

shall preclude the Service from commencing exclusion or deportation proceedings prior to termination of Family Unity Program benefits.

(3) *Effect of termination.* Termination of benefits under the Family Unity Program, other than as a result of a final order of deportation or exclusion, shall render the alien amendable to exclusion or deportation proceedings under sections 236 or 242 of the Act, as appropriate.

PART 274a—CONTROL OF EMPLOYMENT OF ALIENS

4. The authority citation for part 274a continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1324a; 8 CFR part 2.

5. Section 274a.12 is amended by revising paragraph (c)(12) to read as follows:

§ 274a.12 Classes of aliens authorized to accept employment.

* * * * *

(c) * * *

(12) A deportable alien granted voluntary departure, either prior to or after a hearing, for reasons set forth in § 242.5(a)(2) (v), (vi), (viii), or (ix) of this chapter, may be granted permission to be employed for that period of time prior to the date set for voluntary departure including any extension granted beyond such date, if the alien establishes an economic need to work. Factors which may be considered in adjudicating the application for employment authorization of such an alien granted voluntary departure include, but are not limited to, the following:

- (i) The length of voluntary departure granted;
- (ii) The existence of a dependent spouse and/or children in the United States who rely on the alien for support;
- (iii) Whether there is a reasonable chance that legal status may ensue in the near future; and
- (iv) Whether there is a reasonable basis for consideration of discretionary relief.

* * * * *

Dated: December 13, 1995.

Doris Meissner,
Commissioner.

[FR Doc. 95-30701 Filed 12-20-95; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 95-AWP-30]

Establishment of Class D Airspace and Amendment of Class E Airspace; Elko, NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class D and amends Class E airspace areas at Elko Municipal-J.C. Harris Field, Elko, NV. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 5 and the establishment of a Airport Traffic Control Tower has made this action necessary. An intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Elko Municipal-J.C. Harris Field, Elko, NV.

EFFECTIVE DATE: 0901 UTC February 29, 1996.

FOR FURTHER INFORMATION CONTACT: Scott Speer, Airspace Specialist, System Management Branch, AWP-530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6533.

SUPPLEMENTARY INFORMATION:

History

On October 30, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class D and amending Class E airspace at Elko, NV (60 FR 55222).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. Class D and Class E airspace designations are published in paragraphs 5000, 6002, and 6005 of FAA Order 7900.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in this Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes the Class D and

amends the Class E airspace areas at Elko, NV. An intended effect of this action is to provide adequate controlled airspace for aircraft executing the GPS RWY 5 SIAP at Elko Municipal-J.C. Harris Field, Elko, NV.

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 10034; 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 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 5000 Class D Airspace.

* * * * *

AWP NV D Elko, NV [New]

Elko Municipal-J.C. Harris Field, NV
(lat. 40°49’31”N, long 115°47’28”W)

That airspace extending upward from the surface to including 7,700 feet MSL within a 4.3-mile radius of Elko Municipal-J.C. Harris Field and within 1.8 miles each side of the 248° bearing from the Elko Municipal-J.C. Harris Field, extending from the 4.3-mile radius to 6 miles southwest of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective

date and time will thereafter be continuously published in the Airport/Facility Directory.

* * * * *

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

* * * * *

AWP NV E2 Elko, NV [Revised]

Elko Municipal-J.C. Harris Field, NV
(lat. 40°49'31"N, long. 115°47'28"W)

Within a 4.3-mile radius of the Elko Municipal-J.C. Harris Field and within 1.8 miles each side of the 248° bearing from the Elko Municipal-J.C. Harris Field, extending from the 4.3-mile radius to 6 miles southwest of the Elko Municipal-J.C. Harris Field and within 1.8 miles each side of the 075° bearing from the Elko Municipal-J.C. Harris Field, extending from the 4.3-mile radius to 8.3 miles northeast of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

* * * * *

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

* * * * *

AWP NV E5 Elko NV [Revised]

