

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 proposed to amend 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

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; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

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

\* \* \* \* \*

#### ANM MT E5 Baker, MT [Revised]

Baker Municipal Airport, MT  
(Lat. 46°20'52"N, long. 104°15'34"W)

That airspace extending upward from 700 feet above the surface within a 8.9-mile radius of the Baker Municipal Airport extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 46°29'00"N, long. 104°45'00"W; to lat. 46°30'30"N, long. 104°31'00"W; to lat. 46°37'00"N, long. 103°59'40"W; to lat. 46°37'55"N, long. 103°53'45"W; to lat. 46°25'45"N, long. 103°37'30"W; to lat. 46°17'30"N, long. 103°48'15"W; to lat. 45°40'00"N, long. 103°00'50"W; to lat. 45°35'30"N, long. 103°01'45"W; to lat. 45°55'20"N, long. 103°53'15"W; to lat. 46°00'00"N, long. 104°13'00"W; to lat. 46°04'20"N, long. 104°10'45"W; to the point of beginning; excluding that portion within the Bowman Municipal Airport, ND, 1,200-foot Class E airspace area.

\* \* \* \* \*

Issued in Seattle, Washington, on March 29, 1996.

Richard E. Prang,

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

[FR Doc. 96–9742 Filed 4–19–96; 8:45 am]

BILLING CODE 4910–13–M

#### 14 CFR Part 73

##### [Airspace Docket No. 96–ANM–3]

#### Proposed Establishment of Temporary Restricted Area R–3203D; Orchard, ID

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish a temporary Restricted Area R–3203D at Orchard Training Area near Boise, ID, for the period June 1–17, 1996. The Idaho Army National Guard has requested that this temporary area be established to support its increased annual training requirements. This temporary area would be established adjacent to an existing Restricted Area R–3203A.

**DATES:** Comments must be received on or before May 20, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ANM–500, Docket No. 96–ANM–3, Federal Aviation Administration, 1601 Lind Avenue, S.W., Renton, WA 98055–4056.

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.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division (ATA–400), Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–3075.

#### 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–ANM–3.” The postcard will be date/time stamped and returned to the commenter. Send comments on environmental and land-use aspects to: The State of Idaho, Military Division, Headquarters Idaho Army National Guard, Boise Air Terminal, 4040 W. Guard Street, Boise, ID 83705–8048. 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 Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, Attention: Airspace and Rules Division, ATA–400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–3075.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the Federal Aviation Administration, Office of Rulemaking, (202) 267–9677, to request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

#### The Proposal

The FAA is proposing an amendment to part 73 of the Federal Aviation Regulations (14 CFR part 73) to establish a temporary Restricted Area R–3203D at Orchard Training Area, ID, adjacent to the existing Restricted Area R–3203A, to assist the Idaho Army National Guard in satisfying its annual training requirements. The proposed restricted area would be in effect for the period June 1–17, 1996. Expansion in the number of gun batteries assigned to Field Artillery units, along with

requirements that each assigned battery accomplish several moves per day to different surface firing points, has created the need to temporarily expand the available restricted airspace to provide for more effective training. All artillery firing would be directed into existing impact areas located approximately in the center of Restricted Area R-3203A. The temporary restricted area is needed to provide protected airspace to contain the projectiles during flight between the surface firing point and entry into the existing Restricted Area R-3203A. The proposed temporary area would be used for Idaho National Guard Field Artillery firing and would be released to the FAA for public use during periods it is not required for military training.

The coordinates for this airspace docket are based on North American Datum 83. Section 73.32 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8C dated June 29, 1995.

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.

