

Docket No. 97-AGL-37, 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-37." 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 Aberdeen, SD, 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 Aberdeen, SD. 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 aviation, 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 SD E2 Aberdeen, SD [Revised]**

Aberdeen Regional Airport, SD  
(Lat. 45°26'56" N, long. 98°25'19" W)  
Aberdeen VOR/DME  
(Lat. 45°25'02" N, long. 98°22'07" W)

Within a 4.2-mile radius of Aberdeen Regional Airport, and within 2.6 miles each side of the Aberdeen VOR/DME 131° radial, extending from the 4.2-mile radius to 7 miles southeast of the VOR/DME, and within 1.7 miles each side of the Aberdeen VOR/DME 312° radial, extending from the 4.2-mile radius to 7.8 miles northwest of the VOR/DME.

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

**Maureen Woods,**

*Manager, Air Traffic Division.*

[FR Doc. 97-24100 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. 96-ASW-30]**

##### **Proposed Modification to the Gulf of Mexico High Offshore Airspace Area**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to amend the Gulf of Mexico High Offshore Airspace Area. The proposed action would extend the present airspace area west and south to the boundary of the Houston Air Route Traffic Control

Center (ARTCC) Flight Information Region/Control Area (FIR/CTA). Additionally, this action proposes to establish the vertical limits of the proposed airspace area expansion from Flight Level (FL) 280 up to and including FL 600. This proposed action would provide additional airspace in which domestic air traffic procedures would be used to separate and manage aircraft. This change would result in the enhanced utilization of that airspace.

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

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ASW-500, Docket No. 96-ASW-30, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX 76193-0001.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX 76193-0001.

**FOR FURTHER INFORMATION CONTACT:** Patricia Crawford, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### **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. 96-ASW-30." 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 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, Office of Air Traffic Airspace Management, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### **Background**

On March 2, 1993, the Federal Aviation Administration published a final rule (58 FR 12128) which, in part, redesignated certain control areas over international waters as offshore airspace areas. The redesignations were necessary to comply with the Airspace Reclassification final rule (56 FR 65638; December 17, 1991).

One of the areas affected by the March 2, 1993, final rule was the Gulf of Mexico Control Area. This area was divided vertically into two areas, one of which was redesignated as the Gulf of Mexico High Offshore Airspace Area.

In June 1996 the Federal Aviation Administration completed phase II of an evaluation of the airspace over the Gulf of Mexico. The evaluation was a combined effort with representatives from the FAA, Servicios a la Navegacion en El Espacio Aereo Mexicano, and other airspace users. The objective of the evaluation was, in part, to identify areas where air traffic services, air traffic operations, and utilization of airspace could be improved. One of the outcomes of this evaluation was the determination that system capacity would be enhanced by modifying air traffic control (ATC) procedures used to control aircraft operations in the airspace over the Gulf of Mexico. Currently, International Civil Aviation Organization (ICAO) oceanic ATC procedures are used to separate and manage aircraft operations that

extend beyond the lateral boundary of the existing Gulf of Mexico High Offshore Airspace Area. Modifying the Gulf of Mexico High Offshore Airspace Area by extending the boundaries further west and south of the current location to the Houston ARTCC FIR/CTA, would allow the application of domestic ATC separation procedures over a larger area. This proposal to modify the offshore airspace area would enhance system capacity and allow for more efficient utilization of that airspace.

##### **The Proposal**

The FAA is proposing an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to modify the Gulf of Mexico High Offshore Airspace Area, by extending the present airspace area west and south to the Houston ARTCC FIR/CTA. This proposed modification would allow the application of domestic ATC separation procedures, in lieu of ICAO separation procedures, enhancing system capacity, and allowing for more efficient use of the airspace. Offshore airspace area designations are published in paragraph 2003 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 offshore airspace area 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. 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 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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

##### **ICAO Considerations**

As part of this proposal relates to navigable airspace outside the United States, this notice is submitted in accordance with the ICAO International Standards and Recommended Practices.

