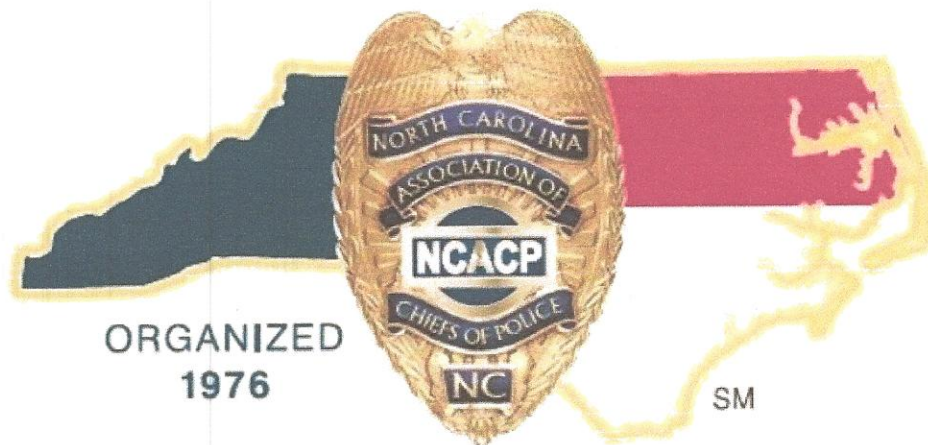

**Public Safety Officers' Benefits Program
Summary from
Department of Justice
Federal Register**

December 2008

North Carolina Association of Chiefs of Police



statement is made: "Comments to Docket No. FAA-2008-0986; Airspace Docket No. 08-ASO-15." The postcard will be date stamped and returned to the commenter.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class E5 airspace at Franklin, NC, to provide the controlled airspace that is required to support the Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) that have been developed for Macon County Airport. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the Earth are published in Paragraph 6005 of FAA Order 7400.9S, signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

Agency Findings

The regulations adopted herein will 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 various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs,

describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies controlled airspace at Franklin, NC.

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:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, effective October 31, 2008, is amended as follows:

Paragraph 6005 Class E Airspace Designated as Surface Areas.

* * * * *

ASO NC E5 Franklin, NC [Amended]

Macon County Airport,
(Lat. 35°13'21" N., long 83°25'09" W.)
Angel Medical Center, Franklin, NC Point In
Space Coordinates
(Lat. 35°10'37" N., long 83°22'04" W.)

That airspace extending upward from 700 feet or more above the surface of the Earth within a 6.4-mile radius of Macon County Airport and that airspace within a 6-mile radius of the Point in Space Coordinates (Lat. 35°10'37" N., Long. 83°22'04" W.) serving the Angel Medical Center.

* * * * *

Issued in College Park, Georgia, on November 20, 2008.

Barry A. Knight,

*Acting Manager, Operations Support Group,
Eastern Service Center, Air Traffic
Organization.*

[FR Doc. E8-29753 Filed 12-16-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF JUSTICE

Office of Justice Programs

28 CFR Part 32

[Docket No.: OJP (BJA) 1478]

RIN 1121-AA75

Public Safety Officers' Benefits Program

AGENCY: Office of Justice Programs, Justice.

ACTION: Final rule.

SUMMARY: The Office of Justice Programs (OJP) of the U.S. Department of Justice published the proposed rule for the Public Safety Officers' Benefits (PSOB) Program on July 10, 2008, 73 FR 39632. During the comment period, OJP received comments on its proposed rule from numerous parties. After further review of the proposed rule and careful consideration and analysis of all comments, OJP has made amendments that are incorporated into this final rule, which is intended (insofar as consistent with law) to be effective and applicable to all claims from and after the effective date hereof, whether pending (in any stage) as of that date or subsequently filed.

DATES: Effective January 16, 2009.

FOR FURTHER INFORMATION CONTACT: Hope Janke, Counsel to the Director, Bureau of Justice Assistance, at (202) 514-6278, or toll-free at 1 (888) 744-6513.

SUPPLEMENTARY INFORMATION:

Further to Executive Order 12866's call upon agencies to examine existing regulations for opportunities to achieve their intended regulatory goal more effectively, and pursuant to 42 U.S.C. 3796c(a), 3796(a) & (b), 3796d-3(a) & (b), and 3782(a) (each of which expressly authorizes the issuance of regulations), on July 10, 2008, OJP published the proposed rule for the PSOB Program. During the comment period, BJA received comments on its proposed rule from numerous interested parties: National police and fire associations; municipal police, fire, and rescue departments; survivors of fallen public safety officers; and individual concerned citizens, including claims attorneys. Additionally, Members of Congress commented on the proposal.

Some commentators approved of the specific provisions proposed, but others were dissatisfied with them, finding one or another proposed provision confusing, unclear, or too restrictive, and expressing concerns about BJA's implementation of the program. One