

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 11

[Docket No. 24886; Amdt. 11-30]

General Rulemaking Procedures

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment to the FAA's administrative regulations updates the delegation of authority for the promulgation of certain orders involving airspace assignment and use. The amendment reflects the current titles of the positions to which the authority is delegated and eliminates delegation of authority to a regional director.

EFFECTIVE DATE: January 17, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. Brent A. Fernald, Airspace and Air Traffic Rules Branch, ATO-230, Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Office of the Associate Administrator for Air Traffic, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8626.

SUPPLEMENTARY INFORMATION:

The Rule

Federal Aviation Regulations (FAR) Part 11, Subpart D, Rules and Procedures for Airspace Assignment and Use, establishes FAA procedures for the issuance of regulations for the assignment and use of airspace. These procedures include the internal agency delegations of authority to take these actions. Currently, FAR 11.61(c) defines the "Director" for purposes of Subpart D, as the "Associate Administrator for Programs, the Director, Air Traffic Service (or any person to whom he has delegated his authority in the matter concerned, or a Regional Director." However, current FAA organization does not include any position with the title of Associate Administrator for Programs or Director, Air Traffic Service. This amendment to Part 11 redefines the term "Director" in Section 11.61(c) to specify the position titles of the officials now performing those responsibilities: the Associate Administrator for Air Traffic and the Director, Air Traffic Operations Service. The existing provision for delegation of authority to other persons is retained. Consistent with the recent reorganization of air traffic headquarters elements, the delegation of authority to a regional director is no

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longer appropriate and is being eliminated. Authority, as necessary will be delegated through the FAA directives system to regional air traffic division managers. Because this amendment involves only matters of internal agency management and personnel, notice and public procedure and publication 30 days prior to implementation are not required under 5 U.S.C. Section 553(a).

List of Subjects in 14 CFR Part 11

General rulemaking procedures, Authority delegations—government agencies.

The Amendment

PART 11—[AMENDED]

Accordingly, Part 11 of the Federal Aviation Regulations (14 CFR Part 11) is amended as follows:

1. The authority citation for Part 11 is revised to read as follows:

Authority: 49 U.S.C. 1341(a), 1343(d), 1348, 1354(a), 1401 through 1405, 1421 through 1431, 1481, and 1502; 49 U.S.C. 106(g) (Revised. Pub. L. 97-449, January 12, 1983).

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

§ 11.61 Scope.

(c) For the purposes of this subpart, "Director" means the Associate Administrator for Air Traffic or the Director, Air Traffic Operations Service (or any person to whom he has delegated his authority in the matter concerned). The authority which may be delegated 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. This authority 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, § 71.163 of Subpart E of Part 71, if they are ancillary to the terminal area airspace matter.

Issued in Washington, D.C., on January 10, 1986.

Donald D. Engen,
Administrator.

[FR Doc. 86-1021 Filed 1-15-86; 8:45 am]

BILLING CODE 4910-13-M