

The Dalles Municipal Airport, The Dalles, OR, to accommodate aircraft using RNAV (GPS) standard instrument approach procedures at the airport. This action would enhance the safety and management of aircraft operations at Columbia Gorge Regional/The Dalles Municipal Airport, The Dalles, OR. This also would note the airport's name change from The Dalles Municipal Airport to Columbia Gorge Regional/The Dalles Municipal Airport.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, 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 FAA has determined 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 this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority for the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies controlled airspace at Columbia Gorge Regional/The Dalles Municipal Airport, The Dalles, OR.

#### 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 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR 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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

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

\* \* \* \* \*

#### ANM OR E5 The Dalles, OR [Modified]

Columbia Gorge Regional/The Dalles Municipal Airport, OR  
(Lat. 45°37'07" N., long. 121°10'02" W.)  
Klickitat VOR/DME  
(Lat. 45°42'49" N., long. 121°06'03" W.)

That airspace extending upward from 700 feet above the surface within a 12.9-mile radius of Columbia Gorge Regional/The Dalles Municipal Airport; that airspace extending upward from 1,200 feet above the surface within a 20.1-mile radius of the VOR/DME extending clockwise from the 088° radial to the 272° radial.

Issued in Seattle, Washington, on October 3, 2011.

**John Warner,**

*Manager, Operations Support Group, Western Service Center*

[FR Doc. 2011–26266 Filed 10–11–11; 8:45 am]

**BILLING CODE 4910–13–P**

#### DEPARTMENT OF THE INTERIOR

#### National Indian Gaming Commission

#### 25 CFR Part 523

**RIN 3141-AA45**

#### Review and Approval of Existing Ordinances or Resolutions

**AGENCY:** National Indian Gaming Commission, Interior.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** On November 18, 2010, the National Indian Gaming Commission (NIGC) issued a Notice of Inquiry and

Notice of Consultation advising the public that the NIGC was conducting a comprehensive review of its regulations and requesting public comment on the process for conducting the regulatory review. On April 4, 2011, after holding eight consultations and reviewing all comments, NIGC published a Notice of Regulatory Review Schedule setting out a consultation schedule and process for review.

Based on the above review, the Commission proposes to rescind our regulations pertaining to the approval of existing ordinances and resolutions that were enacted by a Tribe prior to February 22, 1993 and that have not been submitted to the NIGC Chair, and to notify the public that it does not intend to take action at this time on certain other regulations identified in the Notice of Regulatory Review Schedule.

**DATES:** The agency must receive comments on or before December 12, 2011.

**ADDRESSES:** You may submit comments by any one of the following methods, however, please note that comments sent by electronic mail are strongly encouraged.

• *E-mail comments to:*

*reg.review@nigc.gov.*

• *Mail comments to:* National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005.

• *Hand deliver comments to:* 1441 L Street, NW., Suite 9100, Washington, DC 20005.

• *Fax comments to:* National Indian Gaming Commission at 202–632–0045.

**FOR FURTHER INFORMATION CONTACT:** Lael Echo-Hawk, Counselor to the Chairwoman, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100 Washington, DC 20005.

*Telephone:* 202–632–7009; *e-mail:* *reg.review@nigc.gov.*

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act (IGRA or Act), Public Law 100–497, 25 U.S.C. 2701 *et seq.*, authorizes the NIGC to promulgate such regulations and guidelines as it deems appropriate to implement certain provisions of the Act. 25 U.S.C. 2706(b)(10). On November 12, 2010, the Commission issued a Notice of Inquiry (NOI) requesting comment on which of its regulations were most in need of revision, in what order the Commission should review its regulations, and the process NIGC should utilize to make revisions. The NOI was published in the **Federal Register** on November 18, 2010. 75 FR 70680. The Commission's regulatory

review process established a Tribal consultation schedule of 33 meetings over 11 months with a description of the regulation groups to be covered at each consultation.

### Removal of Part 523—Review and Approval of Existing Ordinances or Resolutions

Part 523 applies only to gaming ordinances or resolutions enacted by Tribes prior to January 22, 1993, and not yet submitted to the Chairwoman. Comments received in response to the NOI and during Tribal consultation meetings indicated any ordinances or resolutions enacted prior to January 22, 1993 have already been submitted to the Chairwoman. Accordingly, comments support the repeal of this Part. A review of the Commission documents also did not find any ordinances or resolutions meeting the criteria of this Part. Because this regulation appears to be no longer necessary, the Commission proposes to remove this Part.

### List of Subjects in 25 CFR Part 523

Gambling, Indian—lands, Indian—Tribal government, Reporting and recordkeeping requirements.

