Lisbon, ND area. (81 FR 8026) Docket No. FAA–2015–5800. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9Z dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Z, airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Lisbon Municipal Airport, Lisbon, ND, to accommodate new RNAV standard instrument approach procedures. Controlled airspace is needed for the safety and management of IFR operations at the airport.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9Z, dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

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, is non-controversial and unlikely to result in adverse or negative comments. 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5–6.5. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exists that warrant preparation of an environmental assessment.

Lists 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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for Part 71 continues to read as follows:


§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, effective September 15, 2015, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AGL ND E5 Lisbon, ND [New]

Lisbon Municipal Airport, ND (Lat. 46°26’49”N., long. 097°43’42” W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Lisbon Municipal Airport.

Issued in Fort Worth, TX, on June 15, 2016.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2016–14873 Filed 6–23–16; 8:45 am]

BILLING CODE 4910–13–P
would implement our authority as a
temporary pilot program. (75 FR 39154).
Therefore, we included in sections
404.936(h) and 416.1436(h) of the final
rule a provision that the pilot program
would end on August 9, 2013, unless we
decided to either terminate the program
earlier, or extend it beyond that date
by publication of a final rule in the Federal
Register. Most recently, on July 2, 2015,
we extended the expiration date until
August 12, 2016. (80 FR 37970).

Explanation of Extension
During the pilot program, we tracked
ALJ productivity closely, working with
ALJs to address any concerns about our
hearing process. We are continuing to
work with ALJs who do not promptly
schedule their hearings, and we are
using a variety of authorities available to
correct these situations. To date, our
efforts have been largely successful. We
are retaining this authority in our
regulations to provide us with the
flexibility we need to manage the
hearing process appropriately.

During this extension of the pilot
program, we will continue to monitor
the productivity of ALJs and to work
with our ALJs to address any concerns
regarding our hearing process.
Accordingly, we are extending our
authority to set the time and place for
a hearing before an ALJ for another year,
until August 11, 2017. As before, we
reserve the authority to end the program
earlier, or to extend it by publishing a
final rule in the Federal Register.

Regulatory Procedures

Justification for Issuing Final Rule
Without Notice and Comment

We follow the Administrative
Procedure Act (APA) rulemaking
procedures specified in 5 U.S.C. 553
when developing regulations. (Section
702(a)(5) of the Social Security Act, 42
U.S.C. 902(a)(5)). Generally, the APA
requires that an agency provide prior
notice and opportunity for public
comment before issuing a final rule. The
APA provides exceptions to its notice
and public comment procedures when
an agency finds there is good cause for
dispensing with such procedures
because they are impracticable,
unnecessary, or contrary to the public
interest. We have determined that good
cause exists for dispensing with the
notice and public comment procedures
for this rule. (5 U.S.C. 553(b)(3)(B)). This
final rule only extends the date on
which the pilot program will no longer
be effective. It makes no substantive
changes to our rules. Our current
regulations expressly provide that we
may extend the expiration date of the
pilot program by notice of a final rule
in the Federal Register. Therefore, we
have determined that opportunity for
prior comment is unnecessary, and we
are issuing this rule as a final rule.

In addition, for the reasons cited
above, we find good cause for
dispensing with the 30-day delay in the
effective date of this final rule. (5 U.S.C.
553(d)(3)). We are not making any
substantive changes in our rules.
Without an extension of the expiration
date for the pilot program, we will not
have the flexibility we need to ensure
the efficiency of our hearing process.
Therefore, we find it is in the public
interest to make this final rule effective
on the publication date.

Executive Order 12866 as
Supplemented by Executive Order 13563

We consulted with the Office of
Management and Budget (OMB) and
determined that this final rule does not
meet the criteria for a significant
regulatory action under Executive Order
12866, as supplemented by Executive
Order 13563. Therefore, OMB did not
review the final rule.

Regulatory Flexibility Act

We certify that this final rule will not
have a significant economic impact on
a substantial number of small entities
because it affects individuals only.
Therefore, the Regulatory Flexibility
Act, as amended, does not require us to
prepare a regulatory flexibility analysis.

Paperwork Reduction Act

These rules do not create any new or
affect any existing collections and,
therefore, do not require Office of
Management and Budget approval
under the Paperwork Reduction Act.
(Catalog of Federal Domestic Assistance
Program Nos. 96.001, Social Security—
Disability Insurance; 96.002, Social
Security—Retirement Insurance; 96.004,
Social Security—Survivors Insurance;
96.006, Supplemental Security Income.)

List of Subjects

20 CFR Part 404

Administrative practice and
procedure, Blind, Disability benefits,
Old-age, Survivors, and Disability
Insurance, Reporting and recordkeeping
requirements, Supplemental Security
Income (SSI).

Carolyn W. Colvin,
Acting Commissioner of Social Security.

For the reasons stated in the
preamble, we are amending subpart J
of part 404 and subpart N of part 416 of
the Code of Federal Regulations as set forth below:

PART 404—FEDERAL OLD-AGE,
SURVIVORS AND DISABILITY
INSURANCE (1950– )

Subpart J—[Amended]

1. The authority citation for subpart J
of part 404 continues to read as follows:

Authority: Secs. 201(j), 204(f), 205(a)–(b),
(d)–(h), and (j), 221, 223(i), 225, and 702(a)(5)
of the Social Security Act (42 U.S.C. 401(j),
404(f), 405(a)–(b), (d)–(h), and (j), 421, 423(i),
425, and 902(a)(5)); sec. 5, Pub. L. 97–455, 96
Stat. 2500 (42 U.S.C. 405 note); secs. 5, 6(c)–
e, and 15, Pub. L. 98–460, 98 Stat. 1802 (42

2. In § 404.936, revise the second
sentence in paragraph (i) to read as follows:

§ 404.936 Time and place for a hearing
before an administrative law judge.
* * * * *

(i) Pilot program. * * * * These
provisions will no longer be effective on
August 11, 2017, unless we terminate
them earlier or extend them beyond that
date by notice of a final rule in the
Federal Register.

PART 416—SUPPLEMENTAL
SECURITY INCOME FOR THE AGED,
BLIND, AND DISABLED

Subpart N—[Amended]

3. The authority citation for subpart N
of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1631, and 1633
of the Social Security Act (42 U.S.C.
902(a)(5), 1383, and 1383b); sec. 202, Pub. L.

4. In § 416.1436, revise the second
sentence in paragraph (i) to read as follows:

§ 416.1436 Time and place for a hearing
before an administrative law judge.
* * * * *

(i) Pilot program. * * * * These
provisions will no longer be effective on
August 11, 2017, unless we terminate
them earlier or extend them beyond that
date by notice of a final rule in the
Federal Register.

20 CFR Part 416

Administrative practice and
procedure, Aged, Blind, Disability
benefits, Public assistance programs,
Reporting and recordkeeping