

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

RIN 2120-AA66

**[Docket No. FAA 2003-15562; Airspace Docket No. ASD 03-AGL-10]****Proposed Revision of Federal Airways V-233; Capitol, IL****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to revise Federal Airway 233 (V-233) northeast of the Capitol, IL, area Very High Frequency Omni-directional Range/Tactical Air Navigation (VORTAC). The FAA is proposing this action due to the relocation of the Capitol VORTAC and to enhance the management of aircraft operations over the Capitol, IL, area.

**DATES:** Comments must be received on or before October 15, 2003.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street SW., Washington, DC 20590-0001. You must identify docket numbers FAA-2003-15562/Airspace Docket No. 03-AGL-10, at the beginning of your comments.

You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, O'Hare Lake Office Center, 2300 East Devon Avenue, Des Plaines, IL 60018.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, 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:****Comments Invited**

Interested parties are invited to participate in this proposed rulemaking

by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers 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 Docket No. FAA 2003-15562/Airspace Docket No. 03-AGL-10." 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 public docket 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**

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's webpage at <http://www.faa.gov> or the Superintendent of Document's webpage at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**Background**

The FAA is relocating the Capitol VORTAC 3.96 nautical miles to the southwest of its current location. As a

part of that effort, the FAA plans to realign V-233 northeast of the Capitol VORTAC.

**The Proposal**

The FAA is proposing to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise V-233 in the Capitol, IL, area. Specifically, this action proposes to realign V-233 northeast of the Capitol VORTAC to reflect the radial change due to the relocation of the Capitol VORTAC and to enhance the management of aircraft operations over the Capitol, IL, area.

Federal airways are published in paragraph 6010(a) of FAA Order 7400.9K dated August 30, 2002, and effective September 16, 2002, which is incorporated by reference in 14 CFR 71.1. The Federal airway 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 Department of Transportation (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).

**The Proposed Amendment**

In consideration of the foregoing, 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; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

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 FAA Order 7400.9K, Airspace Designations and Reporting Points, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

*Paragraph 6010(a) Domestic VOR Federal Airways*

\* \* \* \* \*

**V-233 [Revised]**

From Capitol, IL; INT Capitol 061°T(062°M) and Roberts, IL, 233° radials; Roberts; Knox, IN; Goshen, IN; Litchfield, MI; Lansing, MI; INT Mount Pleasant 351° and Gaylord, MI, 207° radials; Gaylord; to Pellston, MI.

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Issued in Washington, DC on August 22, 2003.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 03-22208 Filed 8-29-03; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****25 CFR Chapter I****Meeting of the No Child Left Behind Negotiated Rulemaking Committee**

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

**ACTION:** Announcement of negotiated rulemaking committee meeting.

**SUMMARY:** The Secretary of the Interior has established an advisory Committee to develop recommendations for proposed rules for Indian education under six sections of the No Child Left Behind Act of 2001. As required by the Federal Advisory Committee Act, we are announcing the date and location of the next meeting of the No Child Left Behind Negotiated Rulemaking committee.

**DATES:** The Committee's next meeting will be held September 15-19, 2003. The meeting will begin at 8:30 am (CDT) on Monday, September 15 and end at noon (CDT) on Friday, September 19.

**ADDRESSES:** The meeting will be held at the Gaylord Opryland Resort and Convention Center, 2800 Opryland Drive, Nashville, TN 37214, telephone (615) 883-2211.

**FOR FURTHER INFORMATION CONTACT:** Barbara James or Shawna Smith, No Child Left Behind Negotiated Rulemaking Project Management Office, P.O. Box 1430, Albuquerque, NM 87103-1430; telephone (505) 248-7241/6569; fax (505) 248-7242; email

*bjames@bia.edu* or *ssmith@bia.edu*. We will post additional information as it becomes available on the Office of Indian Education Programs Web site under "Negotiated Rulemaking" at <http://www.oiep.bia.edu>.

**SUPPLEMENTARY INFORMATION:** For more information on negotiated rulemaking under the No Child Left Behind Act, see the **Federal Register** notices published on December 10, 2002 (67 FR 75828) and May 5, 2003 (68 FR 23631) or the Web site at <http://www.oiep.bia.edu> under "Negotiated Rulemaking".

The items for negotiation include: Student Rights/Geographic Boundaries; Tribally Controlled Schools Act/Grants; Adequate Yearly Progress; and Funding and Distribution of Funds. The Committee will meet in work groups and in full session each day for work group reports, public comments, and logistics. All meetings are open to the public. There is no requirement for advance registration for members of the public who wish to attend and observe the Committee meetings or the work group meetings or to make public comments. Members of the public may also make written comments to the Committee by sending them to the NCLB Negotiated Rulemaking Committee, Project Management Office, P.O. Box 1430, Albuquerque, New Mexico 87103. We will provide copies of the comments to the Committee.

The agenda for the September 15-19, 2003, meeting is as follows:

**Agenda for No Child Left Behind Negotiated Rulemaking Committee Meeting September 15-19, 2003, Nashville, Tennessee**

Meetings end at 5:30 pm each day (except September 19)  
September 15

Opening Remarks—8:30 am  
Public Comments (30 minutes)  
Introductions, Logistics, and Housekeeping

Approval of summary from Seattle meeting

Review agenda  
Plenary Committee considers consensus on proposed rule language

Work Group meetings

September 16  
Public comments—8:30—9 am  
Work Group meetings

September 17  
Public comments—8:30—9 am  
Work Group meetings  
Plenary Committee considers consensus on proposed rule language

September 18  
Public comments—8:30—9 am  
Work Group meetings

Plenary Committee considers consensus on proposed rule language  
September 19  
Public Comments—8:30—9 am  
Plenary Committee meeting  
Considers consensus on proposed rule language  
Set agenda for next meeting  
Evaluations  
Closing remarks  
Closing—noon

Dated: August 26, 2003.

**Aurene M. Martin,**

*Acting Assistant Secretary—Indian Affairs.*

[FR Doc. 03-22228 Filed 8-29-03; 8:45 am]

**BILLING CODE 4310-6W-P**

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****30 CFR Part 57****RIN 1219-AB29****Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects printing and other errors in the preamble to a proposed rule published in the **Federal Register** of August 14, 2003 (68 FR 48668) regarding diesel particulate matter exposure in underground metal and nonmetal mines.

**FOR FURTHER INFORMATION CONTACT:** Marvin W. Nichols, Jr., Director, Office of Standards, Regulations, and Variances, MSHA, 1100 Wilson Blvd., Room 2350, Arlington, Virginia 22209-3939, *Nichols.Marvin@dol.gov*, (202) 693-9440 (telephone), or (202) 693-9441 (facsimile).

**Correction**

In proposed rule FR Doc. 03-20190, beginning on page 48668 in the issue of August 14, 2003, make the following corrections:

1. On page 48669, in the first column, in the fourth paragraph, the date "October 7, 2003" is corrected to read "October 14, 2003."

2. On page 48676, in Chart V-3 at the top of the page, the term "400 µg/m<sup>3</sup>" in the label of the x-axis is corrected to read "400 µg/m<sup>3</sup>".

3. On page 48678, at the top of the third column, the word "avoided" is corrected to read "voided".

4. On page 48678, in Chart V-5 beginning in the middle of the page, the