

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 91**

[Docket No. 26327; Notice No. 90-21]

RIN 2120-AD59

**Operation Over the High Seas and Within the North Atlantic Minimum Navigation Performance Specification Airspace.**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Advance notice of proposed rulemaking (ANPRM).

**SUMMARY:** The Federal Aviation Administration (FAA) is considering developing a regulation that would establish requirements for operation of U.S.-registered general aviation aircraft consistent with International Civil Aviation Organization (ICAO) navigation requirements for flight over the high seas. These requirements would promote safe operation of U.S.-registered general aviation airplanes within Minimum Navigation Performance Specification (MNPS) airspace. These requirements would also provide safety standards for operation of U.S.-registered general aviation aircraft outside the airspace of the United States, beyond the service range of ICAO Standard NAVAID'S (VOR, VOR/DME, NDB), and beyond the coverage of Air Traffic Service (ATS) radar. The requirements would apply only to operations over the high seas.

**DATES:** Comments must be received on or before January 3, 1990.

**ADDRESSES:** Comments on this advance notice of proposed rulemaking should be mailed or delivered, in triplicate, to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-10), Room 915-G, Docket No. 26327, 800 Independence Ave., SW., Washington, DC 20591.

Comments may be examined in the Rules Docket, Room 915-G, weekdays (except Federal holidays) between 8:30 and 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Mr. William T. Cook, General Aviation and Commercial Division, (AFS-850), Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591; telephone: (202) 267-3840.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

This advanced notice of proposed rulemaking (ANPRM) is being issued in accordance with the FAA's policy of encouraging early public participation in

rulemaking proceedings. An ANPRM is issued when there is a need or a requirement to consider rulemaking but reasonable outside inquiry and FAA resources do not provide a sufficient basis upon which to propose a specific course of action. It is helpful, therefore, to invite public participation in identifying and selecting a course of action before a Notice of Proposed Rulemaking (NPRM) is developed and issued.

All interested persons are invited to participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Comments relating to the environmental, energy, or economic impacts that might result from adoption of the proposals contained in this notice are invited. Communications should identify the regulatory docket or notice number, and be submitted in triplicate to the address noted previously in the "Address" section of this document. All communications received on or before the closing date for comments will be considered by the Administrator before taking action on any proposed rules that may follow this advance notice. The proposals contained in this advanced notice may be changed as a result of comments received from the public. All comments submitted will be available for examination in the Rules Docket in Room 916 of the FAA Building, both before and after the closing date. A report summarizing the public comments concerning this advance notice will also be available for review in the Rules Docket. Commenters wishing to have the FAA acknowledge receipt of their comments submitted in response to this notice must submit with their comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 26327." The postcard will be dated, time stamped, and returned to the commenter by the FAA.

**Availability of ANPRM**

Any person may obtain a copy of this ANPRM by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center (APA-430), 800 Independence Avenue SW., Washington, DC 20591, or by calling the Office of Public Affairs at (202) 267-3484. Communications must identify the docket number of this notice. Persons interested in being placed on a mailing list for future notices should request a copy of Advisory Circular (AC) No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**Background**

The reduction of air traffic control lateral separation in oceanic airspace from 120 nautical miles (nm) to 60 nm and the establishment of MNPS airspace was proposed on a worldwide basis at ICAO's 9th Air Navigation Conference in 1977. Pursuant to action by ICAO on December 29, 1977, designating certain airspace over the North Atlantic as MNPS airspace, the FAA designated MNPS airspace in appendix C of part 91 (42 FR 64880, December 29, 1977).

Appendix C defines MNPS airspace and § 91.705 provides operating requirements for that airspace. On August 24, 1983, ICAO revised North Atlantic (NAT) MNPS airspace boundaries. In Amendment 91-193 (50 FR 51193, December 13, 1985), the FAA revised the description of MNPS airspace in appendix C of part 91 of the Federal Aviation Regulations (FAR) to coincide with the revised ICAO description of MNPS airspace.

Appendix C of part 91 states, in pertinent part, that NAT MNPS airspace is that volume of airspace between flight level 275 and flight level 400 extending between latitude 27 degrees north and the North Pole, bounded in the east by the eastern boundaries of control areas Santa Maria Oceanic, Shanwick Oceanic and Reykjavik Oceanic; and in the west by the western boundary of Reykjavik Oceanic, the western boundary of Gander Oceanic, and the western boundary of New York Oceanic, excluding the areas west of 60 degrees west and south of 38 degrees 30 minutes north.

