

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. 98-AGL-79." 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 this 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 14 CFR part 71 to establish Class E airspace at Waverly, OH, to accommodate aircraft executing the proposed GPS Rwy 07 SIAP, GPS Rwy 25 SIAP, and NDB Rwy 25 SIAP, at Pike County Airport by creating controlled airspace at the airport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approaches. The area would be depicted on appropriate aeronautical charts. 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 7400.9F dated September 10, 1998, and effective September 16, 1998, 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 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 712 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 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

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

\* \* \* \* \*

##### AGL OH E5 Waverly, OH [New]

Waverly, Pike County Airport, OH  
(lat. 39°10'00" N., long. 82°55'45" W.)

That airspace extending upward from 700 feet above the surface within an 8.8-mile

radius of the Pike County Airport and within 3.9 miles each side of the 242° bearing from the airport extending from the 8.8-mile radius to 9.8 miles southwest of the airport and 5.0 miles each side of the 064° bearing from the airport extending from the 8.8-mile radius to 9.6 miles northeast of the airport.

\* \* \* \* \*

Issued in Des Plaines, Illinois, on January 27, 1999.

**David B. Johnson,**

*Acting Manager, Air Traffic Division.*

[FR Doc. 99-3362 Filed 2-10-99; 8:45 am]

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## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Part 404

[Regulations No. 4]

RIN 0960-AE35

#### Reduction of Disability Benefits—Workers' Compensation and Public Disability Benefits and Payments; Withdrawal of Proposed Rules

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Proposed rules; withdrawal.

**SUMMARY:** We are, with this document, withdrawing the proposed rule changes published on Thursday, September 4, 1997, at 62 FR 46682. That publication proposed changes to our rules on the reduction of Social Security benefits based on disability when an individual is receiving workers' compensation benefits or disability benefits or payments provided under another Federal program other than Social Security, or under a State, or local program. We proposed changes that would have clarified a number of our existing policies and would have adopted a uniform method for prorating workers' compensation and public disability benefit and payment settlements.

**DATES:** Proposed rule changes to 20 CFR 404.408 are withdrawn on February 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Bridgewater, Social Insurance Specialist, Office of Process and Innovation Management, Social Security Administration, L2109 West Low Rise Building, 6401 Security Boulevard, Baltimore, MD 21235-0001, (410) 965-3298 or TTY (410) 966-5609 for information about this action. For information on eligibility or claiming benefits, please call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778.

**SUPPLEMENTARY INFORMATION:** The proposed rules published September 4,

1997, at 62 FR 46682, provided for a 60-day period during which the public could submit comments. That period ended November 3, 1997. Due to the number of comments received, on November 12, 1997, at 62 FR 60672, we extended the public comment period to January 5, 1998. Altogether we received over 1,400 comments, almost all of which expressed opposition to the proposed changes.

Because of the information provided in the comments, we have decided to reconsider this proposal and to withdraw the proposed rules. We thank all those who took the time to submit comments to us.

Dated: February 1, 1999.

**Kenneth S. Apfel,**

*Commissioner of Social Security.*

[FR Doc. 99-3303 Filed 2-10-99; 8:45 am]

BILLING CODE 4190-29-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 170

#### Notice of the Proposed Membership of the Negotiated Rulemaking Committee Under Section 1115 of the Transportation Equity Act for the 21st Century (TEA-21)

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** As required by the Negotiated Rulemaking Act, the Secretary of the Interior has selected the proposed member of a committee to develop proposed rules for the Indian Reservation Roads program. Tribes in each of the twelve Bureau of Indian Affairs (BIA) Areas were invited to nominate two representatives and two alternates to serve on the committee. After considering nominations, the Secretary proposes to appoint the persons named in this notice as committee members. Tribes, tribal organizations, and individual tribal members who believe that their interests will not be adequately represented by the persons identified in this notice may submit comments on the proposed selection, apply for membership on the committee, or submit other nominations.

**DATES:** Comments on the proposed committee membership to this negotiated rulemaking committee must be received no later than March 13, 1999.

