

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 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

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

\* \* \* \* \*

#### ACE KS E5 Smith Center, KS [Revised]

Smith Center Municipal Airport, KS  
(Lat. 39°45'40"N., 98°47'36"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Smith Center Municipal Airport.

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Issued in Kansas City, MO, on July 27, 1999.

**Donovan D. Schardt,**

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

[FR Doc. 99–20417 Filed 8–6–99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99–ACE–14]

RIN 2120–AA66

#### Modification of VOR Federal Airways, MO

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

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

**SUMMARY:** This action modifies the legal descriptions of eight Very High Frequency Omnidirectional Range (VOR) Federal airways: V–10, V–12, V–13, V–61, V–116, V–159, V–502, and V–508. This action also removes V–65 because the modification to V–13 is a more expedient route, therefore, V–65 is no longer required. The FAA is taking these actions due to the relocation of the Kansas City Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC), from its current location to the Kansas City International Airport, MO.

**DATES:** Effective 0901 UTC, September 9, 1999.

Comment date: Comments for inclusion in the Rules Docket must be received on or before September 8, 1999.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ACE–500, Docket No. 99–ACE–14, Federal Aviation Administration, 601 East 12th Street, Federal Building, Kansas City, MO 64106.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Federal Building, Kansas City, MO 64106.

**FOR FURTHER INFORMATION CONTACT:** Bil Nelson, 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:

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or

negative comment and therefore is issuing it as a direct final rule. Since previous rulemaking actions similar to this one have not been controversial, the FAA does not anticipate any adverse comments on this case. Therefore, 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 final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. 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 specified closing date for comments will be considered, and this rule may be amended or withdrawn in light of 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, aeronautical, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. 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 Airspace Docket No. 99-ACE-14." The postcard will be date stamped and returned to the commenter.

### The Rule

This amendment to 14 CFR part 71 modifies the legal descriptions of eight VOR Federal airways: V-10, V-12, V-13, V-61, V-116, V-159, V-502, and V-508. This action also removes V-65 because the modification to V-13 is a more expedient route, therefore, V-65 is no longer required. The FAA is taking these actions due to the relocation of the Kansas City VORTAC from its current location to the Kansas City International Airport, approximately seven miles west.

Domestic VOR Federal Airways are published in paragraph 6010(a) of the FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The airways listed in this document will be published subsequently in the Order.

### 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 not controversial 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 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, 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).

### 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 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

*Paragraph 6010(a)—Domestic VOR Federal Airways*

\* \* \* \* \*

#### V-10 [Revised]

From Pueblo, CO; 18 miles, 48 miles, 60 MSL, Lamar, CO; Garden City, KS; Dodge City, KS; Hutchinson, KS; Emporia, KS; Johnson County, KS; Napoleon, MO; Kirksville, MO; Burlington, IA; Bradford, IL; INT Bradford 058° and Joliet, IL, 287° radials; From INT Chicago Heights, IL, 358° and Gipper, MI, 271° radials; Gipper; Litchfield, MI; INT Litchfield 101° and Carleton, MI, 262° radials; Carleton; INT Jefferson, OH, 279° and Youngstown, OH, 320° radials; Youngstown; INT Youngstown 116° and Revloc, PA, 300° radials; Revloc; INT Revloc; INT Revloc 107° and Lancaster, PA, 280° radials; Lancaster. The airspace within Canada is excluded.

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#### V-12 [Revised]

From Gaviota, CA, via San Marcus, CA; Palmdale, CA; 38 miles, 6 miles wide, Hector, CA; 12 miles, 38 miles, 85 MSL, 14 miles, 75 MSL, Needles, CA; 45 miles, 34 miles, 95 MSL, Drake, AZ; Winslow, AZ; 30 miles 85 MSL, Zuni, NM; Albuquerque, NM; Otto, NM; Anton Chico, NM; Tucumcari, NM; Amarillo, TX; Gage, OK; Anthony, KS; Wichita, KS; Emporia, KS; Johnson County, KS; Napoleon, MO; INT Napoleon 095° and Columbia, MO, 292° radials; Columbia; Foristell, MO; Troy, IL; Bible Grove, IL; Shelbyville, IN; Richmond, IN; Dayton, OH; Appleton, OH, Newcomerstown, OH; Allegheny, PA; Johnstown, PA; Harrisburg, PA; INT Harrisburg 092° and Pottstown, PA, 278° radials; to Pottstown.