The objective behind the designation of MNPS airspace is to provide for safe separation of aircraft and to enable operators to derive maximum economic benefit from the improvement in navigation performance demonstrated in recent years. The reduction in separation made possible by the designation of MNPS airspace results in benefits to users of the NAT Organized Track System (OTS) by providing additional tracks nearer the optimum (time) track. The MNPS airspace designation has also provided for more efficient separation of the ever-increasing random general aviation traffic that utilizes the airspace.

The NAT MNPS airspace is one of the most heavily used oceanic airspace areas in the world due to the large number of flights traveling between North America and Europe. Therefore, minimum navigation performance specifications have been developed and implemented by ICAO for aircraft operating in that designated airspace.

ICAO member nations, called States of Registry (States), are required to ensure that their aircraft that intend to be operated within MNPS airspace possess a specific navigational performance capability, and that flight crews use internationally approved standard operating procedures to enable the flight to adhere to assigned routes within the stringent requirements of MNPS. In addition, there are contingency procedures specific to the airspace that must be known and used by pilots. Authorization by States after confirmation that the aircraft meets the minimum navigational performance specification is required to operate within MNPS airspace.

Amendment 91-144 (42 FR 64880, December 29, 1977) provides that no person may operate a civil aircraft of U.S. registry in the NAT MNPS airspace unless that aircraft has approved navigation performance capability meeting the standards adopted by ICAO. The navigation performance capability as required by § 91.705 and section 2 of appendix C of part 91 of the FAR is as follows:

(a) The standard deviation of lateral track errors shall be less than 6.3 NM (11.7 Km). Standard deviation is a statistical measure of data about a mean value. The mean is zero nautical miles. The overall form of data is such that the plus and minus of 1 standard deviation about the mean encompasses approximately 68 percent of the data and plus or minus 2 deviations encompasses approximately 95 percent.

(b) The proportion of the total flight time spent by aircraft 30 NM (55.6 Km) or more off the cleared track shall be less than  $5.3 \times 10^{-4}$  (less than 1 hour in 1,887 flight hours).

(c) The proportion of the total flight time spent by aircraft between 50 NM and 70 NM (92.6 Km and 129.6 Km) off the cleared track shall be less than  $13 \times 10^{-5}$  (less than 1 hour in 7,693 flight hours).

According to Working Paper 33 from the September, 1988 meeting of the North Atlantic Systems Planning Group of ICAO (which has responsibility for all aviation activities pertaining to the North Atlantic), the error rate in MNPS airspace on the OTS for general aviation operations is estimated to be not greater than 16 for every 10,000 crossings. The error rate for military and commercial operations is estimated to be 5.4 and 1.4, respectively, for every 10,000 crossings. (The general aviation error rate is 2.9 to 11.4 times higher than for military and commercial operations).

The error rate in MNPS airspace on random routes for general aviation operations is estimated to be 78 for

every 10,000 crossings. The error rate for military and commercial operations is expected to be 14 and 3.2, respectively, for every 10,000 operations.

This information shows that general aviation operators account for a disproportionately large percent of the total errors. Additionally, the Working Paper shows that the number of errors are also increasing disproportionately with general aviation aircraft traffic increases.

ICAO's NAT SPG is evaluating aircraft operations in oceanic areas in an effort to further reduce air traffic separation requirements. However, the recent increase in the number of U.S.-registered general aviation aircraft oceanic navigational errors has concerned that NAT SPG and threatens to require an increase in separation standards.

The MNPS concept includes the premise that each operator flying in MNPS airspace must have prior authorization from the civil aviation authority of the State in which the aircraft is registered. Because it has become popular for operators of one State to make lease arrangements for aircraft registered in another State, it has become necessary for each State to require each operator and its aircraft to receive specific authorization to operate in MNPS airspace. In addition, the following obligations have been placed on operators after receiving authorization to operate in MNPS airspace:

(1) The approved aircraft minimum navigation installation must be serviceable and must have been checked for accuracy prior to entry into MNPS airspace. If subsequent lack of serviceability reduces the navigational capability below the required minimum for MNPS operations after entry into MNPS airspace, then the controlling air traffic control (ATC) unit must be advised so as to allow for any necessary adjustments of separation from adjacent aircraft. The deviation authority in appendix C, section 3, of part 91 of the FAR that would permit ATC to authorize an aircraft operator to deviate from the requirements of § 91.705 is intended for this situation and is only appropriate in U.S. airspace, New York Flight Information Region (FIR).