**ADDRESSES:** Send nominations and comments to Mr. LeRoy Gishi, Chief,

Division of Transportation, Bureau of Indian Affairs, U.S. Department of the Interior, MS-4058-MIB, 1849 C Street NW, Washington, DC 20240.

Nominations and comments received by the BIA will be available for inspection at the address listed above from 9:00 a.m. to 4:00 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Mr. LeRoy Gishi, Chief, Division of Transportation, Bureau of Indian Affairs, at the address listed above, or by telephone at (202) 208-4359 or fax at (202) 208-4696. Additional information may be posted on the Indian Reservation Roads web site at [www.irr.bia.gov](http://www.irr.bia.gov), as it becomes available.

**SUPPLEMENTARY INFORMATION:** As required by 23 U.S.C. section 202, as amended by TEA-21, the Secretary shall, pursuant to a negotiated rulemaking process, issue regulations governing the Indian Reservation Roads program and establish a formula for allocating all contractible funds among Indian tribes for fiscal year 2000 and subsequent years. Section 202 also requires that in establishing this committee, the Secretary will (1) apply the procedures of negotiated rulemaking under subchapter III of chapter 5 of title 5 (the Negotiated Rulemaking Act) in a manner that reflects the unique government-to-government relationship between the Indian tribes and the United States, and (2) ensure that the membership of the committee includes only representatives of the Federal Government and of geographically diverse small, medium, and large Indian tribes.

In negotiating a proposed regulation establishing a funding formula, the committee will base its proposal on factors that reflect (a) the relative needs of the Indian tribes, and reservation or tribal communities, for transportation assistance, and (b) the relative administrative capacities of, and challenges faced by, various Indian tribes, including the cost of road construction in each BIA Area, geographic isolation and difficulty in maintaining all-weather access to employment, commerce, health, safety, and educational resources. Also, the committee will develop a regulation governing the Indian Reservation Roads program.

The Secretary invites organizations and individuals to comment on the nominations in this notice or nominate other persons for membership on the committee. The Secretary intends that the proposed committee (including any

additional members selected) reflect balanced interests as follows:

- (1) Members of geographically diverse small, medium, and large Indian tribes;
- (2) Members of tribes identified as Direct Service, Self-Determination and Self-Governance tribes; and
- (3) Members of tribes with various levels and types of experience in the diverse concerns of transportation development and management (e.g., jurisdictional issues, complexity of transportation systems, climatic concerns, environmental issues, geographic isolation, etc.).

The Secretary has determined that the proper functioning of the committee requires more than the 25 members recommended by the Negotiated Rulemaking Act (5 U.S.C. 565) in order to achieve balanced representation from geographically diverse small, medium, and large Indian tribes as required by Section 1115 of TEA-21. The Secretary has selected 29 tribal representatives and 13 Federal representatives for the committee, for a proposed total of 42 members. The first meeting of the committee is tentatively scheduled for March 16-18, 1999. The following membership for the committee is proposed:

#### Federal Representatives

Robert Baracker, Designated Federal Official, BIA Albuquerque Area Office  
 LeRoy Gishi, Chief, BIA Division of Transportation  
 Justin P. Patterson, Assistant Solicitor, Office of the Solicitor (One representative), BIA Juneau Area Office  
 Cordell Ringel, Area Road Engineer, BIA Billings Area Office  
 Wilfred Frazier, Area Road Engineer, BIA Navajo Area Office  
 Vernon Palmer, Area Road Engineer, BIA Phoenix Area Office  
 Robert Ecoffy, Superintendent, Pine Ridge Agency, BIA Aberdeen Area Office  
 Joel Smith, Superintendent, Minnesota Agency, BIA Minneapolis Area Office  
 Mike Smith, Assistant Area Director, BIA Sacramento Area Office (Three representatives) Department of Transportation

#### Representatives of Tribes, Tribal Organizations, and Individual Indians

##### ABERDEEN AREA

Pete Red Tomahawk, Transportation Planner  
 Standing Rock Sioux Tribe  
 Fort Yates, ND  
 Ted Danks, Transportation Planner  
 Three Affiliated Tribes of Mandan, Arikara and Hidatsa  
 New Town, ND