

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 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, 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 Selawik, AK [New]

Selawik Airport, AK  
(Lat. 66°36'00" N, long. 159°59'10" W)  
Selawik VOR/DME, AK  
(Lat. 66°36'00" N, long. 159°59'30" W)

That airspace extending upward from 700 feet above the surface within a 8-mile radius of the Selawik Airport; and that airspace extending upward from 1,200 feet above the surface within 6 miles north and 4 miles south of the 231° radial of the Selawik VOR/DME extending from the 8-mile radius to 16 miles southwest of the airport, and 6 miles north of the 058° radial extending from the 8-mile radius to 16 miles northeast of the airport.

\* \* \* \* \*

Issued in Anchorage, AK, on October 15, 1996.

Willis C. Nelson,  
Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 96–27185 Filed 10–23–96; 8:45 am]

BILLING CODE 4910–13–P

#### **14 CFR Part 71**

[Airspace Docket No. 96–ANE–29]

#### **Amendment of Class E Airspace; Old Town, ME**

AGENCY: Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action revises the Class E airspace area at Old Town, ME (KOLD) to provide for adequate controlled airspace for those aircraft using the new GPS RWY 12 and GPS RWY 30 Instrument Approach Procedures to Dewitt Field, Old Town Municipal Airport.

**DATES:** Effective 0901 UTC, December 5, 1996.

Comments for inclusion in the Rules Docket must be received on or before November 25, 1996.

**ADDRESSES:** Send comments on the rule to: Manager, Operations Branch, ANE–530, Federal Aviation Administration, Docket No. 96–ANE–29, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7530; fax (617) 238–7596. Comments may also be submitted electronically to the following Internet address: “neairspace-comments@mail.hq.faa.gov” Comments must indicate Docket No. 96–ANE–29 in the subject line.

The official docket file may be examined in the Office of the Assistant Chief Counsel, New England Region, ANE–7, Room 401, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7050; fax (617) 238–7055.

An informal docket may also be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, Operations Branch at the first address listed above.

**FOR FURTHER INFORMATION CONTACT:** Joseph A. Bellabona, Operations Branch, ANE–530.6, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7536; fax (617) 238–7596.

**SUPPLEMENTARY INFORMATION:** New Standard Instrument Approach Procedures to Dewitt Field, Old Town Municipal Airport, the GPS RWY 12 and GPS RWY 30 approaches, require the amendment of Class E airspace extending upward from 700 feet above the surface in the vicinity of Old Town, ME. This action provides adequate controlled airspace for those aircraft using the new GPS RWY 12 or GPS RWY 30 instrument approaches by extending the Class E airspace westerly and easterly from the airport. In addition, this action makes a minor correction in the latitude position for the Bangor VORTAC. Class E airspace designations for airspace areas extending upward from 700 feet above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective

September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

#### **The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment, and, therefore, issues it as a direct final rule. 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. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the Federal 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**

Although this action is in the form of a direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that

summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96-ANE-29." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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) does not warrant preparation of a Regulatory Evaluation as these routine matters will only affect air traffic procedures and air navigation. It is certified that these proposed rules will not have 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

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (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.

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points,

dated September 4, 1996, and effective September 16, 1996, is amended as follows:

#### *Paragraph 6005-Class E Airspace Areas Extending Upward from 700 Feet or more Above the Surface of the Earth*

\* \* \* \* \*

ANE ME E5 Old Town, ME [Revised]  
Dewitt Field, Old Town Municipal Airport,  
ME  
(lat. 44°57'10" N, long. 68°40'25" W)  
Bangor VORTAC  
(lat. 44°50'31" N, long. 68°52'26" W)  
Old Town NDB  
(lat. 44°00'24" N, long. 68°38'00" W)

That airspace extending upward from 700 feet above the surface within a 7.0-mile radius of Dewitt Field, Old Town Municipal Airport, and within 4.0 miles each side of the Old Town Municipal Airport 276° bearing extending from the 7-mile radius to 10.2 miles west of Old Town Municipal Airport, and within 4.0 miles each side of the Old Town Municipal Airport 097° bearing extending from the 7-mile radius to 9.5 miles east of Old Town Municipal Airport, and within 2.8 miles each side of the Old Town NDB 029° bearing extending from the 7-mile radius to 9 miles northeast of the Old Town NDB, and within 4 miles each side of the Bangor VORTAC 050° radial extending from the 7-mile radius to 25 miles northeast of the VORTAC; excluding that airspace within the Bangor, ME, Class E airspace area.

\* \* \* \* \*

Issued in Burlington, MA, on October 11, 1996.

David J. Hurley,

Manager, Air Traffic Division, New England Region.

[FR Doc. 96-27184 Filed 10-23-96; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF COMMERCE

### Office of the Secretary

#### 15 CFR Parts 6, 25, and 28

[Docket No. 961021291-6291-01]

RIN 0690-AA27

#### Civil Monetary Penalties; Adjustment for Inflation

**AGENCY:** Office of the Secretary, Commerce.

**ACTION:** Final rule.

**SUMMARY:** This final rule is being issued to adjust each civil monetary penalty provided by law within the jurisdiction of the Department of Commerce (the Department). The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, requires the head of each agency to adjust its civil monetary penalties for inflation no later than October 23, 1996,

and at least once every four years thereafter. The inflation adjustments will apply only to violations that occur after the effective date of this rule.

**EFFECTIVE DATE:** This rule is effective October 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Charles Yapple, 202-482-0232.

**SUPPLEMENTARY INFORMATION:** The Federal Civil Penalties Inflation Adjustment Act of 1990, (Pub. L. 101-410), provided for the regular evaluation of civil monetary penalties to ensure that they continued to maintain their deterrent value and that penalty amounts due to the Federal Government were properly accounted for and collected. On April 26, 1996, the Federal Civil Penalties Inflation Adjustment Act of 1990 was amended by the Debt Collection Improvement Act of 1996 (Public Law 104-134) to require each agency to issue regulations to adjust its civil monetary penalties (CMP) for inflation. The amendment further provides that any resulting increases in a CMP due to the inflation adjustment should apply only to the violations that occur after October 23, 1996. The first inflation adjustment of any penalty shall not exceed ten percent of such penalty.

A civil monetary penalty is defined as any penalty, fine, or other sanction that:

1. Is for a specific monetary amount as provided by Federal law, or has a maximum amount provided for by Federal law; and,
2. Is assessed or enforced by an agency pursuant to Federal law; and,
3. Is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts.

This regulation adjusts the civil penalties that are established by law and assessed or enforced by the Department.

The actual penalty assessed for a particular violation is dependent upon a variety of factors. For example, the NOAA Civil Administrative Penalty Schedule (the Schedule), a compilation of internal guidelines that are used when assessing penalties for violations for most of the statutes the National Oceanic and Atmospheric Administration enforces, will be adjusted in a manner consistent with this regulation to maintain the deterrent effect of the penalties recommended therein. The penalty ranges in the Schedule are intended to aid enforcement attorneys in determining the appropriate penalty to assess for a particular violation. Pursuant to the notice published in the Federal Register (59 FR 19160, April 22, 1994), the Schedule is maintained and made