

**DATES:** *Effective date:* 0901 UTC, November 15, 2012. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone 817-321-7716.

**SUPPLEMENTARY INFORMATION:**

**History**

On May 21, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class D airspace for the Sault Ste Marie, ON, area, creating additional controlled airspace at Sault Ste Marie Airport (77 FR 29916) Docket No. FAA-2012-0392. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class D airspace designations are published in paragraph 5000 of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR Part 71.1. The Class D airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class D airspace at Sault Ste Marie Airport, Sault Ste Marie, ON, creating additional controlled airspace to coincide with that portion of the control zone in Canadian airspace. Controlled airspace is necessary for the safety and management of IFR operations at the airport.

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. Therefore, this regulation: (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 U.S. Code. Subtitle 1, 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 amends controlled airspace at Sault Ste Marie Airport, Sault Ste Marie, ON.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**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**

- 1. The authority citation for 14 CFR 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 the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011, is amended as follows:

*Paragraph 5000 Class D Airspace*

\* \* \* \* \*

**AGL ON D Sault Ste Marie, ON [Amended]**  
Sault Ste Marie Airport, ON, Canada

(Lat. 46°29'06" N., long. 84°30'34" W.)

That airspace in the United States at or below 3,000 feet MSL within a 5-mile radius of Sault Ste Marie Airport.

Issued in Fort Worth, Texas, on August 1, 2012.

**David P. Medina,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. 2012-20138 Filed 8-16-12; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2011-1429; Airspace Docket No. 11-AAL-22]

**Establishment of Class E Airspace; Chenega Bay, AK**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Chenega Bay, AK, to accommodate aircraft using a new Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Chenega Bay Airport. This improves the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective date, 0901 UTC, November 15, 2012. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments. **FOR FURTHER INFORMATION CONTACT:** Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203-4517.

**SUPPLEMENTARY INFORMATION:**

**History**

On May 29, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Chenega Bay, AK (77 FR 31548). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. The FAA received one comment from the National Business Aviation Association (NBAA).

The NBAA recommended that the FAA lower some of the adjacent Class E airspace down to 1,200 feet above the surface to increase the efficiency of radar vectoring in the area.

The FAA believes that lowering this airspace is outside the scope of this rulemaking action and would not serve the immediate purpose of establishing the airspace necessary for the safety of aircraft within the Chenega Bay, airport area.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace extending upward from 700 feet above the surface, at Chenega Bay Airport, to accommodate IFR aircraft executing new RNAV (GPS) standard instrument approach procedures at the airport. This action is necessary for the safety and management of IFR operations.

The FAA has determined this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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 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 U.S. Code. Subtitle 1, Section 106 discusses 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 establishes controlled airspace at Chenega Bay Airport, AK.

### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### 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

- 1. The authority citation for 14 CFR 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 the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AAL AK E5 Chenega Bay, AK [New]

Chenega Bay Airport, AK  
(Lat. 60°04’43” N., long. 147°59’41” W.)

That airspace extending upward from 700 feet above the surface within a 2-mile radius of the Chenega Bay Airport, and that airspace beginning at the intersection of the 2-mile radius of the airport and 170° bearing of Chenega Bay Airport to lat. 60°02’17” N., long. 147°39’07” W.; to lat. 60°05’06” N., long. 147°28’33” W.; to lat. 60°11’41” N., long. 147°37’16” W.; thence to the intersection of the 2-mile radius of Chenega Bay Airport and 353° bearing of the airport.

Issued in Seattle, Washington, on August 6, 2012.

**John Warner,**

*Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2012–20139 Filed 8–16–12; 8:45 am]

**BILLING CODE 4910–13–P**

### DEPARTMENT OF COMMERCE

#### Bureau of Economic Analysis

#### 15 CFR Part 801

[Docket No. 111012619–2294–04]

RIN 0691–AA81

#### International Services Surveys and Direct Investment Surveys Reporting

**AGENCY:** Bureau of Economic Analysis.

**ACTION:** Notice of clarification.

**SUMMARY:** The Bureau of Economic Analysis (BEA) issues this document to clarify for the public a rule BEA published in April 2012 that set out new procedures BEA will follow to collect data on international trade in services and direct investment surveys. The surveys are provided for by the International Investment and Trade in Services Survey Act (the Act) and the Omnibus Trade and Competitiveness Act of 1988. Specifically, BEA clarifies that the previously issued rule does not have retroactive effect, and that those entities required to complete surveys that BEA is currently conducting based on rules creating those surveys—the 2011 BE–11, 2011 BE–15, 2012 BE–12, 2012 BE–29, 2012 BE–120, and all 2012 quarterly surveys—must still complete those surveys.

**DATES:** August 17, 2012.

#### FOR FURTHER INFORMATION CONTACT:

David H. Galler, Chief, Direct Investment Division (BE–50), Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230; email [David.Galler@bea.gov](mailto:David.Galler@bea.gov) or phone (202) 606–9835.

**SUPPLEMENTARY INFORMATION:** The International Investment and Trade in Services Survey Act (the Act) and the Omnibus Trade and Competitiveness Act of 1988 both require BEA to collect comprehensive and reliable information on international trade in services and direct investment from all U.S. persons coming within the reporting requirements. For many years, BEA conducted these surveys only after implementing the surveys through notice and comment rulemaking procedures. See, e.g., Direct Investment Surveys: BE–12, Benchmark Survey of Foreign Direct Investment in the United States at 76 FR 79054 (December 21, 2011) or International Services Surveys: BE–150, Quarterly Survey of Cross-Border Credit, Debit, and Charge Card Transactions at 77 FR 10958 (February 24, 2012). Issuing the surveys using the notice and comment procedures of the Administrative Procedure Act, 5 U.S.C. 553 (APA) provided all potential filers