

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9B, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 18, 1995, is amended as follows:

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

ANM ID D Coeur d'Alene, ID [Removed]

\* \* \* \* \*

*Paragraph 6002 Class E airspace areas designated as a surface area for an airport.*

\* \* \* \* \*

ANM ID E2 Coeur d'Alene, ID [New]

Coeur d'Alene Air Terminal, ID

(Lat. 47°46'28" N, long. 116°49'11" W)

That airspace extending upward from the surface to and including 4,800 feet MSL within a 4.4 mile radius of the Coeur d'Alene Air Terminal.

\* \* \* \* \*

Issued in Seattle, Washington, on August 21, 1996.

Glenn A. Adams,

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

[FR Doc. 96-22944 Filed 9-6-96; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 71**

[Airspace Docket No. 96-AGL-10]

**Establishment of Class E Airspace;  
Hazen, ND**

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

**ACTION:** Notice of proposing rulemaking.

**SUMMARY:** This notice proposes to establish Class E5 airspace at Mercer County Regional Airport, Hazen, ND, to accommodate a Non-Directional Radio Beacon (NDB) for Runway 32, Global Positioning System (GPS) Runway 32 and GPS Runway 14. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended affect of this proposal is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

**DATES:** Comments must be received on or before October 18, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 96-AGL-10, 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:**

John A. Clayton, Air Traffic Division, Operations Branch, AGL-530, 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. 96-AGL-10." 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 establish Class E5 airspace at Mercer County Regional Airport, Hazen, ND, to accommodate a Non-Directional Radio Beacon (NDB) for Runway 32, Global Positioning System (GPS) Runway 32 and GPS Runway 14. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. 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 7400.9C dated August 17, 1995, and effective September 16, 1995, 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; 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 The Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

AGL ND E5 Hazen, ND [New]

Mercer County Regional Airport, ND  
(Lat. 47°17'23" N., long. 101°34'50" W.)

Dickinson VORTAC  
(Lat. 46°51'36" N., long. 102°46'25" W.)

Minot Air Force Base  
(Lat. 48°24'56" N., long. 101°21'27" W.)

Bismarck VOR/DME  
(Lat. 46°45'43" N., long. 100°39'55" W.)

That airspace extending upward from 700 feet above the surface within a 5.8-mile radius of the Mercer County Regional Airport, and that airspace extending upward from 1,200 feet above the surface bounded on the northwest by V–491, on the south by V–510, on the east V–15, on the southwest by the 25.2-mile arc of the Dickinson VORTAC, on the north by the 47-mile radius of the Minot AFB, and on the southeast by the 36-mile arc of the Bismarck VOR/DME.

\* \* \* \* \*

Issued in Des Plaines, Illinois on August 26, 1996.

Peter H. Salmon,  
*Acting Manager, Air Traffic Division.*

[FR Doc. 96–22946 Filed 9–6–96; 8:45 am]

BILLING CODE 4910–13–M

**DEPARTMENT OF DEFENSE****Defense Special Weapons Agency****32 CFR Part 318**

[DSWA Instruction 5400.11B]

**Privacy Program**

**AGENCY:** Defense Special Weapons Agency, DOD.

**ACTION:** Proposed rule.

**SUMMARY:** As of June 26, 1996, the Defense Nuclear Agency is known as the Defense Special Weapons Agency (DSWA). The Defense Special Weapons Agency (DSWA) is revising its procedural and exemptions rules for the DSWA Privacy Program. DSWA is updating the procedures for accessing information contained in DSWA systems of records, and for contesting contents and appealing initial agency determinations.

**DATES:** Comments must be received on or before November 8, 1996, to be considered by the agency.

**ADDRESSES:** Send comments regarding this proposed rule to the General Counsel, Defense Special Weapons Agency, 6801 Telegraph Road, Alexandria, VA 22310–3398.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Sandy Barker at (703) 325–7681.

**SUPPLEMENTARY INFORMATION:** Executive Order 12866. The Director, Administration and Management, Office of the Secretary of Defense has determined that this Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

Regulatory Flexibility Act of 1980. The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

Paperwork Reduction Act. The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

As of June 26, 1996, the Defense Nuclear Agency is known as the Defense Special Weapons Agency (DSWA). The

Defense Special Weapons Agency is revising its procedural and exemptions rules for the DSWA Privacy Program. DSWA is updating the procedures for accessing information contained in DSWA systems of records, and for contesting contents and appealing initial agency determinations.

## List of Subjects in 32 CFR Part 318

Privacy.

Accordingly, the Defense Special Weapons Agency amends 32 CFR part 318 as follows:

Part 318 is proposed to be revised to read as follows:

**PART 318—DEFENSE SPECIAL WEAPONS AGENCY PRIVACY PROGRAM****Sec.**

318.1 Purpose and scope.

318.2 Applicability.

318.3 Designations and responsibilities.

318.4 Procedures for requests pertaining to individual records in a record system.

318.5 Disclosure of requested information to individuals.

318.6 Request for correction or amendment to a record.

318.7 Agency review of request for correction or amendment of record.

318.8 Appeal of initial adverse Agency determination for access, correction or amendment.

318.9 Exemption rules.

Authority: Pub. L. 93–579, 88 Stat. 1896 (5 U.S.C. 552a).

**§ 318.1 Purpose and scope.**

(a) This rule implements the provisions of the Privacy Act of 1974, as amended, and adopts the policies and procedures as set forth by the Department of Defense Privacy Program, 32 CFR part 310.

(b) This rule establishes procedures whereby individuals can:

(1) Request notification of whether Defense Special Weapons Agency (DSWA) maintains or has disclosed a record pertaining to them in any nonexempt system of records;

(2) Request a copy or other access to such a record or to an accounting of its disclosure;

(3) Request that the record be amended; and

(4) Appeal any initial adverse determination of any such request.

(c) Specifies those system of records which the Director, Headquarters, Defense Special Weapons Agency has determined to be exempt from the procedures established by this rule and by certain provisions of the Privacy Act.

(d) DSWA policy encompasses the safeguarding of individual privacy from any misuse of DSWA records and the