The application of International Standards and Recommended Practices by the FAA, Office of Air Traffic

Airspace Management, in areas outside U.S. domestic airspace is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of the document is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator is consulting with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

#### 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 part 71 of the Federal Aviation Regulations (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 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

#### Paragraph 2003—Offshore Airspace Areas

\* \* \* \* \*

#### Gulf of Mexico High [Revised]

That airspace extending upward from 18,000 feet MSL to and including FL 600 bounded on the west, north, and east by a line 12 miles offshore and parallel to the Texas, Louisiana, Mississippi, Alabama, and Florida shorelines, and bounded on the south from east to west by the southern boundary of the Jacksonville ARTCC, Miami Oceanic CTA/FIR, Houston CTA/FIR and lat. 26°00'00" N.; and that airspace extending upward from FL 280 to and including FL 600 beginning at lat. 28°12'20" N., long. 95°24'20" W.; then clockwise to lat. 28°15'00" N., long. 94°00'00" W.; to lat. 28°15'00" N., long. 89°53'00" W.; to lat. 26°55'00" N., long. 89°35'00" W.; to lat. 26°21'00" N., long. 89°30'00" W.; to lat. 24°58'00" N., long. 89°17'30" W.; to lat. 24°30'00" N., long. 89°14'00" W.; to lat. 24°30'00" N., long. 93°00'00" W.; to lat. 25°23'00" N., long. 94°42'00" W.; to lat. 26°00'00" N., long. 95°55'00" W.; to lat. 26°00'00" N., long. 95°59'00" W.; to lat. 26°04'45" N., long. 95°56'49" W.; to lat. 26°52'00" N., long. 95°35'00" W.; to lat. 27°38'00" N., long. 95°35'00" W.; to lat. 28°00'00" N., long. 95°27'00" W. to point of beginning.

\* \* \* \* \*

Issued in Washington, DC, on September 3, 1997.

**John S. Walker,**

*Program Director for Air Traffic Airspace Management.*

[FR Doc. 97–24102 Filed 9–10–97; 8:45 am]

BILLING CODE 4910–13–P

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### 24 CFR Parts 1000, 1003, and 1005

[Docket No. FR–4170–N–13]

#### Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee; Meetings

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Negotiated Rulemaking Committee meetings.

**SUMMARY:** This document announces a series of negotiated rulemaking meetings sponsored by HUD to develop the final regulations necessary to carry out the Native American Housing

Assistance and Self-Determination Act of 1996 (NAHASDA) (Pub. L. 104–330, approved October 30, 1996).

**DATES:** The meetings will be held on: September 22, 23, 24, 25, and 26, 1997.

The meetings will begin at approximately 9:00 am and end at approximately 5:00 pm on each day, local time.

**ADDRESSES:** The meetings will be held at the Sheraton National Hotel, 900 Orne Street, Arlington, VA 22204; telephone (703) 521–1900 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Karen Garner-Wing, Acting Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, Co; telephone (303) 675–1600 (this is not a toll-free number). Hearing or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

**SUPPLEMENTARY INFORMATION:** The Secretary of HUD established the Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee (Committee) to negotiate and develop a proposed rule implementing NAHASDA. The proposed rule was published on July 2, 1997 (62 FR 35718) and provided for a 45-day public comment period. The public comment deadline was August 18, 1997.

The Committee met from August 22–29, 1997 in Denver Colorado to consider the public comments submitted on the July 2, 1997 proposed rule. This notice announces an additional series of negotiated rulemaking meetings. The Committee is meeting to further consider the public comments and to approve the draft regulatory language developed by the individual Committee workgroups at the August 22–29, 1997 meetings.

The meeting dates are: September 22, 23, 24, 25, and 26, 1997.

The agenda planned for the meetings includes: (1) Discussion of the significant issues raised by the public commenters; (2) development of responses to the comments; and (3) review of the draft regulatory language developed by the individual Committee workgroups at the August 22–29, 1997 Denver meetings.

The meetings will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may make statements during the meeting, to the extent time permits, and file written statements with the Committee for its consideration. Written