

November 7, 1964

**SUBCHAPTER B—PROCEDURAL RULES [NEW]**

[Reg. Docket No. 6303; Amdt. 11-4]

**PART 11—GENERAL RULE-MAKING PROCEDURES [NEW]****Assignment of Navigable Airspace**

The purpose of this amendment is to bring certain references to other Parts of the Federal Aviation Regulations made in Part 11 [New] into agreement with redesignations of certain subparts effected in amending Part 71 [New], and to provide for the maintenance of certain public dockets in Regional offices of the Federal Aviation Agency.

Amendment 11-3 (Regulatory Docket No. 4003) to Part 11 [New] of the Federal Aviation Regulations was published in the FEDERAL REGISTER on July 17, 1964 (29 F.R. 9661), delegating to Regional Directors limited rule-making authority in the assignment of navigable airspace.

On July 7, 1964, a notice of rule making was published in the FEDERAL REGISTER (29 F.R. 8471), amending Part 71 [New] of the Federal Aviation Regulations effective September 17, 1964, and establishing a two-layer airspace structure within the 48 contiguous states and the District of Columbia. As a consequence of this amendment certain subparts of Part 71 [New] were revoked or redesignated.

Accordingly, as those references to Part 71 [New] in Amendment 11-3 to Part 11 [New] are to subparts as previously designated, this amendment is necessary to bring those references into agreement with subparts of Part 71 [New] as now amended.

Additionally, as a necessary adjunct to the exercise of rule-making authority by Regional Directors, a public docket relating to each action is maintained and is available for examination by interested persons in the office of the Regional Counsel. In order to clarify the requirement for maintenance of such dockets, § 11.11 of Subpart A is expanded to include a provision to that effect.

Since these amendments are procedural in character, and in the interest of correcting present references at the earliest possible date, notice and public procedure hereon are considered unnecessary and impracticable, and good cause exists for making this amendment effective immediately.

In consideration of the foregoing, Part 11 [New] of the Federal Aviation Regulations is amended effective immediately, as hereinafter set forth:

**§ 11.11 [Amended]**

1. Section 11.11 is amended by inserting the following new sentence after the first sentence thereof: "A public docket relating to rule-making actions taken by Regional Directors under Subpart D of this Part is maintained in the office of the Regional Counsel."

2. Section 11.61(c) is amended to read as follows:

**§ 11.61 Scope.**

(c) For the purpose of this subpart, "Director" means the Director, Air Traffic Service (or any person to whom he

has delegated his authority in the matter concerned), or a Regional Director. The authority of the Regional Director is limited to those matters relating to terminal airspace within the United States, as described in § 71.165 of Subpart E, and Subparts F and G of Part 71 [New]. He may, however, include those matters relating to Federal airways or additional control areas within the United States, as described in Subparts B, C and I, and § 71.163 of Subpart E of Part 71 [New], if they are ancillary to the terminal area airspace matter.

(Sec. 307, Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on November 2, 1964.

N. E. HALABY,  
Administrator.

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