

**Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this 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-2003-14927/Airspace Docket No. 03-ACE-33." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this 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) if promulgated, will not have a significant economic impact, positive or negative, 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

■ Accordingly, 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 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 7400.9K, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

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

\* \* \* \* \*

##### **ACE NE E5 Crete, NE**

Crete Municipal Airport, NE  
(Lat. 40°37'05"N., long. 96°55'30"W.)  
Lincoln VORTAC  
(Lat. 40°55'26"N., long. 96°44'31"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Crete Municipal Airport and within 2.6 miles each side of the 205° radial of the Lincoln VORTAC extending from the 6.4-mile radius to 7.9 miles southwest of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on April 14, 2003.

**Paul J. Sheridan,**

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

[FR Doc. 03-10047 Filed 4-22-03; 8:45 am]

**BILLING CODE 4910-13-M**

#### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

#### **14 CFR Part 73**

[Docket No. FAA-2002-13414; Airspace Docket No. 02-AGL-7]

**RIN 2120-AA66**

#### **Modification of Restricted Areas R-6904A and R-6904B, Volk Field, WI**

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

**ACTION:** Final rule.

**SUMMARY:** This action raises the upper limit of Restricted Areas 6904A (R-6904A) and R-6904B, Volk Field, WI, from 17,000 feet above mean sea level (MSL) to Flight Level 230 (FL 230). Expanding the vertical limit of these areas facilitates the transition of participating aircraft between these restricted areas and the overlying Volk West Air Traffic Control Assigned Airspace (ATCAA). The additional airspace is needed to fulfill new United States Air Force (USAF) training requirements. This rule makes no other changes to R-6904A or R-6904B.

**EFFECTIVE DATE:** 0901 UTC, July 10, 2003.

#### **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:**

#### **Background**

On January 28, 2003, the FAA proposed (68 FR 4118) to amend 14 CFR part 73 to increase the vertical limits of R-6904A and R-6904B from 17,000 feet above MSL to FL 230. The FAA proposed this action in response to a request from the USAF indicating that current airspace is not sufficient to fulfill new training requirements and that participating aircraft must change their flight profile by reducing their airspeed when crossing the 1,000 feet of airspace located above the restricted areas and below the Volk West ATCAA. This requested action facilitates the transition of participating aircraft between these restricted areas and the overlying Volk West ATCAA by eliminating the 1,000-foot gap between the restricted areas and the ATCAA. This action also provides additional airspace needed to fulfill new USAF training requirements. Specifically, new training requirements call for practicing the release of bombs from higher altitudes than are currently available within the existing airspace structure. The new upper limit of FL 230 is suitable for meeting this new training requirement. No other changes to R-6904A or R-6904B are made by this action. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on this proposal to the FAA.

#### **Discussion of Comment**

In response to the Notice of Proposed Rulemaking, the FAA received one comment supporting the proposed

change and no comments in opposition to the change.

### The Rule

This amendment to 14 CFR part 73 raises the vertical limits of R-6904A and R-6904B from 17,000 feet above MSL to FL 230. This additional altitude is required to eliminate the 1,000-foot gap between the restricted areas and the overlying Volk West ATCAA, and to meet the Air Force's requirement to practice the release of bombs from higher altitudes than are currently available within the existing restricted area airspace. No other changes to R-6904A or R-6904B are made by this action.

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, 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

The USAF determined that this amendment of the restricted area's designated altitude qualifies for a categorical exclusion. The FAA has reviewed the USAF's environmental documentation and concludes that this action is categorically excluded in accordance with FAA Order 1050.1D, Procedures for Handling Environmental Impacts, and the FAA/DOD Memorandum of Understanding of 1998 regarding Special Use Airspace actions.

### 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.

### § 73.63 [Amended]

■ 2. § 73.63 is amended as follows:

\* \* \* \* \*

### R-6904A Volk Field, WI [Amended]

By removing the current designated altitudes and substituting the following:  
Designated altitudes. 150 feet AGL to FL 230.

### R-6904B Volk Field, WI [Amended]

By removing the current designated altitudes and substituting the following:  
Designated altitudes. Surface to FL 230.

\* \* \* \* \*

Issued in Washington, DC, on April 16, 2003.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 03–10043 Filed 4–22–03; 8:45 am]

**BILLING CODE 4910–13–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Part 1214

[Notice: (03–043)]

**RIN 2700–AC56**

### Recruitment and Selection of Astronaut Candidates

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Direct final rule.

**SUMMARY:** The National Aeronautics and Space Administration (NASA) is amending its regulations setting forth its procedures for recruitment and selection of astronaut candidates. NASA's astronaut candidate selection process was developed to select highly qualified individuals to perform in mission specialist and pilot astronaut positions in human space programs. The activities currently are conducted by the Astronaut Selection Office at the Johnson Space Center (JSC). NASA proposes to amend the rules to permit some of these recruitment and selection activities to be performed by NASA organizational elements that are not part of JSC. This change is necessary to conduct efficient and effective recruitment of a new component of the Astronaut Program, the Educator Astronauts.

**DATES:** This rule is effective July 22, 2003, without further action, unless adverse comment is received by May 23, 2003. If adverse comment is received, NASA will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** Written comments should be addressed to NASA Headquarters, Code FPP, 300 E Street, SW., Washington, DC 20546.

### FOR FURTHER INFORMATION CONTACT:

Candace Irwin, NASA Headquarters, Code FPP, 300 E Street, SW., Washington, DC 20546; telephone (202) 358–1206.

**SUPPLEMENTARY INFORMATION:** This direct final rule amends the NASA regulations governing the NASA Astronaut Candidate Recruitment and Selection Program. NASA is amending its regulations to address the addition of a new component of the Astronaut corps: Educator Astronauts. The Educator Astronaut Program is designed to motivate U.S. students and educators to recognize the value of science, technology, engineering, and mathematics; attract more people to the teaching, science, technology, engineering, and mathematics professions; enhance the public's understanding of the value of America's educators; and share the diverse people and opportunities that advance our Nation's achievements in science, technology, and exploration. NASA will recruit educators to join NASA's Astronaut Corps to perform educator as well as mission specialist duties that will support NASA's education outreach program. Involvement of appropriate elements of the education community is integral to conduct activities associated with the recruitment and selection of Educator Astronauts. The current rule, assigning responsibility to JSC for individual activities such as announcing astronaut candidate opportunities, implementing the application process, reviewing applications, establishing cutoff dates for accepting applications, and appointing the rating panel, supports the historical Astronaut Candidate Program but does not enable enhancements to the program that necessarily require activities outside of JSC. The Educator Astronaut positions, which will be integral to the Astronaut Candidate Program, offer an education component, necessitating involvement by NASA's Office of Education at NASA Headquarters, in activities leading to identification of candidates who meet the educator requirements of the position. Accordingly, the rule is being amended so that a specific NASA Center is not assigned responsibility for conducting an activity that could be performed by, or in conjunction with, another NASA Center or Headquarters.