(2) Pilots must adhere to internationally approved standard operating procedures while in MNPS airspace. Except in an emergency, deviation from the ATC-cleared track must not be made without prior approval of the controlling ATC unit.

(3) There must be a high standard of aircrew discipline in entering, monitoring, and cross checking data in

the automatic navigation systems to prevent errors arising from erroneous waypoint entries.

(4) There must be a high standard of coordination between aircrews and ATC units to ensure that misunderstandings over the route to be flown do not occur.

To ensure that safety is not compromised through failure of operators to meet the conditions set forth above, contracting States are required to take appropriate action concerning operators who fail to meet the navigation specifications, including restricting flight or withdrawing approval of those operators to fly in the NAT MNPS airspace.

#### *Part I: General Aviation Aircraft Operating in MNPS Airspace*

Air carrier and/or operators certified under parts 121, 125, or 135 of the FAR are required to ensure that aircraft intended to be operated within MNPS airspace possess appropriate navigational equipment and that flight crews use proper procedures to enable the flight to adhere to assigned routes within the stringent requirements of MNPS. This is accomplished through the requirements of operations specifications and subsequent training programs. The FAA has determined that regulations for operators of U.S.-registered general aviation aircraft that intended to operate within the MNPS airspace under part 91 of the FAR are not adequate to ensure an equivalent level of safety. There are no provisions, for example, in part 91 of the FAR, to establish operations specifications or a training program.

Section 91.705 of the FAR states, in pertinent part, that no person may operate a civil aircraft of U.S. registry in MNPS airspace unless the aircraft has approved navigation performance capability which complies with the requirements of appendix C of part 91. Some operators submit to an inspection of their equipment at an appropriate FAA district office, and obtain a certificate of authorization to operate in MNPS airspace while others operate in MNPS airspace without such approval. Additionally, § 91.705 does not require training or testing of the airman who operate the navigation equipment.

If there is an excessive number of errors, it may become necessary for ICAO to consider increasing separation standards for all aircraft until improvement has been achieved. This action would impose a severe economic hardship upon many users of this airspace. Member States of ICAO have voiced concern over the increased

number of navigation errors by U.S.-registered general aviation aircraft operating in MNPS airspace. The FAA considers it important to take appropriate steps to rectify this situation.

*Part II: General Aviation Aircraft Operating Over the High Seas Other Than in MNPS Airspace*

Notwithstanding the increased traffic in MNPS airspace, the vast majority of general aviation U.S.-registered aircraft operating over the high seas do so outside MNPS airspace. These operations include single and multiengine aircraft over the Atlantic, Pacific, Caribbean and virtually all remaining areas of the high seas. While conditions and ensuring problems when operating an aircraft over the North Atlantic in the winter may vary from those over the Pacific Ocean or Caribbean in the summer, basic navigation performance requirements are the same. Very special situations and problems are encountered with flights in areas of few or no ICAO Standard NAVAID'S.

Section 91.511 of the FAR specifies radio equipment for overwater operation for U.S.-registered large and turbine-powered multiengine airplanes. There are no such requirements for U.S.-registered small general aviation aircraft operating over the high seas.

Member States of ICAO have reported an increasing number of U.S.-registered general aviation aircraft becoming lost, disoriented, or low on fuel. A search and rescue effort frequently becomes necessary. In addition to being prohibitively costly, an increased number of ditchings and fatalities have been reported.

A special meeting of ICAO representatives was held in Reykjavik, Iceland on May 10 and 11, 1989, to consider the safety of general aviation aircraft flights over the NAT region in other than MNPS airspace.

