

N, long. 107°12'30" W; to lat. 38°21'25" N, long. 107°25'00" to W; lat. 38°24'30" N, long. 107°21'00" W; to lat. 38°33'30" N, long. 107°20'00" W; to lat. 38°31'25" N, long. 107°12'30" W; to lat. 38°42'00" N, long. 106°59'00" W; to lat. 38°32'10" N, long. 106°46'00" W; thence to the point of beginning; that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at lat. 37°59'30" N, long. 107°16'00" W; to lat. 38°17'45" N, long. 107°39'00" W; to lat. 38°45'40" N, long. 106°54'00" W; to lat. 38°16'40" N, long. 106°08'00" W; to lat. 38°09'00" N, long. 106°16'00" W; to lat. 38°18'30" N, long. 106°47'00" W; thence to the point of beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on April 2, 1998.

**Joe E. Gingles,**

*Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 98-9835 Filed 4-14-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-ASW-30]

RIN 2120-AA66

#### Modification to the Gulf of Mexico High Offshore Airspace Area

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Gulf of Mexico High Offshore airspace area by extending the present airspace area west and south to the boundary of the Houston Air Route Traffic Control Center (ARTCC) Flight Information Region/Control Area (FIR/CTA). Additionally, this action establishes the vertical limits of the airspace area expansion from Flight Level (FL) 280 up to and including FL 600. The FAA is taking this action to provide additional airspace in which domestic air traffic procedures may be used to separate and manage aircraft, resulting in the enhanced utilization of that airspace.

**EFFECTIVE DATE:** 0901 UTC, June 18, 1998.

**FOR FURTHER INFORMATION CONTACT:** Ellen Crum, 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 March 2, 1993, the FAA published a final rule (58 FR 12128) which, in part, redesignated certain control areas over international waters as offshore airspace areas. The redesignations were necessary to comply with the Airspace Reclassification final rule (56 FR 65638; December 17, 1991).

One of the areas affected by the March 2, 1993, final rule was the Gulf of Mexico Control Area. This area was divided vertically into two areas, one of which was redesignated as the Gulf of Mexico High Offshore airspace area.

In June 1996 the FAA completed phase II of an evaluation of the airspace over the Gulf of Mexico. The evaluation was a combined effort with representatives from the FAA, Servicios a la Navegacion en El Espacio Aereo Mexicano, and other airspace users. The objective of the evaluation was, in part, to identify areas where air traffic services, air traffic operations, and utilization of airspace could be improved. One of the outcomes of this evaluation was the determination that system capacity would be enhanced by modifying air traffic control (ATC) procedures used to control aircraft operations in the airspace over the Gulf of Mexico. Currently, International Civil Aviation Organization (ICAO) oceanic ATC procedures are used to separate and manage aircraft operations that extend beyond the lateral boundary of the existing Gulf of Mexico High Offshore airspace area. Modifying the Gulf of Mexico High Offshore airspace area by extending the boundaries further west and south of the current location to the Houston ARTCC FIR/CTA, allows the application of domestic ATC separation procedures over a larger area. This action to modify the offshore airspace area will enhance system capacity and allow for more efficient utilization of that airspace.

On September 11, 1997, the FAA proposed to amend 14 CFR part 71 to modify the Gulf of Mexico High Offshore airspace area (62 FR 47781). 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.

Offshore airspace areas are published in paragraph 2003 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Offshore airspace area listed

in this document will be published subsequently in the Order.

#### The Rule

This amendment to 14 CFR part 71 modifies the Gulf of Mexico High Offshore airspace area by extending the present airspace area west and south to the Houston ARTCC FIR/CTA. This modification will allow the application of domestic ATC separation procedures, in lieu of ICAO separation procedures, thereby, enhancing system capacity, and allowing for more efficient use of the airspace.

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.

#### ICAO Considerations

As part of this action relates to navigable airspace outside the United States, this rule is submitted in accordance with the ICAO International Standards and Recommended Practices.

The application of International Standards and Recommended Practices by the FAA, Office of Air Traffic Airspace Management, in areas outside U.S. domestic airspace is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of the document is to ensure that civil aircraft operations on international air routes are performed under uniform conditions. The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A

contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

**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 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 the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

*Paragraph 2003—Offshore Airspace Areas*

\* \* \* \* \*

**Gulf of Mexico High [Revised]**

That airspace extending upward from 18,000 feet MSL to and including FL 600 bounded on the west, north, and east by a line 12 miles offshore and parallel to the Texas, Louisiana, Mississippi, Alabama, and Florida shorelines, and bounded on the south from east to west by the southern boundary of the Jacksonville ARTCC, Miami Oceanic CTA/FIR, Houston CTA/FIR and lat. 26°00'00" N.; and that airspace extending upward from FL 280 to and including FL 600 beginning at lat. 28°12'20" N., long. 95°24'20" W.; then clockwise to lat. 28°15'00" N., long. 94°00'00" W.; to lat.

