

(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,

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 notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 97-AGL-38." 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 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 the 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, S.W., 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 part 71 of the Federal Aviation Regulations (14 CFR part 71) to modify the legal description of the Class E airspace at Dickinson, ND, by removing the statement which indicates less than continuous times of operation for the airspace. The legal description no longer reflects the actual times of operation, which are continuous. This action would correct the legal description for Class E airspace at Dickinson, ND. Class E airspace designations for airspace areas designated as a surface area for an airport are published in paragraph 6002 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 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 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.

##### § 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.*

\* \* \* \* \*

#### AGL ND E2 Dickinson, ND [Revised]

Dickinson Municipal Airport, ND  
(Lat. 46°47'51" N, long. 102°48'03" W)

Within a 4.4-mile radius of Dickinson Municipal Airport and within 1.4 miles each side of the 150° bearing from the airport extending from the 4.4-mile radius to 7 miles southeast of the airport.

\* \* \* \* \*

Issued in Des Plaines, Illinois on August 26, 1997.

**Maureen Woods,**

*Manager, Air Traffic Division.*

[FR Doc. 97-24106 Filed 9-10-97; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 97-AGL-41]

#### Proposed Modification of the Legal Description of Class E Airspace; Hancock, MI

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to modify the legal description of Class E airspace at Hancock, MI. The current legal description indicates less than continuous times of operation for the Class E airspace for Houghton County Memorial 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 Hancock, MI.

**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-41, 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,