Representatives from Iceland reported that International General Aviation (IGA) flights within Reykjavik Control area/flight information area (Common Traffic Advisory/FIR) in 1987 accounted for some 4% of the total international flights through the area. Although not a great proportion of the total traffic, IGA flights nevertheless require relatively greater attention by ATS staff than the remainder of the traffic. In fact, all search and rescue operations over the ocean from Iceland recently have been directed towards IGA flights. Today, most of the Search and Rescue (SAR) actions from Iceland are associated with what appears to be inexperience or lack of planning by some IGA pilots. This is

evident by the number of rescue intercepts of aircraft straying from their planned track, being uncertain of their position, and running out of fuel, causing inability to reach their destinations or arrival with little or no reserve fuel remaining. Fatal accidents involving IGA aircraft have been increasing. In view of its geographical position, Iceland is very much affected by these events, which place a heavy burden on its SAR services.

Like all other NAT states, representatives from Denmark reported that they have encountered the various problems involved in the provision of ATS and SAR service to IGA aircraft crossing the NAT region. IGA flights in the Sondrestrom FIR account for approximately 3.6% of the flights conducted under both instrument and visual flight rules (IFR/VFR) below FL 195. Nevertheless, they constitute about 82% of the expenses for aviation SAR services. The general reasons for the alerts, searches, and fatalities, according to the Danish representatives, are poor planning, poor navigation, insufficient fuel, and lack of knowledge of the northern NAT region flying environment.

Representatives from Canada reported that investigations conducted of incidents and accidents involving IGA aircraft in the NAT region show that the main problem is inexperienced pilots.

Representatives from the United States reported that although the number of IGA aircraft flights in the NAT is small, these flights are responsible for generating virtually all of the search and rescue operations over the ocean.

Flights over the Pacific are often of even longer duration with similar problems magnified by the greater distances. U.S.-registered general aviation aircraft are operated over these distances (often with long-range fuel tanks), often with inexperienced and untrained pilots. Additionally, single-engine and multiengine aircraft are frequently operated across the Pacific with inadequate navigation/communication equipment. Several general aviation pilots, for example, were reported to have flown across the Pacific to Hawaii with only LORAN navigation equipment only to discover, while en route, that there is no LORAN NAVAID coverage in this area. Other pilots have unsuccessfully attempted to cross with unapproved Global Positioning (GPS) navigation equipment.

Amendment 91-101 established subpart D of part 91 of the FAR (37 FR 14758, July 25, 1972), which prescribes general operating rules for large and

turbojet-powered multiengine airplanes. Section 91.511 of subpart D specifically prescribes operable radio communication and navigational equipment appropriate to the facilities to be used when the flight is over water for more than 30 minutes flying time or is 100 nautical miles from the nearest shoreline. Notwithstanding the requirements placed on large and turbojet-powered airplanes, there are no such requirements for U.S.-registered small general aviation aircraft operating in the same environment. However, § 91.703(a)(1) states, in pertinent part, that when over the high seas, operators of U.S.-registered aircraft must comply with ICAO Annex 2.

The FAA has determined that appropriate steps should be taken to rectify this apparent disparity.

**Proposed Actions**

The purpose of the proposed amendment is to promote the safe operation of U.S.-registered general aviation aircraft over the high seas and within MNPS airspace. Additionally, this amendment would provide regulatory support to ICAO navigation requirements established for flight through international oceanic airspace or over the high seas.

The proposed amendment addresses two broad subjects: (1) The operation of U.S.-registered general aviation aircraft in MNPS airspace; and (2) the operation of U.S.-registered general aviation aircraft over the high seas not designated as MNPS airspace.

*Part I: U.S. Registered General Aviation Aircraft Operating in MNPS Airspace*

In establishing the MNPS concept, it was decided by ICAO that all operators desiring to operate in MNPS airspace must show that navigation equipment to be used is capable of continuously complying with the required specifications set forth in appendix C of part 91 of the FAR.

Operators certificated under parts 121, 125, and 135 of the FAR must receive authorization from the FAA in their operations specifications and normally fly a validation flight prior to conducting flights into MNPS airspace. In order to obtain the required operations specifications, an operator must have an approved inspection program for the applicable equipment and an approved training program for its crews.

To accomplish the same level of safety for operators of U.S.-registered general aviation aircraft desiring to operate in MNPS airspace under part 91 of the FAR, the FAA proposes to amend part 91 to require an operator to obtain a

letter of authorization from an FAA flight standards district office.