#### V-13 [Revised]

From McAllen, TX, via Harlingen, TX; INT Harlingen 033° and Corpus Christi, TX, 178° radials; Corpus Christi; INT Corpus Christi

039° and Palacios, TX, 241° radials; Palacios; Humble, TX; Lufkin, TX; Belcher, LA; Texarkana, AR; Rich Mountain, OK; Fort Smith, AR; INT Fort Smith 006° and Razorback, AR, 190° radials; Razorback; Neosho, MO; Butler, MO; Napoleon, MO; Lamoni, IA; Des Moines, IA; Mason City, IA; Farmington, MN; INT Farmington 017° and Siren, WI, 218° radials; Siren; Duluth, MN; to Thunder Bay, ON, Canada. The airspace outside the United States is excluded.

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#### V-61 [Revised]

From Grand Island, NE; Pawnee City, NE; Robinson, KS; to INT Robinson 141° and St. Joseph, MO, 211° radials.

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#### V-65 [Removed]

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#### V-116 [Revised]

From INT Kansas City, MO, 077° and Napoleon, MO 005° radials, via Macon, MO; Quincy, IL; Peoria, IL; Pontiac, IL; Joliet, IL. From INT Chicago O'Hare, IL, 092° and Chicago Heights, IL, 013° radials; INT Chicago O'Hare 092° and Keeler, MI, 256° radials; Keeler; Kalamazoo, MI; INT Kalamazoo 089° and Jackson, MI, 265° radials; Mackson; INT Jackson 089° and Salem, MI, 252° radials; Salem; Windsor, ON, Canada; INT Windsor 092° and Erie, PA, 281° radials; Erie; Bradford, PA; Stonyfork, PA; INT Stonyfork 098° and Wilkes-Barre, PA, 310° radials; Wilkes-Barre; INT Wilkes-Barre 084° and Sparta, NJ, 300° radials; to Sparta. The airspace within Canada is excluded.

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#### V-159 [Revised]

From Virginia Key, FL; INT Virginia Key 344° and Vero Beach, FL, 178° rdials; Vero Beach; INT Vero Beach 318° and Orlando, FL, 140° radials; Orlando; Ocala, FL; Cross City, FL; Greenville, FL; Pecan, GA; Eufaula, AL; Tuskegee, AL; Valcan, AL; Hamilton, AL; Holly Springs, MS; Gilmore, AR; Walnut Ridge, AR; Dogwood, MO; Springfield, MO; Napoleon, MO; INT Napoleon 005° and St. Joseph, MO, 122° radials; St. Joseph; Omaha, NE; Sioux City, IA; Yankton, SD; Mitchell, SD; to Huron, SD.

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#### V-502 [Revised]

From Dodge City, KS; INT Dodge City 060° and Hutchinson, KS, 296° radials; Hutchinson; Emporia, KS; Kansas City, MO; Braymer, MO; to Kirksville, MO.

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#### V-508 [Revised]

From Hill City, KS; Hays, KS; Salina, KS, INT Salina 082° and Manhattan, KS, 207° radials; Manhattan; INT Manhattan 078° and Topeka, KS, 293° radials; Topeka; INT Topeka 112° and Johnson County, KS, 298° radials; to Johnson County.

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Issued in Washington, DC, on August 2, 1999.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic  
Airspace Management.*

[FR Doc. 99-20394 Filed 8-6-99; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Parts 10 and 12

#### Rules of Practice and Reparation Rules; Final Rules; Corrections

**AGENCY:** Commodity Futures Trading  
Commission.

**ACTION:** Final Rules; technical  
corrections.

**SUMMARY:** On October 19, 1998, the Commodity Futures Trading Commission ("Commission") published in the **Federal Register** (63 FR 55784) final regulations amending its rules of practice ("Rules"), 17 CFR part 10 (1998), which govern most adjudicatory proceedings brought under the Commodity Exchange Act, as amended ("Act"), other than reparations proceedings. The Commission has determined to make certain technical corrections to the rules to clarify its delegation of authority and to eliminate an obsolete retroactivity provision.

In addition, the Commission has determined to make a technical correction to its Reparation Rules, 17 CFR part 12 (1994), to clarify its delegation of authority.

