

(b) The following categories of entities may purchase participations:

- (1) Eligible Lenders;
- (2) Private investment funds and insurance companies that do not usually invest in commercial loans;
- (3) Steel company suppliers or customers, who are interested in participating in the unguaranteed tranche as a means of commencing or solidifying the supplier or customer relationship with the borrower; or
- (4) Any other entity approved by the Board on a case-by-case basis.

(c) The Agent must maintain and may not grant participations in an interest in the unguaranteed portion of the loan, which as a percentage of the Agent's overall interest in the loan, is no less than the aggregate percentage of the loan which is not guaranteed. Every Lender, other than the Agent, must maintain and may not grant participations in an interest in the unguaranteed portion of the loan representing no less than five percent of such Lender's overall interest in the loan, except as otherwise provided in § 400.210(c)(3).

[FR Doc. 00-21424 Filed 8-23-00; 8:45 am]

BILLING CODE 3510-NC-P

## EMERGENCY OIL AND GAS GUARANTEED LOAN BOARD

### 13 CFR Part 500

RIN 3003-ZA00

#### Emergency Oil and Gas Guaranteed Loan Program; Financial Statements

**AGENCY:** Emergency Oil and Gas Guaranteed Loan Board.

**ACTION:** Final rule.

**SUMMARY:** The Emergency Oil and Gas Guaranteed Loan Board (Board) is amending the regulations governing the Emergency Oil and Gas Guaranteed Loan Program (Program). This change is meant to give the Board flexibility in determining the type of Borrower financial statements that Lenders of guaranteed loans are required to provide to the Board.

**DATES:** This rule is effective August 24, 2000.

**FOR FURTHER INFORMATION CONTACT:** Marguerite S. Owen, General Counsel, Emergency Oil and Gas Guaranteed Loan Board, U.S. Department of Commerce, Room H2500, Washington, DC 20230, (202) 219-0584.

**SUPPLEMENTARY INFORMATION:** On October 27, 1999, the Board published a final rule codifying at Chapter V, Title 13, Code of Federal Regulations (CFR), regulations implementing the Program,

as established in Chapter 2 of Public Law 106-51, the Emergency Oil and Gas Guaranteed Loan Program Act (64 FR 57932).

Section 500.211(f) sets forth reporting requirements imposed on Lenders of loans guaranteed under the Act. This rule provides that the type of annual financial statement of the borrower required to be furnished to the Board will be provided in the Guarantee between the Board and the Lender.

This rule is intended to allow the Board to determine on a case-by-case basis whether the annual financial statement of the borrower must be audited or CPA-reviewed.

#### Administrative Law Requirements

##### *Executive Order 12866*

This final rule has been determined not to be significant for purposes of Executive Order 12866.

##### *Administrative Procedure Act*

This rule is exempt from the rulemaking requirements contained in 5 U.S.C. 553 pursuant to authority contained in 5 U.S.C. 553(a)(2) as it involves a matter relating to loans. As such, prior notice and an opportunity for public comment and a delay in effective date otherwise required under 5 U.S.C. 553 are inapplicable to this rule.

##### *Regulatory Flexibility Act*

Because this rule is not subject to a requirement to provide prior notice and an opportunity for public comment pursuant to 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

##### *Congressional Review Act*

This rule has been determined to be not major for purposes of the Congressional Review Act, 5 U.S.C. 801 *et seq.*

##### *Intergovernmental Review*

No intergovernmental consultations with State and local officials are required because the rule is not subject to the provisions of Executive Order 12372 or Executive Order 12875.

##### *Unfunded Mandates Reform Act of 1995*

This rule contains no Federal mandates, as that term is defined in the Unfunded Mandates Reform Act, on State, local and tribal governments or the private sector.

##### *Executive Order 13132*

This rule does not contain policies having federalism implications

requiring preparation of a Federalism Summary Impact Statement.

##### *Executive Order 12630*

This rule does not contain policies that have takings implications.

#### List of Subjects in 13 CFR Part 500

Administrative practice and procedure, Loan programs—oil and gas, Reporting and recordkeeping requirements.

Dated: August 14, 2000.