Elko Municipal-J.C. Harris Field, NV
(lat. 40°49'31"N, long. 115°47'28"W)

That airspace extending upward from 700 feet above the surface within an 8.3-mile radius of Elko Municipal-J.C. Harris Field and within 1.8 miles either side of 248° bearing from the Elko Municipal-J.C. Field, extending from the 8.3-mile radius to the 11.7 miles southwest of the Elko Municipal-J.C. Harris Field and within 3.9 miles east and 8.3 miles west of the 161° bearing from the Elko Municipal-J.C. Harris Field, extending from the 8.3-mile radius to 21.7 miles south of Elko Municipal-J.C. Harris Field and within 4.3 miles each side of the 075° bearing from the Elko Municipal-J.C. Harris Field, extending from the 8.3-mile radius to 17.8 miles northeast of the airport. That airspace extending upward from 1,200 feet above the surface within an 18.7-mile radius of Elko Municipal-J.C. Harris Field, and that airspace bounded on the north by the south edge of V-6, on the south by the north edge of V-32, on the east by the 18.7-mile radius west of the Elko Municipal-J.C. Harris Field and that airspace bounded by a line beginning at lat. 40°34'00"N, long. 116°00'00"W; to lat. 40°27'00"N, long. 116°36'00"W; to lat. 40°31'00"N, long. 116°38'00"W; to lat. 40°32'00"N, long. 116°33'00"W; to lat. 40°33'30"N, long. 116°33'30"W; to lat. 40°38'00"N, long. 116°07'00"W, thence via the 18.7-mile radius of Elko Municipal-J.C. Harris Field to the point of beginning.

* * * * *

Issued in Los Angeles, California, on December 6, 1995.

James H. Snow,

*Acting Manager, Air Traffic Division,
Western-Pacific Region.*

[FR Doc. 95-31103 Filed 12-20-95; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 95-ANM-15]

Amendment of Class E Airspace; Salt Lake City, Utah

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the salt Lake City, Utah, Class E airspace to accommodate a new instrument approach procedure at Salt Lake City International Airport. This amendment brings publications up-to-date giving continuous information to the aviation public.

EFFECTIVE DATE: 0901 UTC, February 29, 1996.

FOR FURTHER INFORMATION CONTACT:

James Riley, ANM-537, Federal Aviation Administration, Docket No. 95-ANM-15, 1601 Lind Avenue S.W., Renton, Washington, 98055-4056; telephone number: 206 227-2537.

SUPPLEMENTARY INFORMATION:

History

On October 10, 1995, the FAA proposed to amend part 71 of Federal Aviation Regulations (14 CFR part 71) by amending the Salt Lake City, Utah, Class airspace designation (60 FR 52639). Interested parties were invited to participate in the rulemaking proceeding by submitting written comments on the proposal. No comments were received.

This action is the same as the proposal except for a typographical error discovered (and corrected herein) in the coordinates for the 1200-foot airspace area. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace is 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 will be published subsequently in the Order.

The Rule

The amendment to part 71 of Federal Aviation Regulations amends Class E airspace at Salt Lake City, Utah. 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 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, 14 CFR part 71 is amended 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 UT E5 Salt Lake City, UT [Revised]
Salt Lake City International Airport, UT
(lat. 40°47'18"N, long. 111°58'40"W)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 41°00'00"N, long. 111°45'03"W, thence south along long. 111°45'03"W, to lat. 40°22'30"N, thence southeast to lat. 40°10'20"N, long. 111°35'03"W, thence southwest to lat. 40°03'30"N, long. 111°48'33"W, thence northwest to lat. 40°43'00"N, long. 112°22'03"W, thence north along long. 112°22'03"W, to lat. 41°00'00"N, thence east along lat. 41°00'00"N, to the point of beginning; that airspace extending upward from 1,200 feet above the surface bounded on the north by lat. 41°00'00"N, on the east by long. 111°25'33"W, thence south to lat. 40°11'00"N, thence east to lat. 40°06'00"N, long. 110°15'00"W, thence southwest to lat.