

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Ely Municipal Airport, Ely, MN, to accommodate a Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) Runway 12/30 Standard Instrument Approach Procedure (SIAP). Controlled airspace extending upward from the surface is needed to contain aircraft executing the approach. The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

EFFECTIVE DATE: 0901 UTC, November 6, 1997.

FOR FURTHER INFORMATION CONTACT: Michelle 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:**History**

On Thursday, April 24, 1997, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Ely Municipal Airport, Ely, MN (62 FR 19956). The proposal was intended to add controlled airspace extending upward from the surface to contain Instrument Flight Rules (IFR) 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 surface areas 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 will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establish Class E airspace at Ely Municipal Airport, Ely, MN, to accommodate a VOR/DME Runway 12/30 SIAP. Controlled airspace extending upward from the surface is needed to contain aircraft executing the approach. The area will be depicted on

appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures.

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—[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 MN E2 Ely, MN [New]

Ely Municipal Airport, MN
(Lat. 47°49′28″ N, long. 91°49′51″ W)
Ely VOR/DME
(Lat. 47°49′19″ N, long. 91°49′49″ W)

Within a 4-mile radius of the Ely Municipal Airport, and within 2.4 miles each side of the VOR/DME 108 radial extending from the 4-mile radius to 7 miles southeast of the VOR/DME, and within 2.4 miles each side of the VOR/DME 302 radial extending from the 4-mile radius to 7 miles northwest of the VOR/DME.

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Issued in Des Plaines, Illinois on July 16, 1997.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 97–21862 Filed 8–18–97; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 96–ASW–31]

RIN 2120–AA66

Realignment of VOR Federal Airways in the Vicinity of Helena, AR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule realigns four Federal airways located in the Helena, AR, area. This realignment will coincide with the activation of the Marvell, AR, Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) Navigational Aid (NAVAID). The realignment of airspace and activation of the Marvell VOR/DME will reroute aircraft operations around the Memphis International Airport Class B airspace area. Additionally, the Marvell VOR/DME will be used as a feeder fix into Memphis, TN. This action will aid flight planning, reduce en route and terminal delays, and enhance the management of air traffic operations in the Memphis, TN, Class B airspace area.

EFFECTIVE DATE: 0901 UTC, November 6, 1997.

FOR FURTHER INFORMATION CONTACT:

Steve Brown, 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:**History**

On April 9, 1997, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to realign four Federal airways located in the Helena, AR, area (62 FR 17135). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. Except for editorial changes, this amendment is the same as that proposed in the notice.

Domestic VOR Federal airways are published in paragraph 6010(a) 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 airways listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) realigns four Federal airways located in the Helena, AR, area. Currently, three airways intersect at a noncompulsory reporting point named "Walet," which is located within the 30 nautical mile (NM) radius of the Memphis Class B airspace area. A fourth airway, V-16, passes 10 NM south of "Walet" intersection. As such, all aircraft transiting this area between 5,000 and 10,000 feet mean sea level (MSL) must fly through the Memphis Class B airspace area. By realigning these airways to directly overfly the Marvell VOR/DME (approximately 17 NM southwest of "Walet"), the intersection of the airways will no longer conflict with the Class B airspace area at Memphis. Additionally, Memphis International Airport plans to use Marvell VOR/DME as a feeder fix into the airport. Having these four airways intersect at Marvell will enhance aircraft routing and handling. As a result, this action will aid flight planning, reduce en route and terminal delays, and enhance the management of air traffic operations in the Memphis Class B airspace area.

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. 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.

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 proposes to amend 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 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 6010(a)—Domestic VOR Federal Airways

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V-9 [Revised]

From Leeville, LA; McComb, MS; Jackson, MS; Sidon, MS; Marvell, AR; Gilmore, AR; Malden, MO; Farmington, MO; St. Louis, MO; Capital, IL; Pontiac, IL; INT Pontiac 343° and Rockford, IL, 169° radials; Rockford; Janesville, WI; Madison, WI; Oshkosh, WI; Green Bay, WI; Iron Mountain, MI; to Houghton, MI.

V-16 [Revised]

From Los Angeles, CA; Paradise, CA; Palm Springs, CA; Blythe, CA; Buckeye, AZ; Phoenix, AZ; INT Phoenix 155° and Stanfield, AZ, 105° radials; Tucson, AZ; Cochise, AZ; Columbus, NM; El Paso, TX; Salt Flat, TX; Wink, TX; Wink 066° and Big Spring, TX, 260° radials; Big Spring; Abilene, TX; Millsap, TX; Glen Rose, TX; Cedar Creek, TX; Quitman, TX; Texarkana, AR; Pine Bluff, AR; Marvell, AR; Holly Springs, MS; Jacks Creek, TN; Shelbyville, TN; Hinch Mountain, TN; Volunteer, TN; Holston Mountain, TN; Pulaski, VA; Roanoke, VA; Lynchburg, VA; Flat Rock, VA; Richmond, VA; INT Richmond 039° and Patuxent, MD, 228° radials; Patuxent; Smyrna, DE; Cedar Lake, NJ; Coyle, NJ; INT Coyle 036° and Kennedy, NY, 209° radials; Kennedy; Deer Park, NY; Calverton, NY; Norwich, CT; Boston, MA. The airspace within Mexico and the airspace below 2,000 feet MSL outside the United States is excluded. The airspace within Restricted Areas R-5002A, R-5002C, and R-5002D is excluded during their times of use. The airspace within Restricted Areas R-4005 and R-4006 is excluded.

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V-54 [Revised]

From Waco, TX; Cedar Creek, TX; Quitman, TX; Texarkana, AR; INT Texarkana 052° and Little Rock, AR, 235° radials; Little Rock; Marvell, AR; Holly Springs, MS; Muscle Shoals, AL; Rocket, AL; Choo Choo, GA; Harris, GA; Spartanburg, SC; Charlotte, NC; Sandhills, NC; INT Sandhills 146° and Fayetteville, NC, 267° radials; Fayetteville; to Kinston, NC.

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V-397 [Revised]

From Monroe, LA, via INT Monroe 056° and Greenville, MS, 207° radials; Greenville; to Marvell, AR.

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Issued in Washington, DC, on August 11, 1997.

Reginald C. Matthews,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 97–21861 Filed 8–18–97; 8:45 am]

BILLING CODE 4910–13–P–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 46

Adult Education Program

RIN 1076-AA15

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is publishing regulations to establish procedures for the operation of BIA's Adult Education Program.

The final rule establishes administrative procedures which will provide reporting uniformity and compliance with legislative management policies.

EFFECTIVE DATE: September 18, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. Garry R. Martin, Bureau of Indian Affairs, Office of Indian Education Programs, Branch of Post-Secondary Education, 1849 C Street, NW, MS–3512–MIB, Washington, D.C. 20240, Phone (202) 208–3478.

SUPPLEMENTARY INFORMATION: On December 30, 1987, the BIA published proposed Adult Education Program rules in the **Federal Register**. In view of the considerable passage of time since that publication, the rule was repropose and reprinted in the **Federal Register** on August 25, 1994.

In accordance with the 1987 publication, the BIA in January, 1991 conducted consultation meetings with tribes, parents, school boards, and other interested parties concerning the Adult Education Program regulations. Oral testimony and written statements were received in the Office of Indian Education Programs until February 26, 1991. All comments, objections, and suggested changes received in response to the 1987 **Federal Register** publication and the 1991 consultation meetings were considered in repropose the rule. All BIA Area Offices, tribal leaders, and tribal offices were notified regarding the August 25, 1994, publication of the