**Daniel J. Rooney,**

*Executive Secretary, Emergency Oil and Gas Guaranteed Loan Board.*

For the reasons set forth in the preamble, 13 CFR part 500 is amended to read as follows:

#### PART 500—EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM

1. The authority citation for part 500 continues to read as follows:

**Authority:** Pub. L. 106-51, 113 Stat. 255 (15 U.S.C. 1841 note).

2. Section 500.211(f)(1) is revised to read as follows:

##### **§ 500.211 Lender responsibilities.**

\* \* \* \* \*

(f) \* \* \*

(1) Financial statements for the borrower, as provided in the Guarantee;

\* \* \* \* \*

[FR Doc. 00-21425 Filed 8-23-00; 8:45 am]

BILLING CODE 3510-NC-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 00-ASO-30]

#### Amendment of Class D Airspace: Simmons Army Airfield (AAF), NC; and Class E4 Airspace: Key West, FL

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class D Airspace at Simmons AAF, NC, and the Class E4 Airspace at Key West, FL, from continuous to part time, as the air traffic control towers at these locations are now part time.

**EFFECTIVE DATE:** 0901 UTC, November 30, 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

The air traffic control towers at the Simmons AAF and Key West International Airports no longer operate continuously. Therefore, the Class D airspace at Simmons AAF, NC, and the Class E4 airspace at Key West, FL, must be amended from continuous to part time. This rule will become effective on the date specified in the **EFFECTIVE DATE** section. Since this action eliminates the impact of controlled airspace on users of the airspace in the vicinity of the Simmons AAF and Key West International Airports during the hours the control towers are closed, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

## The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) amends Class D airspace at Simmons AAF, NC, and Class E4 airspace at Key West, FL. Class D airspace designations and Class E4 airspace designations are published in paragraph 5000 and paragraph 6004, respectively, of FAA Order 7400.9G dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E4 airspace designations listed in the document will be published subsequently in this Order.

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; 14 CFR 11.69.

## §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 5000 Class D Airspace

\* \* \* \* \*

## ASO NC D Simmons AAF, NC [Revised]

Simmons AAF, NC

(Lat. 35°07'55"N, long. 78°56'12"W)

That airspace extending upward from the surface to and including 1,400 feet MSL within a 3.9-mile radius of Simmons AAF, excluding the portion northwest of a line extending from lat. 35°11'47"N, long. 78°55'36"W; to lat. 35°06'16"N, long. 79°00'31"W; excluding this portion within the Fayetteville, NC, Class C airspace area. 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 6004 Class E4 Airspace Areas Designated as an extension to a Class D Airspace Area.

\* \* \* \* \*

## ASO FL E4 Key West, FL [Revised]

Key West International Airport, FL

(Lat. 24°33'23"N, long. 81°45'34"W)

Key West NAS

(Lat. 24°34'33"N, long. 81°41'20"W)

Key West VORTAC

(Lat. 24°35'09"N, long. 81°48'02"W)

That airspace extending upward from the surface within 3.1 miles each side of Key West VORTAC 309° radial, extending from the 3.9-mile radius of the Key West International Airport and the 5.3-mile radius of the Key West NAS to 7 miles northwest of the VORTAC. 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.

\* \* \* \* \*

Issued in College Park, Georgia, on August 8, 2000.

Wade T. Carpenter,

Acting Manager, Air Traffic Division,  
Southern Region.

[FR Doc. 00–21493 Filed 8–23–00; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Airplane Docket No. 00–ASO–27]

**Removal of Class E Airspace;  
Melbourne, FL, and Coca Patrick AFB,  
FL**

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

**ACTION:** Final rule.

**SUMMARY:** This action removes Class E2 airspace at Melbourne, FL, and Cocoa Patrick AFB, FL. The weather and radio communications requirements for Class E2 Airspace at Melbourne International and Patrick AFB Airports, when the respective Air Traffic Control (ATC) towers close, no longer exist. Therefore, the Class E2 airspace for the Melbourne International and Patrick AFB Airports must be removed.

**EFFECTIVE 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

After Patrick AFB Radar Approach Control (RAPCON) was decommissioned, air traffic control responsibility for the Melbourne International and Patrick AFB Airports was transferred from Miami ARTC Center to Daytona Beach Approach Control, when the Melbourne and Patrick AFB (ATC) towers close. Daytona Beach Approach Control does not have the communications and weather capability to provide ATC service to the surface as required for Class E2 airspace. Therefore, the Class E2 airspace must be removed. This rule will become effective on the date specified in the **DATE** section. Since this action removes the Class E2 airspace, and as a result, eliminates the impact of Class E2 airspace on users of the airspace in the vicinity of the Melbourne International and Patrick