

slot provision would assure that the FAA will have sufficient capacity to handle the many possible extra flights carrying spectators, athletes, media personnel, and dignitaries during the Olympic period without unnecessary delay.

B. Temporary Flight Restriction Areas

Due to the substantial increase in aircraft operations that are expected in the Atlanta area as well as other sites, the FAA proposes to establish TFR areas over the Olympic village and competition sites. The establishment of TFR's over competition venues would result in the restriction of aircraft operations from the surface to 2500 feet.

The major economic impact of circumnavigation in this case would be inconvenience to operators who may have wanted to operate in the area of the TFR. Because such occurrences are of limited duration and the restricted areas are limited in size, the FAA believes that any circumnavigation costs will be negligible. An aircraft operator could avoid the restricted airspace by flying over it without significantly deviating from their current routes or by circumnavigating the restricted airspace.

The potential benefits of the proposed TFR airspace would be primarily enhanced safety to the public. Enhanced safety would take the form of the reduced possibility of fatalities and property damage as a result of a lowered risk of accidents due to increased positive control of TFR airspace. While benefits cannot be quantified, the FAA believes the benefits are commensurate with the small costs attributed to the temporary inconvenience of the flight restrictions for operators near the TFR.

Regulatory Flexibility Act Determination

The Regulatory Flexibility Act of 1980 (RFA) ensures that government regulations do not needlessly and disproportionately burden small businesses. The RFA requires the FAA to review each rule that may have a significant economic impact on a substantial number of small entities.

The FAA's criteria for a "substantial number" is a number that is not less than 11 and that is more than one third of the small entities subject to the rule. The small entities that could be potentially affected by the implementation of the proposed rule are operators of aircraft for hire owning nine or fewer aircraft. Because of the negligible impact of this regulatory action, the FAA initially determines that this proposed amendment would not have a significant impact on a substantial number of small entities.

Federalism Implications

The proposed regulation set forth herein 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 proposed regulation would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

International Trade Impact Assessment

The proposal would not constitute a barrier to international trade, including the export of U.S. goods and services to foreign countries and the import of foreign goods and services to the United States. This proposal would not impose temporary costs on aircraft operators. There should be no effect on U.S. or foreign aircraft manufacturers. Therefore, the FAA has determined that the proposed rule would neither have an effect on the sale of foreign aviation products nor services in United States, nor would it have an effect on the sale of U.S. products or services in foreign countries.

Conclusion

For the reasons discussed in the preamble, and based on the findings in the Regulatory Flexibility Determination and the International Trade Impact Assessment, the FAA has determined that this proposed regulation is not a "significant regulatory action" under Executive Order 12866. The FAA has determined that the proposed rule would impose temporary costs on the public. The magnitude of these costs, while undetermined, are negligible. The benefits would be increased aviation safety resulting from a lower risk of accidents due to increased congestion during the Olympics. In addition, the FAA certifies that this proposed regulation would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. This proposed regulation is not considered significant under DOT Order 2100.5, Policies and Procedures for Simplification, Analysis, and Review of Regulations. A Regulatory Flexibility Determination and International Impact Assessment are set out above. Because the economic impact of this proposal is likely to be minimal, no formal regulatory evaluation has been prepared.

List of Subjects in 14 CFR Part 91

Aircraft flight, Airspace, Aviation safety, Air Traffic Control.

The Proposed Special Federal Aviation Regulation (SFAR)

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 91 as follows:

PART 91—[AMENDED]

1. The authority citation for part 91 continues to read as follows:

Authority: 49 USC 106(g), 1155, 40103, 40113, 40120, 44101, 44111, 44701, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46502, 46504, 46506, 46507, 47122, 47508, 47528–47531; articles 12 and 29 of the Convention on International Civil Aviation 861 stat. 1180.

2. By adding Special Federal Aviation Regulation No. 74 to read as follows:

SFAR No. 74 Airspace and Flight Operations Requirements for the 1996 Summer Olympic Games, Atlanta, Georgia

A. General

1. Each person shall be familiar with all NOTAMs issued pursuant to this SFAR and all other available information concerning that operation before conducting any operation into or out of an airport or area specified in this SFAR or in NOTAMs pursuant to this SFAR. In addition, each person operating an international flight that will enter the U.S. shall be familiar with any international NOTAMs issued pursuant to this SFAR. NOTAMs are available for inspection at operating FAA air traffic facilities and regional air traffic division offices.

2. Notwithstanding any provision of the Federal Aviation Regulations to the contrary, no person may operate an aircraft contrary to any restriction procedure specified in this SFAR or by the Administrator, through a NOTAM issued pursuant to this SFAR.

3. As conditions warrant, the Administrator is authorized to—

(a) Restrict, prohibit, or permit IFR/VFR operations at any airport, terminal, or enroute airspace area designated in this SFAR or in a NOTAM issued pursuant to this SFAR;

(b) Give priority to or exclude the following flights from provisions of this SFAR and NOTAMs issued pursuant to this SFAR:

- (1) Essential military.
- (2) Medical and rescue.
- (3) Essential public health and welfare.
- (4) Presidential and Vice Presidential.
- (5) Flights carrying visiting heads of state.
- (6) Flights in the service of the Olympic Committee and media flights whose planned activities have been coordinated and accredited by the Atlanta Committee for the Olympic Games.
- (7) Law enforcement and security.
- (8) Flights authorized by the Director, Air Traffic Service; and/or