level that will ensure the full recovery by the Department of State of the costs of processing such machine readable nonimmigrant visas and machine readable combined border crossing cards and nonimmigrant visas, including the costs of processing the machine readable combined border crossing cards and nonimmigrant visas for which the fee is reduced pursuant to this subsection.''

A cost analysis determined that the $13 fee would cover the cost of production of the combined machine-readable border crossing card and nonimmigrant visa for qualifying Mexican citizens. Given this and the fact that the $45 fee is based on world wide average of processing visas and given the small percentage of the worldwide workload this new fee affects and the cost of production of the machine readable combined border crossing card and nonimmigrant visa, it is not anticipated that the reduction in the fee for this group will mandate a change in the MRV processing fee worldwide in order to comply with the full cost recovery provisions of the law.

Diplomatic Visas for Non-Official Travel

The second item in this rule amends items 55 and 57 of the Schedule of fees for Consular Services by adding an exemption from the visa processing and issuance fees for certain applicants applying for diplomatic visas for non-official travel to the U.S. Exempting these categories of visas from the visa processing and issuance fees is consistent with diplomatic practice worldwide. Officials of foreign governments regularly apply for visas for non-official travel to the U.S. through diplomatic channels. These applications, when submitted under diplomatic note but without the fee, must currently be returned for resubmission, causing delays and adding to the cost of service. In addition, they generate complaints to senior U.S. officials and often require comprehensive explanations to clarify the reason for the return of the visa application. The exemption from processing and issuance fees of these visas is in the interest of the U.S. government, as these officials and their immediate family members play pivotal roles in U.S. relations with their countries. Encouraging personal travel of foreign government officials and their immediate family members has long term positive impact on the achievement of U.S. policy goals because it contributes to understanding of U.S. culture and policies. This amendment is proposed to take effect March 1, 1999.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980, as amended in 1996 (5 U.S.C. Chapter 6), requires the Federal government to anticipate and minimize the impact of rules and paperwork requirements on small entities. Such entities are defined as small businesses (those with fewer than 500 employees), small non-profit organizations (those with fewer than 500 employees), and small governmental entities (those in areas with fewer than 50,000 residents). The Department has assessed the potential impact of the Rule, and the Undersecretary for Management by approving it certifies that it will not have a significant economic effect on a substantial number of small entities. It imposes no requirements on such entities.

In addition, pursuant to the Small Business Regulatory Fairness Act (U.S.C. Chapter 8), the Department has screened the Rule and determines that it is not a ''major rule,'' as defined in 5 U.S.C. 804(2). It will not result in an annual effect on the economy of $100,000 or more; a major increase in cost or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of US-based companies in domestic and export markets.

Paperwork Reduction Act

No new information requirements are contained in this rule.

Executive Orders 12866 and 12988

This rule is exempt from Executive Order 12866 but has been reviewed internally by the Department to ensure consistency with the objective thereof. This rule has also been reviewed as required by Executive Order 12988 and determined to be in compliance therewith.

Executive Order 12612

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

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of $100,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995 (2U.S.C. 1501 *et seq.*) and Executive Order 12875.

Proposed Rule

List of Subjects in 22 CFR Part 22

Passports and visas, Schedule of consular fees.

Accordingly, this rule proposes to amend 22 CFR part 22 as follows:

PART 22—[AMENDED]

1. The authority citation for part 22 continues to read as follows:

Authority: 8 U.S.C. 1153 note, 1351, 1351 note; 10 U.S.C. 214, 250(a), 4201, 4206, 4215, 4219; 31 U.S.C. 9701; E.O. 10718, 22 FR 4632, 3 CFR, 1954–1958 comp., p. 382; E.O. 11295, 31 FR 10603, 3 CFR, 1966–1970 Comp., p. 570.

2. In § 22.1 by revising items 54, 55(a) and 57(a) to read as follows:

§ 22.1 Schedule of fees.

Item No.	Fee
* * * * *	
54. Nonimmigrant visa application and combined border crossing card and nonimmigrant visa processing fees:	
(a) Nonimmigrant visa	$45.00
(b) Combined border crossing card and nonimmigrant visa (age 15 and over)	$45.00

Item No.	Fee
(c) Combined border crossing card and nonimmigrant visa (under age 15) [for Mexican citizen if parent or guardian has or is applying for a combined border crossing card and nonimmigrant visa]	13.00
55. EXEMPTIONS from nonimmigrant visa application processing fee:	
(a) Applicants for diplomatic visas, as defined in 22 CFR 41.26	No fee
* * * * *	
57. EXEMPTIONS from nonimmigrant visa issuance fee:	
(a) Applicants for diplomatic visas, as defined in 22 CFR 41.26	No fee
* * * * *	

Dated: January 20, 1999.

