

on the distribution of power and responsibilities among the various levels of government. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with States is not required.

#### Unfunded Mandates

This rule contains no Federal mandates (under the regulatory provision of Title II of the Unfunded Mandate Reform Act of 1995) 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 Unfunded Mandate Reform Act of 1995.

#### National Environmental Policy Act Certification

The Administrator of RUS has determined that this proposed rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment.

#### Background

The Rural Utilities Service (RUS) published in the **Federal Register** on January 30, 2003, at 68 FR 4684, a final rule amending its regulations in order to establish the Rural Broadband Access Loan and Loan Guarantee Program as authorized by the Farm Security and Rural Investment Act of 2002 (Pub. L. 101-171) (2002 Act). Section 6103 of the Farm Security and Rural Investment Act of 2002 amended the Rural Electrification Act of 1936, as amended (RE Act), to add Title VI, Rural Broadband Access, to provide loans and loan guarantees to fund the cost of construction, improvement, or acquisition of facilities and equipment for the provision of broadband service in eligible rural communities.

This rule amends § 1738.2, Definitions, to conform the rule to substantive changes in authority. The definition for "eligible rural community" in section 601(b)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(b)(2)) was amended on January 23, 2004, by section 772 of Public Law 108-199, of the Consolidated Appropriations Act, 2004 to eliminate the requirement that a community exist outside a standard metropolitan statistical area. This rule incorporates the language of the revised statute and explains RUS' interpretation of the language.

#### List of Subjects in 7 CFR Part 1738

Broadband, Loan programs—communications, Rural areas, Telephone, Telecommunications.

■ For reasons set for in the preamble, chapter XVII of title 7 of the Code of Federal Regulations is amended to read as follows:

#### PART 1738—RURAL BROADBAND ACCESS LOANS AND LOAN GUARANTEES

■ 1. The authority citation for part 1738 continues to read as follows:

**Authority:** Public Law 107-171, 7 U.S.C. 901 *et seq.*

■ 2. Amend § 1738.2 to revise the definition to "Eligible rural community" to read as follows:

#### § 1738.2 Definitions.

\* \* \* \* \*

*Eligible rural community* is defined in the RE Act as any area of the United States that is not contained in an incorporated city or town with a population in excess of 20,000 inhabitants. For purposes of this part, RUS interprets:

(1) "United States" to include its territories and insular possessions (including the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau);

(2) "Area" to mean any identifiable place that has no more than 20,000 inhabitants based on the most recent available information of the Bureau of the Census; and

(3) "An incorporated city or town with a population in excess of 20,000 inhabitants" to mean any incorporated city or town with a population in excess of 20,000 inhabitants based on the most recent available information of the Bureau of the Census.

\* \* \* \* \*

Dated: March 28, 2005.

**Curtis M. Anderson,**

*Acting Administrator, Rural Utilities Service.*

[FR Doc. 05-6537 Filed 4-1-05; 8:45 am]

**BILLING CODE 3410-15-P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-17896; Airspace Docket No. 04-AGL-13]

#### Modification of Class D Airspace; Grissom ARB, IN

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class D airspace at Grissom ARB, IN, where Instrument Flight Rules Category E circling procedures are being used. This action increases the current area of the Class D airspace.

**EFFECTIVE DATE:** 0901 UTC, July 7, 2005.

**FOR FURTHER INFORMATION CONTACT:** J. Mark Reeves, FAA, Terminal Operations, Central Service Office, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7477.

#### SUPPLEMENTARY INFORMATION:

#### History

On Thursday, September 23, 2004, the FAA proposed to amend 14 CFR part 71 to modify the Class D airspace area at Grissom, ARB, IN. The proposal was to increase the existing radius of the Class D airspace area to allow for IFR Category E circling procedures.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal. One comment was received and reviewed prior to taking any final action this matter. It stated objection and provided other comments on the proposal. The comment expressed concern that the proposed expansion of the Class D airspace area would create a burden on the flying public. There were also comments pertaining to the belief that there is a lack of funding for training flights, and other operational concerns that would render the expansion as proposed unnecessary.

In response to the comment received, and taking into consideration the concerns of the commenter, discussions were held between the FAA and the military to see if a modification could be made to the proposed expansion. The military, in a letter, explained the need for the expansion as proposed due to training and proficiency needs. They do have the budget to support this, and their simulators are not set up to accomplish this. Except for a 1.1-mile

increase to the existing Class D airspace radius, the Class D airspace area would remain unchanged.

### The Rule

This amendment to 14 CFR part 71 modifies the Class D airspace area at Grissom ARB, IN. The area will be depicted on appropriate aeronautical charts.

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. 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 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 Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 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 incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

\* \* \* \* \*

*Paragraph 5000 Class D airspace.*

#### AGL IN D Grissom ARB, IN [Revised]

(Lat. 40° 38'53" N., long. 86° 09'08" W.)

That airspace extending upward from the surface to and including 3,300 feet MSL within a 5.6-mile radius of Grissom ARB.

This Class D airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in Des Plaines, Illinois on March 11, 2005.

**Nancy B. Kort,**

*Area Director, Central Terminal Operations.*

[FR Doc. 05–6655 Filed 4–1–05; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2003–19237; Airspace Docket No. 04–AGL–19]

#### Establishment of Class E Airspace; Tracy, MN

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Tracy, MN. Standard Instrument Approach Procedures have been developed for Tracy Municipal Airport, Tracy, MN. Controlled airspace extending upward from 700 feet or more above the surface of the earth is needed to contain aircraft executing these approaches. This action establishes an area of controlled airspace for Tracy Municipal Airport.

**EFFECTIVE DATE:** 0901 UTC, July 7, 2005.

**FOR FURTHER INFORMATION CONTACT:** J. Mark Reeves, FAA, Terminal Operations, Central Service Office, Operations Branch, AGL–530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7477.

#### SUPPLEMENTARY INFORMATION:

#### History

On Friday, December 10, 2004, the FAA proposed to amend 14 CFR part 71 to establish Class E airspace at Tracy, MN. The proposal was to establish controlled airspace extending upward from 700 feet or more above the surface of the earth to contain Instrument Flight Rules operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. 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 7400.9M dated August 30, 2004, and effective September 16, 2004, 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 Rule

The amendment to 14 CFR part 71 establishes Class E airspace at Tracy, MN, to accommodate aircraft executing instrument flight procedures into and out of Tracy Municipal Airport. The area will be depicted on appropriate aeronautical charts.

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. Therefore, this 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 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—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 incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and