Accordingly, under the authority 25 U.S.C. 2701, the National Indian Gaming Commission proposes to amend 25 CFR chapter III by removing and reserving part 523.

### PART 523—[REMOVED AND RESERVED]

Dated: October 3, 2011, in Washington, DC.

Tracie L. Stevens,  
Chairwoman.

Steffani A. Cochran,  
Vice-Chairwoman.

Daniel J. Little,  
Associate Commissioner.

[FR Doc. 2011–25930 Filed 10–11–11; 8:45 am]

BILLING CODE 7565–01–P

## DEPARTMENT OF THE INTERIOR

### National Indian Gaming Commission

#### 25 CFR Part 571

RIN 3141–AA49

#### Issuance of Investigation Completion Letters

**AGENCY:** National Indian Gaming Commission, Interior.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to amend our regulations to provide for an investigation completion letter to be

issued to a Tribe if the Agency's authorized staff will not recommend the commencement of an enforcement proceeding against a respondent.

**DATES:** Submit comments on or before December 12, 2011.

**ADDRESSES:** You may submit comments by any one of the following methods, however, please note that comments sent by electronic mail are strongly encouraged.

• *E-mail comments to:*

*reg.review@nigc.gov.*

• *Mail comments to:* National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005.

• *Hand deliver comments to:* 1441 L Street, NW., Suite 9100, Washington, DC 20005.

• *Fax comments to:* National Indian Gaming Commission at 202–632–0045.

**FOR FURTHER INFORMATION CONTACT:** Lael Echo-Hawk, Counselor to the Chairwoman, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005. Telephone: 202–632–7009; e-mail: *reg.review@nigc.gov.*

#### SUPPLEMENTARY INFORMATION:

#### I. Background

The Indian Gaming Regulatory Act (IGRA or Act), Public Law 100–497, 25 U.S.C. 2701 *et seq.*, was signed into law on October 17, 1988. The Act establishes the National Indian Gaming Commission (“Commission”) and sets out a comprehensive framework for the regulation of gaming on Indian lands. The purposes of IGRA include providing a statutory basis for the operation of gaming by Indian Tribes as a means of promoting Tribal economic development, self-sufficiency, and strong Tribal governments; ensuring that the Indian Tribe is the primary beneficiary of the gaming operation; and declaring that the establishment of independent federal regulatory authority for gaming on Indian lands, the establishment of federal standards for gaming on Indian lands, and the establishment of a National Indian Gaming Commission are necessary to meet congressional concerns regarding gaming and to protect such gaming as a means of generating Tribal revenue. 25 U.S.C. 2702.

On November 18, 2010, the National Indian Gaming Commission (NIGC) issued a Notice of Inquiry and Notice of Consultation (NOI) advising the public that the NIGC was conducting a comprehensive review of its regulations and requesting public comment on which of its regulations were most in need of revision, in what order the

Commission should review its regulations, and the process NIGC should utilize to make revisions. 75 FR 70680 (Nov. 18, 2010). On April 4, 2011, after holding eight consultations and reviewing all comments, NIGC published a Notice of Regulatory Review Schedule (NRR) setting out a consultation schedule and process for review. 76 FR 18457. The Commission's regulatory review process established a Tribal consultation schedule with a description of the regulation groups to be covered at each consultation. This part 571 was included in the regulatory review.

#### II. Development of the Proposed Rule

The Commission conducted a total of 9 Tribal consultations as part of its review of part 571. Tribal consultations were held in every region of the country and were attended by over 137 Tribes and 381 Tribal leaders or their representatives. In addition to Tribal consultations, on June 28, 2011, the Commission requested public comment on a preliminary draft of amendments to part 571. After considering the comments received from the public and through Tribal consultations, the Commission proposes one amendment to part 571: inclusion of a process for issuing an investigation completion letter.

The Notice of Regulatory Review Schedule (NRR) announced the Commission's intent to review whether part 571 needed revised to clarify the NIGC's authority to access records located off-site, including at sites maintained and owned by third-parties. Additionally, comments received during consultation indicated a need to provide a response to Tribes who had been the subject of an investigation but never issued a notice of violation.

#### A. NIGC Authority To Access Off-Site Records

In response to comments received from the NOI, the NRR included review of whether the regulations should include language clarifying the NIGC's authority to access records located off-site, including at sites maintained and owned by third parties. A discussion draft containing this revision was posted for comment. Some comments received indicated that this revision was not objectionable, so long as the Commission was not accessing Tribal government records or Class III records. Other comments did not object to the proposed amendment, but stated that it was unnecessary because under the provision of the Act, the Commission has subpoena authority “to require by subpoena the attendance and testimony