

FOR FURTHER INFORMATION CONTACT:

Norman W. Thomas, Airspace and Obstruction Evaluation Branch (ATP-240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-9230.

SUPPLEMENTARY INFORMATION:

History

On March 16, 1994, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to alter Jet Route J-179 and establish Jet Route J-510 (59 FR 12209).

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. Except for editorial changes, this amendment is the same as that proposed in the notice. Jet routes are published in paragraph 2004 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 jet routes listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations alters Jet Route J-179 by extending J-179 from the Middleton Island, AK, VOR/DME to the Emmonak, AK, VOR/DME, and establishes Jet Route J-510 from the Galena, AK, VORTAC to the Emmonak, AK, VOR/DME. This action will enhance navigation for aircraft flying from the continental United States and aircraft departing from Anchorage International Airport.

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—[AMENDED]

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; 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 2004—Jet Routes

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J-179 [Revised]

From Middleton Island, AK; Kenai, AK; Sparrevohn, AK; Aniak, AK, NDB; St. Mary's, AK, NDB; to Emmonak, AK.

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J-510 [New]

From Galena, AK; Unalakleet, AK; to Emmonak, AK.

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Issued in Washington, DC, on September 12, 1995.

Reginald C. Matthews,

Acting Manager, Airspace—Rules and Aeronautical Information Division.

[FR Doc. 95-23342 Filed 9-19-95; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 71**[Airspace Docket No. 95-ANM-2]****Realignment of VOR Federal Airway V-86; Montana**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule will extend Federal Airway V-86 from Coppertown, MT, Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) to the Missoula, MT, VOR/DME. This action will improve the efficiency of air traffic operations between Coppertown, MT, VOR/DME and Missoula, MT, VOR/DME facilities, and will reduce pilot/controller workload.

EFFECTIVE DATE: 0901 UTC, November 9, 1995.

FOR FURTHER INFORMATION CONTACT:

Norman W. Thomas, Airspace and Obstruction Evaluation Branch (ATP-240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-9230.

SUPPLEMENTARY INFORMATION:

History

On June 1, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to extend Federal Airway V-86 from Coppertown, MT, VOR/DME to the Missoula, MT, VOR/DME (60 FR 28551).

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. Except for editorial changes, this amendment is the same as that proposed in the notice. Domestic VOR Federal airways are published in paragraph 6010(a) 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 airway listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations extends Federal Airway V-86 from the Coppertown, MT, VOR/DME to the Missoula, MT, VOR/DME facility. The extension of V-86 will improve the efficiency of air traffic operations between the Coppertown, MT, VOR/DME and Missoula, MT, VOR/DME facilities, and will reduce pilot/controller workload.

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—[AMENDED]

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; 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 6010(a)—Domestic VOR Federal Airways

* * * * *

V-86 [Revised]

From Missoula, MT; Coppertown, MT; Whitehall, MT; Bozeman, MT; INT Bozeman 128° and Livingston, MT, 261° radials; Livingston; 11 miles, 25 miles, 85 MSL, Billings, MT; 32 miles, 35 miles, 75 MSL; Sheridan, WY; 20 miles, 45 miles, 70 MSL, 63 miles, 80 MSL, to Rapid City. SD.

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Issued in Washington, DC, on September 12, 1995.

Reginald C. Matthews,
Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 95–23343 Filed 9–19–95; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 91

[Docket No. 26834; Special Federal Aviation Regulation (SFAR) No. 65–1]

RIN 2120–AF85

Prohibition Against Certain Flights Between the United States and Libya

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This final rule replaces the flight prohibition implemented by the FAA in SFAR 65, which became effective on April 20, 1992, and expired on April 16, 1993. This action prohibits the takeoff from landing in, or overflight of the territory of the United States by

an aircraft on a flight to or from the territory of Libya. This action further prohibits the landing in, takeoff from, or overflight of the territory of the United States by any aircraft on a flight from or to any intermediate destination, if the flight's origin or ultimate destination is Libya. Exceptions are made for particular flights approved by the United States Government in consultation with the UN Security Council committee established under Security Council Resolution 748 (1992) and for certain emergency operations. This action is necessary to implement Executive Orders 12543 (1986) and 12801 (1992) and Resolution 748 mandating an embargo of air traffic with Libya.

DATES: The removal of SFAR 65 and the addition of SFAR 65–1 are effective on September 20, 1995. SFAR 65–1 shall remain in effect until further notice.

FOR FURTHER INFORMATION CONTACT: Mark W. Bury, International Affairs and Legal Policy Staff, AGC–7, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone 202–267–3515.

SUPPLEMENTARY INFORMATION:

Availability of Document

Any person may obtain a copy of this document by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Public Inquiry Center, APA–230, 800 Independence Avenue S.W., Washington, DC 20591, or by calling 202–267–3484. Communications must identify the number of this SFAR. Persons interested in being placed on a mailing list for future rules should also request a copy of the Advisory Circular No. 11–2A, which describes the application procedure.

Background

The Federal Aviation Administration (FAA) is responsible for the safety of flight in the United States and the safety of U.S.-registered aircraft and U.S. operators throughout the world. Section 40101(d)(1) of Title 49, United States Code, requires the Administrator of the FAA to consider the regulation of air commerce in a manner that best promotes safety and fulfills the requirements of national security as being in the public interest. In addition, 49 U.S.C. 40105(b)(1)(A) requires the Administrator to exercise his authority consistently with the obligations of the United States Government under an international agreement.

One such international agreement is the Charter of the United Nations (the Charter) (59 Stat. 1031; 3 Bevans 1153

(1945)). Under Article 25 of the Charter, “the members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.” Article 48(1) of the Charter further provides, in pertinent part, that “[t]he action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all members of the United Nations * * *.”

On March 31, 1992, acting under Chapter VII of the Charter, the Security Council adopted Resolution 748, mandating an embargo of certain air traffic with Libya. Paragraph 4(a) of Resolution 748 requires all states to deny permission to any aircraft to take off from, land in, or overfly their territory if the aircraft is destined to land in or has taken off from the territory of Libya. An exception to this prohibition is made for flights that have been approved on the grounds of urgent humanitarian need by the Security Council committee established by paragraph 9 of Resolution 748. The terms of Resolution 748 were reaffirmed by the Security Council in Resolution 883 (1993).

The United States Government has taken several actions to restrict air transportation between the United States and Libya. On January 7, 1986, the President issued Executive Order 12543, which prohibits “[a]ny transaction by a United States person relating to transportation to or from Libya * * * or the sale in the United States by any person holding authority under the Federal Aviation act of any transportation by air which includes any stop in Libya.” On January 30, 1986, the Secretary of Transportation implemented Executive Order 12543 by issuing Order 86–2–23, which amended all Department of Transportation (DOT) certificates issued under section 401 of the Federal Aviation Act, all permits issued under section 402 of the Act, and all exemptions from sections 401 and 402 accordingly.

In response to UN Resolution 748, the President issued Executive Order 12801 on April 15, 1992. Section 1 of Executive order 12801 prohibits:

the granting of permission to any aircraft to take off from, land in, or overfly the United States, if the aircraft, as part of the same part of the same flight or a continuation of that flight, is destined to land in or has taken off from the territory of Libya * * *.

Executive Order 12801 cited the President's authority under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C.