#### Environmental Review

This proposal will be subjected to an environmental analysis by the proponent and the FAA prior to any FAA final regulatory action.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

### PART 73—[AMENDED]

1. The authority citation for 14 CFR part 73 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; 14 CFR 11.69.

#### § 73.32 [Amended]

2. Section 73.32 is amended as follows:

R-3203D Orchard Training Area, ID [New]

Boundaries. Beginning at lat. 43°14'00"N., long. 116°31'30"W.;

To lat. 43°17'51"N., long. 116°16'25"W.;

To lat. 43°19'02"N., long. 116°14'45"W.;

To lat. 43°19'02"N., long. 116°06'36"W.;

To lat. 43°15'58"N., long. 116°01'12"W.;

To lat. 43°15'00"N., long. 116°01'00"W.;

To lat. 43°17'00"N., long. 116°05'00"W.;

To lat. 43°17'00"N., long. 116°12'00"W.;

To the point of beginning.

Designated altitudes. Surface to and including 22,000 feet MSL.

Times of use. As scheduled by NOTAM 24 hours in advance for the period June 1–17, 1996, only.

Controlling agency. FAA, Boise ATCT.

Using agency. Idaho Army National Guard.

Issued in Washington, DC, on April 11, 1996.

Harold W. Becker,

*Acting Program Director for Air Traffic Airspace Management.*

[FR Doc. 96–9741 Filed 4–19–96; 8:45 am]

BILLING CODE 4910–13–U

## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Part 416

[Regulations No. 16]

RIN 0960–AE05

#### Definition of United States (U.S.) Resident; Religious Record of Birth or Baptism as Evidence of Citizenship; Plan to Help Blind and Disabled Individuals Achieve Self-Support

AGENCY: Social Security Administration (SSA).

ACTION: Proposed rules.

**SUMMARY:** These proposed regulations clarify SSA's policies on the definition of a U.S. resident and the acceptable types of evidence for proving status as a U.S. citizen or national. They clarify that, for purposes of the Supplemental Security Income (SSI) program, "resident of the U.S." means the individual has established an actual dwelling place in the U.S. and plans to continue living in the U.S. These proposed regulations also clarify that, for purposes of the SSI program, a religious record of a birth or baptism in the U.S. must have been recorded in the U.S. within 3 months of the birth, in addition to showing that the individual was born in the U.S., in order to be acceptable evidence that the individual

is a U.S. citizen or a national of the U.S. In addition, these proposed regulations make a minor technical correction to clarify wording regarding income that is used or set aside to be used under a plan to become self-supporting.

**DATES:** To be sure that your comments are considered, we must receive them no later than June 21, 1996.

**ADDRESSES:** Comments should be submitted in writing to the Commissioner of Social Security, P.O. Box 1585, Baltimore, MD 21235, sent by telefax to (410) 966–2830, sent by E-Mail to "regulations@ssa.gov," or delivered to the Division of Regulations and Rulings, Social Security Administration, 3–B–1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, between 8:00 a.m. and 4:30 p.m. on regular business days. Comments received may be inspected during these same hours by making arrangements with the contact person shown below.

**FOR FURTHER INFORMATION CONTACT:** Lois Berg, Legal Assistant, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965–1713.

#### SUPPLEMENTARY INFORMATION:

##### Background

To be eligible for SSI benefits, an individual must be a resident of the U.S. (one of the 50 States, the District of Columbia, or the Northern Mariana Islands). Generally, a person becomes a resident when he or she arrives in the U.S., establishes an actual dwelling place in the U.S., and plans to continue living in the U.S.

Our regulation at § 416.1603(b) currently defines "resident of the U.S." as "a person who is living within the geographical limits of the United States." This definition is vague because it implies that mere presence, such as that of a visitor, is sufficient to establish residency. In addition, it does not fully support the evidence of residency documents required to establish U.S. residency listed in § 416.1603(a).

Our proposed regulation specifies that an individual must establish an actual dwelling place in the U.S. and intend to continue living in the U.S. to be considered a U.S. resident. Clarification of this regulation is necessary to address problems that have arisen where individuals have established U.S. residency under current regulations, but do not intend to live in the U.S.

In evaluating evidence of residency for SSI purposes, the term "actual dwelling place" will encompass different types of living situations