Bonnie R. Cohen,

Under Secretary for Management.

[FR Doc. 99–2697 Filed 2–9–99; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 227

RIN 1010–AC51

Change to Delegated State Audit Functions

AGENCY: Minerals Management Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Minerals Management Service (MMS) is proposing to amend its regulation at 30 CFR 227.101, to allow States which choose to assume audit duties to do so for less than all of the Federal mineral leases within the State or leases offshore of the State, subject to section 8(g), of the Outer Continental Shelf Lands Act, 43 U.S.C. 1337(g).

DATES: Comments must be submitted on or before April 12, 1999.

ADDRESSES: If you wish to comment, you may submit your comments any one of several methods. You may mail comments to David S. Guzy, Chief, Rules and Publications Staff, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS 3021, Denver, CO 80225–0165. Courier or overnight delivery address is Building 85, Room A–613, Denver Federal Center, Denver, CO 80225. You may also comment via the Internet to RMP.comments@mms.gov. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include ''Attn: RIN 1010–AC51'' and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact David S. Guzy directly at (303) 231–3432.

FOR FURTHER INFORMATION CONTACT: David S. Guzy, Chief, Rules and Publications Staff, telephone (303) 231–3432, FAX (303) 231–3385, e-Mail David.Guzy@mms.gov.

SUPPLEMENTARY INFORMATION: The principal author of this proposed rulemaking is Ms. Shirley Burhop, State and Indian Compliance Division, Royalty Management Program (RMP).

We will post public comments after the comment period closes on the Internet at http://www.rmp.mms.gov. You may arrange to view paper copies of the comments by contacting David S. Guzy, Chief, Rules and Publications Staff, telephone (303) 231–3432, FAX (303) 231–3385. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity as allowable by law. If you wish us to withhold your name or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

I. Background

This proposed rule will amend regulations governing the delegation of royalty management duties to States. Section 205 of the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA), 30 U.S.C. 1735, gives MMS the authority to delegate audit functions to States. Currently, 10 States have entered into the cooperative agreements authorized by Section 205.

Regulations in 30 CFR part 227 implementing the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA), Pub. L. 104–185, as corrected by Pub. L. 104–200, expanded upon the delegation of duties that States could assume. Those regulations at 30 CFR 227.101 inserted the term ''all'' into the description of Federal mineral leases subject to audit, thereby requiring that States audit all Federal mineral leases within that State and all 8(g) leases offshore of the State in order to enter into a cooperative agreement to assume the audit function. The word ''all'' was, in fact, intended in the case of the other delegable functions authorized by RSFA, but does not seem to be either necessary or desirable in the case of the audit function.

This change is necessary in order for States, which are now delegated audit authority under FOGRMA, to continue that audit authority without significantly altering their staffing, funding, or other operations.

By removing the requirement that they exercise audit authority over all Federal mineral leases within the State, the States will again be able to work with us in those cases where State resources do not allow the State to sufficiently cover their entire audit universe. Thus, the State would designate the limits of its audit activity each year through an annual audit work plan. This wording change would also enable the MMS to continue to assist a State in its audit efforts when necessary.

II. Statutory Authority

Authority for this change is granted by FOGRMA, 30 U.S.C. 1735, as amended by RSFA, Pub. L. 104–185, August 13, 1996, as corrected by Pub. L. 104–200. Authority regarding solid mineral leases, geothermal leases, and 8(g) leases is granted by Pub. L. 102–154.

III. Analysis

The requirement that a State audit all Federal and 8(g) leases within/offshore of that State is only stated in 30 CFR 227.101. It is not required by law. RSFA, § 3, FOGRMA § 205, states ''Upon written request of any State, the Secretary is authorized to delegate * * * all or part of the authorities and responsibilities of the Secretary * * * to any State with respect to all Federal land within the State.''

The only way to negate the effect of the rule is to write a new rule which changes the requirement to audit all leases.

This solution will be cost neutral. States which are delegated audit duties will continue to be fully reimbursed in accordance with their annual, approved audit plan for their costs. This solution will enable those States which currently are delegated audit duties to continue to perform that delegated function, in spite