**EFFECTIVE DATE:** August 2, 1999.

**FOR FURTHER INFORMATION CONTACT:** Susan Nathan, Assistant General Counsel, Office of General Counsel, (202) 418-5120.

**SUPPLEMENTARY INFORMATION:** The Commission recently has undertaken a reexamination of its part 10 and part 12 rules and has identified those rules that require amendment to effect technical or conforming changes.

#### I. Rules Being Amended

The following Commission rules are being amended.

##### A. 17 CFR 10.109

Commission Rule 10.109 delegates certain authority to the Chief of the Opinions Section. As adopted, the rule authorizes the Chief or a person under his direction to handle particular procedural and technical matters and, in his discretion, to submit any matters otherwise falling within the terms of this rule to the Commission for its consideration. There is no longer an

"Opinions Section." Consequently, references in Rule 10.109 to "the Chief of the Opinions Section" have been changed to "the General Counsel."

The current Rules became applicable to all proceedings pending as of August 20, 1985. Since there are no matters pending before the Commission which date back to August 20, 1985, that provision is unnecessary and is being deleted.

##### B. 17 CFR 12.408

Commission Rule 12.408 delegates certain authority to the Deputy General Counsel for Opinions. As adopted, the rule authorizes the Deputy General Counsel for Opinions or a person under his direction designated by him to perform specific procedural and technical functions and, in his discretion, to submit any matters otherwise falling within the terms of this rule to the Commission for its consideration. There is no longer a Deputy General Counsel for Opinions. Consequently, references in Rule 12.408 to "the Deputy General Counsel for Opinions" have been changed to "the General Counsel."

##### C. Administrative Procedure Act

The Commission has determined that the Administrative Procedure Act, 5 U.S.C. 553, does not require notice of proposed rulemaking and an opportunity for public participation in connection with these corrections. In this regard, the Commission notes that such notice and opportunity for comment is unnecessary because these technical corrections are related solely to agency organization, procedure and practice and make technical corrections. Accordingly, the Commission finds good cause to make these corrections effective August 2, 1999, 5 U.S.C. 553(b)(B), 553(d)(3).

In consideration of the foregoing, and pursuant to the authority contained in the Commodity Exchange Act and, in particular, sections 2(a)(4) and 2(a)(11), the Commission corrects Chapter I of Title 17 of the Code of Federal Regulations as follows:

#### List of Subjects

##### 17 CFR Part 10

Administrative practice and procedure, Commodity exchanges, Commodity futures, Rules of practice before administrative agency.

##### 17 CFR Part 12

Administrative practice and procedure, Commodity exchanges, Commodity futures, Reparations.

## PART 10—RULES OF PRACTICE

1. The authority citation for part 10 continues to read as follows:

**Authority:** Pub. L. 93-463, sec. 101(a)(11), 88 Stat. 1391; 7 U.S.C. 4a(j), unless otherwise noted.

2. Section 10.109 is amended by revising the introductory text, paragraph (a)(2)(ii) and (b) and by removing paragraph (d) to read as follows:

#### § 10.109 Delegation of authority to the General Counsel.

The Commodity Futures Trading Commission hereby delegates, until such time as it orders otherwise, the following function to the General Counsel, to be performed by him or by such person or persons under his direction as he may designate from time to time:

(a) \* \* \*

(2) \* \* \*

(ii) Where, in his judgment, clarification or supplementation of the initial decision or other order disposing of the entire proceeding prior to Commission review is appropriate; however, the General Counsel or his designee may not direct that the record be reopened;

\* \* \* \* \*

(b) Notwithstanding the provisions of paragraph (a) of this section, in any case in which the General Counsel or his designee believes it appropriate, he may submit the matter to the Commission for its consideration;

\* \* \* \* \*

## PART 12—RULES RELATING TO REPARATION PROCEEDINGS

1. The authority citation for part 12 continues to read as follows:

**Authority:** 7 U.S.C. 4a(j), 12a(5), and 18.

2. Section 12.408 is amended by revising the introductory text and paragraph (b) to read as follows:

#### § 12.408 Delegation of authority to the General Counsel.

Pursuant to the authority granted under section 2(a)(4) and 2(a)(11) of the Commodity Exchange Act, as amended, 7 U.S.C. 4a(c) and 4a(j), the Commission hereby delegates, until such time as it orders otherwise, the following functions to the General Counsel, to be performed by him or such person or persons under his direction as he may designate from time to time:

\* \* \* \* \*

(b) Notwithstanding the provisions of paragraph (a) of this section, in any case in which he believes it appropriate, the General Counsel or his designee may