

The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9G, *Airspace Designations and Reporting Points*, dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be revised and published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 (part 71) establishes Class E airspace within the Yukon-Kuskokwim Delta area in southwest Alaska. The intended effect of this rule is to create adequate controlled airspace and infrastructure for IFR operations within the in the Yukon-Kuskokwim Delta area where uncontrolled airspace currently exists. This controlled airspace is needed to validate new operational procedures and equipment in the IFR environment in support of the Capstone R&D project. Additionally, this rule will enhance flight safety, reduce the potential for midair collisions, improve operational efficiencies, and better manage air traffic operations.

The FAA has determined that these proposed regulations only involve 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, 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).

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; 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 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 extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 Yukon-Kuskokwim Delta, AK [New]

That airspace extending upward from 1,200 feet above the surface within the area bounded by lat. 58° 25' 36" N long. 158° 00' W, to lat. 57° 50' N long. 158° 00' W, to lat. 57° 50' N long. 156° 00' W, to lat. 64° 00' N long. 156° 00' W, to lat. 64° 00' N long. 161° 41' 24" W, then via the 12 nautical mile limit to the point of beginning.

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Issued in Anchorage, AK, on June 6, 2000.

Willis C. Nelson,

Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 00–14861 Filed 6–12–00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 00–ASO–8]

RIN 2120–AA66

Amendment to Time of Designation for Restricted Area R–7104 (R–7104), Vieques Island, PR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the time of designation for Restricted Area R–7104 (R–7104), Vieques Island, PR., from "Intermittent, 0600–2300 local time, daily; other times by NOTAM 24 hours in advance" to "As activated by NOTAM 24 hours in advance." The FAA is taking this action in response to a request from the United States Navy

(USN) and the FAA Southern Regional Air Traffic Division.

EFFECTIVE DATE: 0901 UTC, August 10, 2000.

FOR FURTHER INFORMATION CONTACT:

Terry Brown, 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:

Background

As a result of a review of restricted area operations, the USN and the FAA Southern Regional Air Traffic Division requested to change the requirements for the activation of R–7104, Vieques Island, PR. This action will simplify the Times of Designation portion of FAA Order 7400.8.

The Rule

This amendment to 14 CFR part 73 changes the time of designation for R–7104, Vieques Island, PR, by removing the words "Intermittent, 0600–2300 local time, daily; other times by NOTAM 24 hours in advance," and inserting the words "As activated by NOTAM 24 hours in advance."

Since this is an administrative change and does not affect the boundaries, designated altitudes, or activities conducted therein; I find that notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

Section 73.71 of part 73 was republished in FAA Order 7400.8G, dated September 1, 1999.

The FAA has determined that this action only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this 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 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.

Environmental Review

In accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy

Act of 1969, this action is not subject to environmental assessments and procedures.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 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.

§ 73.71 [Amended]

2. § 73.71 is amended as follows:

* * * * *

R-7104 Vieques Island, PR [Amended]

By removing the words “Intermittent, 0600–2300 local time, daily; other times by NOTAM 24 hours in advance” and inserting the words “As activated by NOTAM 24 hours in advance.”

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Issued in Washington, DC, June 5, 2000.

Reginald C. Matthews,

Manager, Airspace and Rules Division.

[FR Doc. 00–14859 Filed 6–12–00; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Part 774

[Docket No. 990701179–0167–03]

RIN 0694–AB90

Expansion of License Exception CIV Eligibility for “Microprocessors” Controlled by ECCN 3A001 and Graphics Accelerators Controlled by ECCN 4A003

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Interim rule with request for comments.

SUMMARY: The Bureau of Export Administration (BXA) maintains the Commerce Control List (CCL), which identifies those items subject to Department of Commerce export licensing requirements. Consistent with technological changes, this interim rule adjusts the License Exception CIV eligibility level for microprocessors controlled by Export Control Classification Number (ECCN) 3A001 from a composite theoretical

performance (CTP) of equal to or less than 3500 million theoretical operations per second (MTOPS) to a CTP of equal to or less than 4500 MTOPS. This rule also adjusts the License Exception CIV eligibility level for graphics accelerators controlled by Export Control Classification Number (ECCN) 4A003 from 75 million vectors per second to 100 million vectors per second. License Exception CIV authorizes exports and reexports to civil end-users for civil end-uses in Country Group D:1. CIV may not be used for exports or reexports to military end-users or end-uses.

To avoid unwarranted burdens on industry and keep the export control levels for commodity microprocessors at controllable levels, the Administration is committed to reviewing the CIV level on an ongoing basis. Based on industry projections, substantially more powerful commodity microprocessors will be released later this year. In light of this information, the Administration will continue to monitor the microprocessor market, and as circumstances warrant, we anticipate raising the CIV eligibility levels from 4500 MTOPS to a level somewhere between 5500 and 7000 MTOPS to account for the more powerful microprocessors entering mass production.

The exponential advance of microprocessor technology directly affects High Performance Computer (HPC) technology. Accordingly, the Administration is also committed to reviewing HPC control levels regularly. This summer, we will once again assess the HPC market to determine at what level computers are no longer controllable due to wide commercial production and dissemination of the computers and their components. Additionally, we will determine if the individual licensing levels for computers exported to Tier 2 and Tier 3 countries require adjustment. Finally, we will continue to examine whether CTP remains a viable metric for determining HPC export controls.

DATES: This rule is effective June 13, 2000. Comments on this rule must be received on or July 13, 2000.

ADDRESSES: Written comments should be sent to Hillary Hess, Regulatory Policy Division, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: James Lewis, Director, Office of Strategic Trade and Foreign Policy Controls, Bureau of Export Administration, Telephone: (202) 482–4196.

SUPPLEMENTARY INFORMATION: Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR, and, to the extent permitted by law, the provisions of the EAA in Executive Order 12924 of August 19, 1994, as extended by the President's notices of August 15, 1995 (60 FR 42767), August 14, 1996 (61 FR 42527), August 13, 1997 (62 FR 43629), August 13, 1998 (63 FR 44121), and August 10, 1999 (64 FR 44101, August 13, 1999).

Rulemaking Requirements

1. This interim rule has been determined to be not significant for purposes of E.O. 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a currently valid OMB Control Number. This rule involves a collection of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This collection has been approved by the Office of Management and Budget under control number 0694–0088.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this interim rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under the Administrative Procedure Act or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

However, because of the importance of the issues raised by these regulations, this rule is issued in interim form and comments will be considered in the development of final regulations.

Accordingly, the Department encourages interested persons who wish