Advisory Circular (AC) No. 91-49, dated August 23, 1977, "General Aviation Procedures for Flight in North Atlantic Minimum Navigation Performance Specifications Airspace," sets forth acceptable means for persons operating under part 91 of the FAR to obtain an authorization to operate within MNPS airspace. Based on such subjects as training of pilots/crew members and information received in response to this ANPRM, the FAA may amend AC No. 91-49.

*Part II: General Aviation Aircraft Operating Over the High Seas Other Than in MNPS Airspace*

The FAA has determined that minimum safety standards should be established for all U.S.-registered general aviation aircraft operating over the high seas other than in MNPS airspace rather than limiting these safety standards to large and turbine-powered multiengine airplanes.

Accordingly, the FAA is considering an amendment to part 91 of the FAR to require an operator to obtain a letter of authorization to operate a U.S.-registered general aviation aircraft outside the airspace of the United States, and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar. An operator would be able to apply for a letter of authorization from an FAA flight standards district office. Assisted by information received in response to the ANPRM, the FAA may draft an advisory circular to set forth recommended procedures for an operator desiring to operate as described above.

**Issues for Public Consideration**

The FAA requests the participation of all interested persons, and the identification of data, literature, statistics, research papers, or other documents available in the private sector, that may be relevant to the issues involved in Part I: General Aviation Aircraft Operating in MNPS Airspace, and/or Part II: General Aviation Aircraft Operating Over the High Seas Other Than in MNPS Airspace. Public participation will allow the FAA to consider thoroughly the topics specifically contained in this notice. All comments will be reviewed and considered in any future rulemakings by the FAA regarding these subjects.

Interested persons are invited to express views and to make recommendations for regulatory changes. The issues and topics for discussion have been identified on the

basis of amendments previously adopted by the FAA, petitions for exemption, and information obtained from member States of ICAO.

Participants also should address any economic consequences (e.g., implementation costs, potential savings) of the proposals contained in this ANPRM and any changes they recommend as well. The FAA encourages those persons submitting comments to include any source of supporting data that may be applicable to the views or recommendations.

Although the FAA has considerable data on many of the recommendations and questions listed below, any additional data that the public may have on these recommendations is requested. Additionally, the FAA notes that comments on this ANPRM as well as comments on any subsequent notices may be incorporated into an AC rather than into a regulation. Accordingly, the FAA invites comments on the following specific topics, among others:

*Part 1: General Aviation Aircraft Operating in MNPS Airspace*

a. Should an additional maintenance program be required for general aviation airplane/navigation equipment to operate in MNPS airspace? If so, what elements should such a program contain?

b. Should a test be required for general aviation airplane/navigation equipment to operate in MNPS airspace? If so, what should be tested?

c. Are special qualifications required to be a pilot-in-command/crew to operate a general aviation aircraft in MNPS airspace? What are they?

d. Should a training program be required for a pilot-in-command/crew to operate a general aviation aircraft in MNPS airspace? If so, what should it contain?

e. Should a validation program be required for a pilot-in-command/crew to verify that a general aviation aircraft has the navigation performance capability to operate in MNPS airspace? If so, how could this be done?

f. What application process would be most convenient to persons seeking a letter of authorization?

g. Should the application process for a letter of authorization be different for pilots planning short flights versus pilots planning long flights; experienced versus inexperienced pilots; pilots planning repetitive flights? If so, how?

*Part II: General Aviation Aircraft Operating Over the High Seas Other Than in MNPS Airspace*

a. What changes should the FAA consider for the operation of U.S.-

registered general aviation aircraft outside the airspace of the United States and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar?

b. What changes should the FAA consider for the navigation equipment and navigation performance capability for the operation of U.S.-registered general aviation aircraft outside the airspace of the United States and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar?

c. What changes should the FAA consider for a maintenance program for general aviation aircraft/navigation equipment for the operation of U.S.-registered general aviation aircraft outside the airspace of the United States and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar?

d. What changes should the FAA consider for a testing program for general aviation aircraft/navigation equipment for the operation of U.S.-registered general aviation aircraft outside the airspace of the United States and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar?

