“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. Because this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule 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 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the Talkeetna Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

List 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

§71.1 [Amended]

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


§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9U, Airspace Designations and Reporting Points, signed August 18, 2010, and effective September 15, 2010, is amended as follows:

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

** * * * *

AAI AK E2 Talkeetna, AK [Revised]

Talkeetna Airport, AK

(Lat. 62°19′14″ N., long. 150°05′37″ W.)

Talkeetna VOR/DME

(Lat. 62°17′55″ N., long. 150°06′20″ W.)

Within a 5-mile radius of the Talkeetna Airport, and within 2.5 miles each side of the Talkeetna VOR/DME 191° radial and within 1 mile each side of the Talkeetna VOR/DME 207° radial extending from the 5-mile radius to 8.4 miles southwest of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Supplement Alaska (Airport/Facility Directory).

** * * * *

AAI AK E5 Talkeetna, AK [Revised]

Talkeetna Airport, AK

(Lat. 62°19′14″ N., long. 150°05′37″ W.)

Talkeetna VOR/DME

(Lat. 62°17′35″ W., long. 150°06′20″ W.)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radial of the Talkeetna Airport and within 3.2 miles each side of the Talkeetna VOR/DME 191° radial and within 2.5 miles each side of the Talkeetna VOR/DME 207° radial extending from the 7.5-mile radius to 12.4 miles southwest of the airport and that airspace extending upward from 1,200 feet above the surface within a 72-mile radius of Talkeetna Airport.

Issued in Anchorage, AK, on July 12, 2011.

Michael A. Tarr,
Manager, Alaska Flight Services.
[FR Doc. 2011–18451 Filed 7–21–11; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 417

[Docket No.: FAA–2011–0181; Amendment No. 417–2]

RIN 2120–AJ84

Launch Safety: Lightning Criteria for Expendable Launch Vehicles

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; Confirmation of effective date.

SUMMARY: This action confirms the effective date of July 25, 2011, for the direct final rule issued June 8, 2011. No comments were received on this final rule.

This action amends flight criteria for mitigating against naturally occurring lightning and lightning triggered by the flight of an expendable launch vehicle through or near an electrified environment in or near a cloud. These changes also increase launch availability and implement changes already adopted by the United States Air Force.

DATES: The direct final rule published June 8, 2011 (76 FR 33139) is effective on July 25, 2011.

ADDRESSES: The complete docket for the direct final rule, Docket No. FAA–2011–0181, may be examined at http://www.regulations.gov at any time or go to Docket operations in Room W12–140 West Building, Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this rule contact Karen Shelton-Mur, Office of Commercial Space Transportation, AST–300, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–7983; facsimile (202) 267–5463, e-mail Karen.Shelton-Mur@faa.gov.

For legal questions concerning this rule contact Laura Montgomery, Senior Attorney for Commercial Space Transportation, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3150; facsimile (202) 267–7971, e-mail laura.montgomery@faa.gov.

SUPPLEMENTARY INFORMATION:

Direct Final Rule Procedure

The FAA anticipated that this regulation would not result in adverse or negative comment and therefore is issued as a direct final rulemaking. Because the changes to the lightning commit criteria will increase launch availability and are already for U.S. Government launches at Air Force launch ranges, the public interest is well served by this rulemaking.

The comment period closed July 8, 2011, and the FAA received no comments.

Conclusion

In light of the fact that no comments were submitted in response to the direct final rule, the FAA has determined that no further rulemaking action is necessary. Therefore, Amendment No. 417–2 takes effect as of July 25, 2011.
FEDERAL TRADE COMMISSION

16 CFR Part 321
Mortgage Acts and Practices—Advertising

AGENCY: Federal Trade Commission (FTC or Commission).

ACTION: Final rule.

SUMMARY: Pursuant to the 2009 Omnibus Appropriations Act (Omnibus Appropriations Act), as clarified by the Credit Card Accountability, Responsibility and Disclosure Act of 2009 (Credit CARD Act), the Commission issues this Final Rule and Statement of Basis and Purpose (SBP) to promulgate rules under the Omnibus Appropriations Act.

1. Covered Acts and Practices

Section 511 of the Credit CARD Act specified that the FTC rulemaking "shall relate to unfair or deceptive acts or practices regarding mortgage loans, which may include unfair or deceptive acts or practices involving loan modification and foreclosure rescue services." The Omnibus Appropriations Act, as clarified by the Credit CARD Act, does not otherwise specify what the Commission should include in, or exclude from, a rule, but rather directs the FTC to issue mortgage rules that "relate to" unfairness or deception.

Section 5 of the FTC Act broadly proscribes unfair or deceptive acts or practices in or affecting commerce. An act or practice is deceptive if there is a representation, omission, or practice that is likely to mislead consumers who are acting reasonably under the circumstances, and the representation, omission, or practice is one that is material, i.e., likely to affect consumers' decisions to purchase or use the product or service at issue.

DATES: This final rule is effective August 19, 2011.

ADDRESSES: Requests for copies of this Rule and this SBP should be sent to: Public Reference Branch, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Room 130, Washington, DC 20580.


SUPPLEMENTAL INFORMATION:

Background

On March 11, 2009, President Obama signed the Omnibus Appropriations Act. Section 626 of that Act directed the Commission to commence, within 90 days of enactment, a rulemaking proceeding with respect to mortgage loans. Section 626 also directed the FTC to use notice and comment procedures under Section 553 of the Administrative Procedure Act to promulgate these rules.

On May 22, 2009, President Obama signed the Credit CARD Act. Section 511 of this statute clarified the Commission’s rulemaking authority under the Omnibus Appropriations Act.

1. Covered Acts and Practices

Section 511 of the Credit CARD Act specified that the FTC rulemaking "shall relate to unfair or deceptive acts or practices regarding mortgage loans, which may include unfair or deceptive acts or practices involving loan modification and foreclosure rescue services." The Omnibus Appropriations Act, as clarified by the Credit CARD Act, does not otherwise specify what the Commission should include in, or exclude from, a rule, but rather directs the FTC to issue mortgage rules that "relate to" unfairness or deception.

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2. Covered Entities

Section 511 of the Credit CARD Act also clarified that the Commission’s rulemaking authority is limited to entities over which the FTC has jurisdiction under the FTC Act. Under the FTC Act, the Commission has jurisdiction over any person, partnership, or corporation that engages in unfair or deceptive acts or practices in or affecting commerce, except, among others: banks, savings and loan associations, credit unions, and insurance companies.

Fees

No fees are required to obtain copies of this rule or the SBP.


Dennis R. Pratte,

Acting Director, Office of Rulemaking.

[FR Doc. 2011–18586 Filed 7–21–11; 8:45 am]
BILLING CODE 4910–13–P

2 Id. § 626(a), 123 Stat. at 678.
3 5 U.S.C. 553.
4 Omnibus Appropriations Act § 626(a). Because Congress directed the Commission to use APA rulemaking procedures, the FTC did not use the procedures set forth in Section 18 of the Federal Trade Commission Act (FTC Act), 15 U.S.C. 57a.
6 Id. § 511.
7 Id. § 511(a)(1)(B). In a separate rulemaking, the Commission issued a final rule with respect to mortgage assistance relief services. See Mortgage Assistance Relief Services (MARS), Final Rule, 75 FR 75092 (Dec. 1, 2010), available at http://www.ftc.gov/os/fedreg/2010/December/R911003mars.pdf.
8 Credit CARD Act § 511(a)(1)(B).