

substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9B, Airspace Designations and Reporting Points, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

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

\* \* \* \* \*

#### AGL MI E5 Cadillac, MI [Revised]

(lat. 44°16'31" N., long. 85°25'08" W.)

That airspace extending upward from 700 feet above the surface within a 7.4 mile radius of the Wexford County Airport and within 3.9 miles either side of the 246 degree bearing from the airport extending from the 7.4 mile radius to 8.3 miles southwest of the airport, and within 1.7 miles either side of the 062 degree bearing from the airport extending from the 7.4 mile radius to 10.3 miles northeast of the airport.

\* \* \* \* \*

Issued in Des Plaines, Illinois on May 22, 1995.

**Roger Wall,**

*Manager, Air Traffic Division.*

[FR Doc. 95–13939 Filed 6–6–95; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### 15 CFR Part 792

[Docket No. 950525141–5141–01]

#### Administration of State Log Exports Ban

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Advance notice of proposed rulemaking with request for comments.

**SUMMARY:** This notice announces the Department of Commerce's intention to issue regulations implementing the ban on the export of unprocessed timber originating from non-Federal public lands in 17 western states pursuant to the Forest Resources Conservation and Shortage Relief Act of 1990, as amended (FRCSRA). This notice delineates the actions the Department is considering taking to implement the FRCSRA and requests public comments on these actions.

**DATES:** Comments must be received by July 7, 1995.

**ADDRESSES:** Written comments (three copies) should be sent to: Steven C. Goldman, Acting Director, Office of Chemical and Biological Controls and Treaty Compliance, Bureau of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: (202) 482–3825, Fax (202) 482–0751.

**FOR FURTHER INFORMATION CONTACT:** Bernard Kritzer, Manager, Short Supply Program, Office of Chemical and Biological Controls and Treaty Compliance, Bureau of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: (202) 482–0894, Fax (202) 482–0751.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 491 of the Forest Resources Conservation and Shortage Relief Act of 1990, (Pub. L. 101–382, 16 U.S.C. 620 et seq.) (the Act), requires the Secretary of Commerce to issue orders restricting the export of unprocessed timber originating from non-Federal public lands located west of the 100th meridian in the contiguous United States (state timber). Prior to its amendment in 1993, the Act required the affected States to issue and implement regulations administering the export ban. On May 4, 1993, the U.S. Ninth Circuit Court of Appeals held unconstitutional the provisions of the Act that required the States to implement the Act's prohibitions.

On July 1, 1993, the President signed into law Public Law 103–45, the Forest Resources Conservation and Shortage Relief Amendments Act of 1993 (the Amendments Act). The Amendments Act reassigned the export control implementation responsibilities from the States to the Federal government (Federal Program), specifically to the Secretary of Commerce. It also allows individual states to petition the

Secretary to approve their own programs to implement the ban on exports of state timber (State Program). If the Secretary approves a State Program, it applies in that State in lieu of the Federal Program.

#### Scope of the Export Ban

Pursuant to the FRCSRA, on August 23, 1993, the Secretary of Commerce signed a General Order (Order) prohibiting the export of State timber effective June 1, 1993 (58 F.R. 55038). This Order affects Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming (the affected States). The export ban, however, excludes public lands in the State of Alaska and lands held in trust by any Federal or State official or agency for a recognized Indian tribe or for any member of such tribe.

The Order includes restrictions on who may purchase state timber to prevent the direct or indirect substitution of such timber for exported private timber. It also provides exemptions for certain prior contracts. For States with annual sales greater than 400 million board feet (MBF), the Order expires December 31, 1995. For States with annual sales of less than 400 MBF, the Order remains in effect permanently.

For States with annual sales of more than 400 MBF, section 491 (b)(2)(B) of the FRCSRA requires the Secretary to issue an Order, not later than September 30, 1995, for all periods on or after January 1, 1996, prohibiting the export of the lesser of 400 MBF or the annual sales volume in that State of unprocessed timber originating from public lands.

The FRCSRA allows the governor of each affected State to request that the Secretary of Commerce approve a State Program for the administration of its own state timber export controls in lieu of the Federal Program. On August 17, 1993, the Secretary authorized Washington to continue administering its pre-existing export control program on an interim basis. On March 10, 1994, the Secretary authorized Oregon to continue administering its pre-existing export control program on an interim basis. On June 1, 1995, the Secretary gave final authorization to Oregon and Washington to administer their pre-existing programs pursuant to Section 491(d) of the FRCSRA.