

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. 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 11013; 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, when promulgated, 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

In consideration of the foregoing, 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 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9465, 3 CFR, 1959–1963 Comp., p. 389.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9H, Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

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

\* \* \* \* \*

#### ANM WA E5 Yakima, WA [Revised]

Yakima Air Terminal,  
(Lat. 46°34'05" N., long 120°32'38" W.)  
Yakima VORTAC  
(Lat. 46°34'13" N., long 120°26'41" W.)

That airspace extending upward from 700 feet above the surface within the 7.5-mile radius of the Yakima Air Terminal, and within 4.3 miles northeast and 8.7 miles southwest of the Yakima VORTAC 115° and 295° radials extending from .9 miles northwest to 20.1 miles southeast of the

VORTAC, and within 4.1 miles north and 5 miles south of the 287° bearing from the Yakima Air Terminal extending from the 7.5-mile radius to 19.5 miles northwest of the airport; that airspace extending upward from 1,200-feet above the surface within a 21.8-mile radius of the Yakima VORTAC, and bounded by a line beginning at lat. 46°10'00" N., long. 119°45'00" W.; thence to lat. 46°10'00" N., long. 121°00'00" W.; to lat. 46°50'00" N., long. 121°00'00" W.; to lat. 46°50'00" N., long. 119°45'00" W.; thence to the point of origin, excluding that and that airspace within Federal Airways, Restricted Area 6714 and its sub-areas during effective times, and the Ellensburg, WA Class E airspace area.

\* \* \* \* \*

Issued in Seattle, Washington, on July 9, 2001.

**Dan A. Boyle,**

*Assistant Manager, Air Traffic Division,  
Northwest Mountain Region.*

[FR Doc. 01–18235 Filed 7–20–01; 8:45 am]

**BILLING CODE 4910–13–M**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 01–ANM–07]

#### Proposed Modification of Class E airspace, Kemmerer, WY

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

**ACTION:** Notice of Proposed Rulemaking (NPRM).

**SUMMARY:** This action proposes to modify the Class E airspace at Kemmerer, WY. Newly developed Area Navigation (RNAV) approaches at the Kemmerer Municipal Airport has made this proposal necessary. Additional Class E 1,200-foot controlled airspace, above the surface of the earth is required to contain aircraft executing the RNAV (Global Positioning System (GPS)) RWY 16 and RNAV (GPS) RWY 34 at Kemmerer Municipal Airport. The intended effect of this proposal is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Kemmerer Municipal Airport, Kemmerer, WY.

**DATES:** Comments must be received on or before September 6, 2001.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Airspace Branch, ANM–520, Federal Aviation Administration, Docket No. 01–ANM–07, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

An informal docket may also be examined during normal business hours

in the office of the Manager, Air Traffic Division, Airspace Branch, at the address listed above.

#### FOR FURTHER INFORMATION CONTACT:

Brian Durham, ANM–520.7, Federal Aviation Administration, Docket No. 01–ANM–07, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone number: (425) 227–2527.

#### 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, environmental, and energy related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 01–ANM–07." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above 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 NPRM by submitting a request to the Federal Aviation Administration, Airspace Branch, ANM–520, 1601 Lind Avenue SW., Renton, Washington, 98044–4056. Communications must identify the docket 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 Title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by modifying Class E airspace at Kemmerer, WY. Newly developed Area Navigation (RNAV) approaches at the Kemmerer Municipal Airport has made this proposal necessary. Additional Class E 1,200-foot controlled airspace, above the surface of the earth is required to contain aircraft executing the RNAV (GPS) RWY 16 and RNAV (GPS) RWY 34, at Kemmerer Municipal Airport, has made this proposal necessary. The FAA establishes Class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace. This proposal would promote safe flight operations under IFR at the Kemmerer Municipal Airport and between the terminal and en route transition stages.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700-feet or more above the surface of the earth, are published in Paragraph 6005, of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, 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 had 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. 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 11013; 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, when promulgated, 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

In consideration of the foregoing, 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 14 CFR 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 incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9H, Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

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

\* \* \* \* \*

#### ANM WY Kemmerer, WY [Revised]

Kemmerer Municipal Airport, WY  
(lat. 41°49'30"N., long. 110°33'32"PrimeW.)

That airspace extending upward from 700-feet above the surface within the 8-mile radius of the Kemmerer Municipal Airport, and within 4 miles each side of the 174° bearing from the Kemmerer Airport extending from the airport 11 miles south of the airport, and within 3.6 miles each side of the 354° bearing from the Kemmerer Airport extending from the airport to 16.1 miles northwest of the airport; and that airspace extending upward from 1,200-feet above the surface bounded by a line beginning at lat. 41°30'00"N., long. 111°00'00"W.; to lat. 42°10'00"N., long. 111°00'00"W.; to lat. 42°10'00"N., long. 110°00'00"W.; to lat. 41°30'00"N., long. 110°00'00"W.; to lat. 41°15'00"N., long. 110°23'00"W.; to lat. 47°53'30"N., long. 104°29'40"W.; to lat. 48°10'00"N., long. 104°12'00"W.; to point of origin; and excluding that airspace within Federal airways; and the Fort Bridger, WY, Class E airspace areas.

\* \* \* \* \*

Issued in Seattle, Washington, on July 3, 2001.

**Dan A. Boyle,**

*Assistant Manager, Air Traffic Division,  
Northwest Mountain Region.*

[FR Doc. 01–18237 Filed 7–20–01; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR 864

[Docket No. 95P–0315]

### Hematology and Pathology Devices; Reclassification of Automated Differential Cell Counters; Correction

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a proposed rule that appeared in the **Federal Register** of May 9, 2001 (66 FR 23634). The document proposes to reclassify from class III (premarket approval) to class II (special controls) the automated differential cell counter (ADCC). The document published inadvertently with the incorrect docket number. This document corrects that error.

#### FOR FURTHER INFORMATION CONTACT:

Joyce Strong, Office of Policy, Planning, and Legislation (HF–27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–7010.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 01–11580, appearing in the **Federal Register** of Wednesday, May 9, 2001, the following correction is made: On page 23634, in the second column, "[Docket No. 95P–0351]" is corrected to read "[Docket No. 95P–0315]."

Dated: July 17, 2001.

**Margaret M. Dotzel,**

*Associate Commissioner for Policy.*

[FR Doc. 01–18343 Filed 7–20–01; 8:45 am]

**BILLING CODE 4160–01–S**

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 260

[Docket No. 96–5 CARP DSTR A]

### Determination of Reasonable Rates and Terms for the Digital Performance of Sound Recordings

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Copyright Office is requesting comment on proposed regulations that will govern the RIAA collective when it functions as the designated agent receiving royalty payments and statements of accounts