

are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number 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 Airspace Docket No. 97-AGL-12." 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 Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, 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

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

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E2 airspace at Ely Municipal Airport, Ely, MN to accommodate a Very High Frequency Omnidirectional Range/Distance Measuring Equipment VOR/DME Runway 12/30. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions. The area

would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for surface area for an airport are published in paragraph 6002 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 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 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 proposed 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).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the 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 6002 Class E airspace areas designated as a surface area for an airport.

* * * * *

AGL MN E2 Ely, MN [New]
Ely Municipal Airport, MN

(Lat. 47°49'28"N, long. 91°49'51"W)

Ely VOR/DME

(Lat. 47°49'19"N, long. 91°49'49"W)

Within a 4-mile radius of Ely Municipal Airport and within 2.4 miles each side of the VOR/DME 108 radial extending from the 4-mile radius to 7 miles southeast of the VOR/DME, and within 2.4 miles each side of the VOR/DME 302 radial extending from the 4-mile radius to 7 miles northwest of the VOR/DME.

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Issued in Des Plaines, Illinois on April 8, 1997.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 97-10602 Filed 4-23-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1

[REG-209834-96]

RIN 1545-AU30

Empowerment Zone Employment Credit; Hearing Cancellation

AGENCY: Internal Revenue Service, Treasury.

ACTION: Cancellation of notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of cancellation of a public hearing on proposed regulations relating to the period employers may use in computing the empowerment zone employment credit under section 1396 of the Internal Revenue Code.

DATES: The public hearing originally scheduled for Wednesday, May 7, 1997, beginning at 10:00 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Mike Slaughter of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7190, (not a toll-free number).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 1396 of the Internal Revenue Code. A notice of proposed rulemaking and notice of public hearing appearing in the **Federal Register** on Monday, December 16, 1996 (61 FR 66000), announced that the public hearing on proposed regulations under section 1396 of the Internal Revenue Code would be held on Wednesday, May 7, 1997, beginning at 10:00 a.m., in the NYU Classroom, Room 2615, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC.

The public hearing scheduled for Wednesday, May 7, 1997 is cancelled.

Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 97-10662 Filed 4-23-97; 8:45 am]

BILLING CODE 4830-01-U

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-209040-88]

RIN 1545-AM41

Qualified Electing Fund Elections; Hearing Cancellation

AGENCY: Internal Revenue Service, Treasury.

ACTION: Cancellation of notice of public hearing on proposed rulemaking.

SUMMARY: This document provides notice of cancellation of a public hearing on proposed regulations permitting certain shareholders to make a special election under section 1295, in lieu of the election currently provided for under that section, with respect to certain preferred shares of a passive foreign investment company (PFIC).

DATES: The public hearing originally scheduled for May 8, 1997, beginning at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Evangelista C. Lee of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7190 (not a toll-free number).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed amendments to the Income Tax Regulations under sections 1293 and 1295 of the Internal Revenue Code. A notice of proposed rulemaking and public hearing appearing in the **Federal Register** on Tuesday, December 24, 1996 (61 FR 67752), announced that a public hearing would be held on Thursday, May 8, 1997, beginning at 10 a.m., in room 3313, Internal Revenue Building, 1111 Constitution Avenue, NW, Washington, DC 20224.

The public hearing scheduled for Thursday, May 8, 1997, is cancelled.

Cynthia E. Grigsby,

Chief, Regulations Unit Assistant Chief Counsel (Corporate).

[FR Doc. 97-10663 Filed 4-23-97; 8:45 am]

BILLING CODE 4830-01-U

DEPARTMENT OF JUSTICE

Office of Justice Programs

28 CFR Part 32

[OJP(BJA)-1121]

RIN 1121-AA44

Federal Law Enforcement Dependents Assistance Program

AGENCY: Office of Justice Programs, Bureau of Justice Assistance, Public Safety Officers' Benefits Office, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: Regulations are being proposed to comply with the Federal Law Enforcement Dependents Assistance (FLEDA) Act of 1996. The FLEDA Program, to be administered by the Bureau of Justice Assistance through a delegation of authority from the Attorney General, will, subject to the availability of funds, provide financial assistance in the form of awards to the children and spouses of Federal civilian law enforcement officers whose deaths or permanent and total disabilities in the line of duty resulted in the payment of benefits under the Public Safety Officers' Benefits (PSOB) Program. The financial assistance provided through the FLEDA Program is designed to defray costs associated with higher education for these children and spouses.

DATES: Comments will be received no later than 5:00 pm on May 27, 1997.

ADDRESS: Comments should be sent to: Chief, Public Safety Officers' Benefits Office, Bureau of Justice Assistance, 633 Indiana Avenue, NW, Washington, D.C. 20531.

FOR FURTHER INFORMATION CONTACT: Jeff Allison, Chief, Public Safety Officers' Benefits Office, 633 Indiana Avenue, N.W. Washington, D.C. (202) 307-0635.

SUPPLEMENTARY INFORMATION: The Federal Law Enforcement Dependents Assistance Act, Public Law 104-238, 110 Stat. 3114, Oct. 3, 1996, established a new subpart 2 in Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3796 *et seq.* to provide financial assistance to the children and spouses of Federal civilian law enforcement officers killed or permanently and totally disabled in the line of duty. The legislation redesignated the existing Public Safety Officers' Benefit (PSOB) Act as subpart 1 of Part L.

This Act further recognizes the sacrifices and invaluable contributions made to public safety in our Nation by Federal law enforcement officers and their families. The Federal Law

Enforcement Dependents Assistance (FLEDA) program extends to the families of fallen or disabled Federal law enforcement officers the higher education assistance already available to state and local law enforcement officers in many states. As stated in the Act, the purposes of this program are—

(1) to enhance the appeal of service in civilian Federal law enforcement agencies;

(2) to extend the benefits of higher education to qualified and deserving persons who, by virtue of the death or total disability of an eligible officer, may not be able to afford it otherwise; and

(3) to allow the family members of eligible officers to attain the vocational and educational status which they would have attained had a parent or spouse not been killed or disabled in the line of duty.

As an amendment to the existing PSOB program, the FLEDA program offers educational benefits to the spouse or children of federal law enforcement officers with respect to whom a claim has already been approved under the PSOB program. Thus, although the standards for the two programs differ, these regulations are drafted as far as possible to rely on existing determinations made by the Bureau of Justice Assistance under the PSOB program regarding the death or disability of a Federal law enforcement officer in the line of duty.

The FLEDA program authorizes the payment of monthly benefits to eligible dependents for attendance at an approved program of education at institutions of higher learning. The program incorporates by reference established definitions relating to eligible institutions and other standard requirements for federal student aid programs under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1970 *et seq.*).

In general, eligible dependents may receive educational assistance for up to 45 months of full-time education or training, or a proportionately longer period of time for a part-time program. Absent a finding of extraordinary circumstances, a dependent child will not be eligible to receive educational benefits under the FLEDA program after the child's 27th birthday.

Educational benefits under FLEDA are calculated under the standards of 38 U.S.C. 3532, at the time the educational expenses are incurred. Presently, the educational assistance allowance for an eligible person pursuing a program of education consisting of institutional courses is \$404 per month for full-time, \$304 for three-quarter-time, and \$202 for half-time pursuit, and proportional