e. What changes should the FAA consider for the qualifications of an International General Aviation (IGA) pilot-in-command/crew for the operation of U.S.-registered general aviation aircraft outside the airspace of the United States and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar?

f. What changes should the FAA consider for a training program for an IGA pilot-in-command/crew for the operation of U.S.-registered general aviation aircraft outside the airspace of the United States and beyond the service range of ICAO Standard NAVAID's and beyond the coverage of ATS radar?

g. What changes should the FAA consider for a testing program for an IGA pilot-in-command/crew for the operation of a U.S.-registered general aviation aircraft outside the airspace of the United States and beyond the service range if ICAO Standard NAVAID's and beyond the coverage of ATS radar?

h. What application process would be most convenient to persons seeking a letter of authorization?

i. How should the application process for a letter of authorization be different for pilots planning short versus long flights; experienced versus

inexperienced pilot; pilots planning repetitive flights?

#### Economic Impact and Benefits

Public comments concerning the economic impact and benefits are specifically sought in addition to comments on the technical aspect of the proposed amendments.

Agencies of the Federal government are required by Executive Order 12291 to examine any proposed regulation to ascertain its economic impact and to adopt only those regulatory programs in which potential benefits to society clearly outweigh the potential costs to society. Any regulatory proposal by the FAA must be accompanied by an evaluation quantifying and/or qualifying, to the extent possible, the benefits and costs of such proposals. Although the FAA does not have sufficient information to generate definitive costs at this time, depending upon the equipment currently on board the aircraft, the amount of training required, the rapidly changing state-of-the-art of avionics equipment, etc., the costs could vary from minimal to as much as \$10,000 per aircraft. These costs, however, would be incurred only by operators of aircraft seeking to fly over the high seas. The FAA will not adopt any regulation unless costs will be less than benefits. Therefore, it is essential that comments for or against the proposal include the economic impact as perceived by the commenter. With this in mind, the FAA poses the following economic questions:

a. What are the estimated costs of adding communication and navigation equipment of various capabilities and specifications to general aviation aircraft for flights over the high seas?

b. What costs would be involved in obtaining a letter of authorization from

an FAA district office by a general aviation operator to undertake flights over the high seas?

c. What costs would be required in a maintenance program for general aviation airplane/navigation equipment for flights over the high seas?

d. What costs would be required in a testing program for general aviation airplane/navigation equipment for flights over the high seas?

e. What costs would be required for a pilot/crew training program to operate general aviation aircraft in MNPS airspace/over the high seas?

f. What costs would be involved in a testing program to test the capability of pilot/crew to operate general aviation aircraft in MNPS airspace/over the high seas?

g. What benefits would be achieved from the various requirements (e.g., added communication and navigation equipment, maintenance programs, equipment testing, training, etc.)? To whom (e.g., foreign countries) would these benefits accrue?

h. Small entities are those small businesses or small not-for-profit organizations that are independently owned and own but do not necessarily operate nine or fewer aircraft. How would small entities share in the benefits and costs resulting from this rulemaking?

#### Federalism Implications

The regulations discussed herein, if adopted, would 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 proposal would not have sufficient

federalism implications to warrant the preparation of a Federalism Assessment.

#### Conclusion

This ANPRM seeks information from interested persons, including operators of general aviation aircraft, instructors, pilot schools, maintenance personnel, and the general public, in determining what changes the FAA should consider for the operation of U.S.-registered aircraft over the high seas in both MNPS airspace and in airspace not defined as MNPS airspace. The FAA has determined that this advance notice of proposed rulemaking is not significant under DOT Regulatory Policies and Procedures [44 FR 11034; February 26, 1989]. Information is being requested, and no economic or regulatory impact is imposed on any person by this action. A full regulatory evaluation will be prepared if further rulemaking is warranted based on comments received as a result of this notice.

#### List of Subjects in 15 CFR Part 91

Air traffic control, Aircraft, Airmen, Aviation safety.

Authority: 49 U.S.C. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125; Articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (61 Stat 1183); 42 U.S.C. 4321 et seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

Issued in Washington, DC, on August 29, 1990.

Thomas C. Accardi,  
Acting Director, Flight Standards Service.

[FR Doc 90-20793 Filed 9-4-90; 8:45 am]

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