

been developed for Livingston Community Hospital, Livingston, TN. As a result, additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAP.

DATE: 0901 UTC, October 5, 2000.

FOR FURTHER INFORMATION CONTACT: Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

SUPPLEMENTARY INFORMATION:

History

On May 5, 2000, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E airspace at Livingston, TN (65 FR 26157). This action provides adequate Class E airspace for IFR operations at Livingston Community Hospital. Designations for Class E airspace extending upward from 700 feet or more above the surface are published in FAA Order 7400.9G, dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR part 71.1. The Class E designation listed in this document will be published subsequently in the Order.

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.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends Class E airspace at Livingston, TN.

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 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—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 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 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 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

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

* * * * *

ASO TN E5 Livingston, TN [Revised]

Livingston Municipal Airport, TN
Lat. 36°24'44" N, long. 85°18'42" W
Livingston VORTAC

Lat. 36°35'04" N, long. 85°10'00" W
Livingston Community Hospital, Livingston, TN

Point in Space Coordinates
Lat. 36°22'43" N, long. 85°20'23" W

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Livingston Municipal Airport and within 2 miles each side of the Livingston VORTAC 214° radial extending from the 7-mile radius to the VORTAC and that airspace within a 6-mile radius of the point in space (lat. 36°22'43" N, long. 85°20'23" W) serving Livingston Community Hospital, Livingston, TN.

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Issued in College Park, Georgia, on June 7, 2000.

Richard E. Biscomb,

*Acting Manager, Air Traffic Division,
Southern Region.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00-ASO-14]

**Establishment of Class E Airspace;
Dunlap, TN**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Dunlap, TN. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP), helicopter point in space approach, has been developed for North Valley Medical Center, Dunlap, TN. As a result, controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAP.

DATES: 0901 UTC, October 5, 2000.

FOR FURTHER INFORMATION CONTACT: Nancy B. Shelton, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

SUPPLEMENTARY INFORMATION:

History

On May 5, 2000, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E airspace at Dunlap, TN (65 FR 26155). This action provides adequate Class E airspace for IFR operations at North Valley Medical Center. Designations for Class E airspace extending upward from 700 feet or more above the surface are published in FAA Order 7400.9G, dated September 1, 1999 and effective September 16, 1999, which is incorporated by reference in 14 CFR part 71.1. The Class E designation listed in this document will be published subsequently in the Order.

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.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Dunlap, TN.

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 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—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 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 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 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

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

* * * * *

ASO TN E5 Dunlap, TN [New]

North Valley Medical Center
Point in Space Coordinates

(Lat. 35°23'50" N, long. 85°22'01" W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the point in space (lat. 35°23'50" N, long. 85°22'01" W) serving North Valley Medical Center.

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Issued in College Park, Georgia, on June 7, 2000.

Richard E. Biscomb,

*Acting Manager, Air Traffic Division,
Southern Region.*

[FR Doc. 00–15278 Filed 6–15–00; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 170

RIN 1076–AD99

Distribution of Fiscal Year 2000 Indian Reservation Roads Funds

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Temporary rule.

SUMMARY: We are issuing a temporary rule requiring that we distribute the remaining fiscal year 2000 Indian Reservation Roads funds to projects on or near Indian reservations using the relative need formula. This rule includes more accurate data for the States of Washington and Alaska in the relative need formula distribution process for fiscal year 2000.

DATES: This temporary rule is effective on June 16, 2000. Section 170.4b expires September 30, 2000.

FOR FURTHER INFORMATION CONTACT:

LeRoy Gishi, Chief, Division of Transportation, Office of Trust Responsibilities, Bureau of Indian Affairs, 1849 C Street, NW, MS–4058–MIB, Washington, DC 20240. Mr. Gishi may also be reached at 202–208–4359 (phone), 202–208–4696 (fax), or leroygishi@bia.gov (electronic mail).

SUPPLEMENTARY INFORMATION:

Background

Where Can I Find General Background Information on the Indian Reservation Roads Program, the Relative Need Formula, and the Transportation Equity Act for the 21st Century Negotiated Rulemaking Process?

The background information on the IRR program, the relative need formula, and the Transportation Equity Act for the 21st Century (TEA–21) Negotiated Rulemaking process is detailed in the first temporary rule published in the **Federal Register** on February 15, 2000 (65 FR 7431). You may obtain additional information on the Indian Reservation Roads (IRR) program web site at www.irr.bia.gov.

What Was the Basis for the Distribution of the First Half of Fiscal Year 2000 IRR Funds?

TEA–21 provided that the Secretary develop rules and a funding formula for fiscal year 2000 and subsequent fiscal years to implement the Indian Reservation Roads program section of the Act. The Negotiated Rulemaking Committee created under Section 1115 of TEA–21 and comprised of

representatives of tribal governments and the Federal Government has been diligently working to develop a funding formula, but has not yet been able to agree on a permanent funding formula. Without a permanent funding formula recommendation from the Committee, under TEA–21 the Secretary did not have a basis on which to distribute fiscal year 2000 IRR funds. Therefore, on January 26, 2000, the TEA–21 Negotiated Rulemaking Committee agreed, based on the tribal committee members' consensus, to recommend to the Secretary that fiscal year 2000 IRR funds be distributed under the current relative need formula. The tribal committee members' consensus and recommendation to the Bureau of Indian Affairs (BIA) stated: "We request that the BIA resolve this problem for non-reporting states by using the price index data from the most recent year for which the state submitted data."

In addition, in order to distribute \$18.3 million under Public Law 106–96, an extra, one-time Department of Transportation appropriation for fiscal year 2000 IRR program, the consensus agreement provided that the BIA distribute the funds to federally-recognized Indian tribes and Alaskan Native Villages based on a timely receipt of applications and scopes of work who have not completed adequate transportation planning within the last 5 years or that have deficient IRR bridges. The BIA published the **Federal Register** Notice on March 7, 2000 (65 FR 12026), requesting proposals from eligible tribes and Alaskan Native Villages by April 6, 2000.

How is the FHWA Price Trends Report Used in the Current Relative Need Formula?

The cost to construct one mile of road (cost-to-construct) changes from year-to-year due to fluctuations in the cost of overall highway construction prices (materials, techniques and demand). The cost-to-construct fluctuates from BIA Region-to-Region and State-to-State. The method used within the IRR program to track and adjust for the fluctuations in the cost-to-construct between BIA Regions is through the use of price trend data. This data is found in the FHWA report, Price Trends for Federal-Aid Highway Construction. This report indicates the fluctuations in the cost of overall highway construction prices.

The FHWA Federal-Aid Division offices and States compile and report construction cost data annually to the FHWA. The reports reflect unit contract quantities with their associated unit bid costs for highway construction. The