28°15'00" N., long. 89°53'00" W.; to lat. 26°55'00" N., long. 89°35'00" W.; to lat. 26°21'00" N., long. 89°30'00" W.; to lat. 24°58'00" N., long. 89°17'30" W.; to lat. 24°30'00" N., long. 89°14'00" W.; to lat. 24°30'00" N., long. 93°00'00" W.; to lat. 25°23'00" N., long. 94°42'00" W.; to lat. 26°00'00" N., long. 95°55'00" W.; to lat. 26°00'00" N., long. 95°59'00" W.; to lat. 26°04'45" N., long. 95°56'49" W.; to lat. 26°52'00" N., long. 95°35'00" W.; to lat. 27°38'00" N., long. 95°30'00" W.; to lat. 28°00'00" N., long. 95°27'00" W. to point of beginning.

\* \* \* \* \*

Issued in Washington, DC, on April 9, 1998.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic Airspace Management.*

[FR Doc. 98–9940 Filed 4–14–98; 8:45 am]

BILLING CODE 4910–13–P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 5**

**Delegations of Authority and Organization**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the regulations for delegations of authority and organization to set forth the current organizational structure of the agency as well as the current addresses for headquarters and field offices. This action is necessary to ensure the continued accuracy of the regulations.

**EFFECTIVE DATE:** April 15, 1998.

**FOR FURTHER INFORMATION CONTACT:** Rudy Guillen, Division of Management Systems and Policy (HFA–340), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4810.

**SUPPLEMENTARY INFORMATION:** The regulations are being amended in subpart C of part 5 (21 CFR part 5) to reflect the central organization of the agency and to provide current addresses for headquarters and field offices.

Notice and comment on these amendments are not necessary under the Administrative Procedure Act because this is a rule of agency organization (5 U.S.C. 553(b)).

**List of Subjects in 21 CFR Part 5**

Authority delegations (Government agencies), Imports, Organization and functions (Government agencies).

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 5 is amended as follows:

**PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION**

1. The authority citation for 21 CFR part 5 continues to read as follows:

**Authority:** 5 U.S.C. 504, 552, App. 2; 7 U.S.C. 138a, 2271; 15 U.S.C. 638, 1261–1282, 3701–3711a; 15 U.S.C. 1451–1461; 21 U.S.C. 41–50, 61–63, 141–149, 321–394, 467f, 679(b), 801–886, 1031–1309; 35 U.S.C. 156; 42 U.S.C. 241, 242, 242a, 242l, 242n, 243, 262, 263, 264, 265, 300u–300u–5, 300aa–1; 1395y, 3246b, 4332, 4831(a), 10007–10008; E.O. 11921, 41 FR 24294, 3 CFR, 1977 Comp., p. 124–131; E.O. 12591, 52 FR 13414, 3 CFR, 1988 Comp., p. 220–223.

2. Section 5.200 is revised to read as follows:

**§ 5.200 Headquarters.**

The central organization of the Food and Drug Administration consists of the following:

- Office of the Commissioner.**<sup>1</sup>
- Office of the Chief Counsel.
- Office of Executive Secretariat.
- Office of Equal Employment and Civil Rights.
- Office of the Administrative Law Judge.
- Office of Internal Affairs.

**Office of Operations. Center for Biologics Evaluation and Research.**<sup>2</sup>

- Office of the Center Director*
- Scientific Advisors and Consultants Staff.
- Equal Employment Opportunity Staff.
- Quality Assurance Staff.
- Congressional and Public Affairs Staff.
- Regulations and Policy Staff.
- Office of Management*
- Division of Planning, Evaluation, and Budget.
- Division of Management Services.
- Division of Information Technology Operations.
- Division of Infrastructure and Systems Development.
- Office of Compliance and Biologics Quality*
- Team Biologics Liaison Staff.
- Division of Case Management.
- Division of Inspections and Surveillance.
- Division of Manufacturing and Product Quality.
- Office of Blood Research and Review*
- Division of Transfusion Transmitted Diseases.

<sup>1</sup> Mailing address: 5600 Fishers Lane, Rockville, MD 20857.

<sup>2</sup> Mailing address: 1401 Rockville Pike, Rockville, MD 20852–1448.