

be, paid with funds provided from other Federal sources.

We also proposed to revise the heading of 7 CFR 253.11 to "Administrative funds" to more clearly describe the provisions in the section, as proposed. As we did not receive any comments relating to this proposal, this final rule revises the section heading as proposed.

#### List of Subjects in 7 CFR Part 253

Administrative practice and procedure, Food assistance programs, Grant programs, Social programs, Indians, Reporting and recordkeeping requirements, Surplus agricultural commodities.

Accordingly, 7 CFR part 253 is amended as follows:

### PART 253—ADMINISTRATION OF THE FOOD DISTRIBUTION PROGRAM FOR HOUSEHOLDS ON INDIAN RESERVATIONS

■ 1. The authority citation for 7 CFR part 253 continues to read as follows:

**Authority:** 91 Stat. 958 (7 U.S.C. 2011–2036).

■ 2. In § 253.11:

- a. Revise the section heading;
- b. Remove paragraphs (a) and (b);
- c. Redesignate paragraphs (c) through (h) as paragraphs (e) through (j); and
- d. Add new paragraphs (a) through (d).

The revisions and additions read as follows:

#### § 253.11 Administrative funds.

(a) *Allocation of administrative funds to FNS Regional Offices.* Each fiscal year, after enactment of a program appropriation for the full fiscal year and apportionment of funds by the Office of Management and Budget, administrative funds will be allocated to each FNS Regional Office for further allocation to State agencies. To the extent practicable, administrative funds will be allocated to FNS Regional Offices in the following manner:

(1) 65 percent of all administrative funds available nationally will be allocated to each FNS Regional Office in proportion to its share of the total number of participants nationally, averaged over the three previous fiscal years; and

(2) 35 percent of all administrative funds available nationally will be allocated to each FNS Regional Office in proportion to its share of the total current number of State agencies administering the program nationally.

(b) *Allocation of administrative funds to State agencies.* Prior to receiving

administrative funds, State agencies must submit a proposed budget reflecting planned administrative costs to the appropriate FNS Regional Office for approval. Planned administrative costs must be allowable under part 277 of this chapter. To the extent that funding levels permit, the FNS Regional Office allocates to each State agency administrative funds necessary to cover 75 percent of approved administrative costs.

(c) *State agency matching requirement.* State agencies must match administrative funds allocated to them as follows:

(1) Unless Federal administrative funding is approved at a rate higher than 75 percent of approved administrative costs, in accordance with paragraph (c)(2) of this section, each State agency must contribute 25 percent of its total approved administrative costs. Cash or non-cash contributions, including third party in-kind contributions, and the value of services rendered by volunteers, may be used to meet the State agency matching requirement. In accordance with part 277 of this chapter, such contributions must:

- (i) Be verifiable;
- (ii) Not be contributed for another federally-assisted program, unless authorized by Federal legislation;
- (iii) Be necessary and reasonable to accomplish program objectives;
- (iv) Be allowable under Part 277 of this chapter;
- (v) Not be paid by the Federal Government under another assistance agreement unless authorized under the other agreement and its subject laws and regulations; and
- (vi) Be included in the approved budget.

(2) The State agency may request a waiver to reduce its matching requirement below 25 percent of approved administrative costs. In its proposed budget, the State agency must submit compelling justification to the appropriate FNS Regional Office that it is unable to meet the 25 percent matching requirement and that additional administrative funds are necessary for the effective operation of the program. The FNS Regional Office may, at its discretion, approve a reduction of the matching requirement and provide additional administrative funds to cover more than 75 percent of approved administrative costs to a State agency that provides compelling justification. In its compelling justification submission, the State agency must include a summary statement and recent financial documents, in accordance with FNS

instructions. Compelling justification may include but is not limited to:

(i) The need for additional administrative funding for startup costs during the first year of program operation; or

(ii) The need to prevent a reduction in the level of necessary and reasonable program services provided.

(d) *Use of funds by State agencies.* Any funds received under this section shall be used only for costs that are allowable under part 277 of this chapter, and that are incurred in operating the food distribution program. Such funds may not be used to pay costs that are, or may be, paid with funds provided from other Federal sources.

\* \* \* \* \*

Dated: August 13, 2012.

**Audrey Rowe,**

*Administrator, Food and Nutrition Service.*

[FR Doc. 2012–20377 Filed 8–22–12; 8:45 am]

BILLING CODE 3410–30–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**Docket No. FAA–2012–0842; Amendment No. 71–44**

**RIN 2120–AA66**

#### Airspace Designations; Incorporation by Reference

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9W, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points incorporated by reference.

**DATES:** These regulations are effective September 15, 2012, through September 15, 2013. The incorporation by reference of FAA Order 7400.9W is approved by the Director of the Federal Register as of September 15, 2012, through September 15, 2013.

**FOR FURTHER INFORMATION CONTACT:** Sarah A. Combs, Airspace, Regulations and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence

Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

#### History

FAA Order 7400.9V, Airspace Designations and Reporting Points, effective September 15, 2011, listed Class A, B, C, D and E airspace areas; air traffic service routes; and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal Register to incorporate the material by reference in the Federal Aviation Regulations section 71.1, effective September 15, 2011, through September 15, 2012. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order 7400.9V in full text as proposed rule documents in the Federal Register. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects the periodic integration of these final rule amendments into a revised edition of Order 7400.9W, Airspace Designations and Reporting Points. The Director of the Federal Register has approved the incorporation by reference of FAA Order 7400.9W in section 71.1, as of September 15, 2012, through September 15, 2013. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. Sections 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, and 71.901 are also updated to reflect the incorporation by reference of FAA Order 7400.9W.

#### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9W, effective September 15, 2012, through September 15, 2013. During the incorporation by reference period, the FAA will continue to process all proposed changes of the airspace listings in FAA Order 7400.9W in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of the Order, and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in section 71.1.

The FAA has determined that this action: (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. This action neither places any new restrictions or requirements on the public, nor changes the dimensions or operation requirements of the airspace listings incorporated by reference in part 71.

#### 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 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.

- 2. Section 71.1 is revised to read as follows:

##### § 71.1 Applicability.

A listing for Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points can be found in FAA Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552 (a) and 1 CFR part 51. The approval to incorporate by reference FAA Order 7400.9W is effective September 15, 2012, through September 15, 2013. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the **Federal Register**. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the **Federal Register**. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. Copies of FAA Order 7400.9W may be obtained from Airspace, Regulations and ATC Procedures Group, Federal Aviation

Administration, 800 Independence Avenue SW., Washington, DC 20591, (202) 267-8783. An electronic version of the Order is available on the FAA Web site at [http://www.faa.gov/air\\_traffic/publications](http://www.faa.gov/air_traffic/publications). Copies of FAA Order 7400.9W may be inspected in Docket No. FAA-2012-0842; Amendment No. 71-44 on <http://www.regulations.gov>. A copy of AFF Order 7400.9W may be inspected at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

##### § 71.5 [Amended]

- 3. Section 71.5 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.15 [Amended]

- 4. Section 71.15 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.31 [Amended]

- 5. Section 71.31 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.33 [Amended]

- 6. Paragraph (c) of section 71.33 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.41 [Amended]

- 7. Section 71.41 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.51 [Amended]

- 8. Section 71.51 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.61 [Amended]

- 9. Section 71.61 is amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.71 [Amended]

- 10. Paragraphs (b), (c), (d), (e), and (f) of section 71.71 are amended by removing the words “FAA Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

##### § 71.901 [Amended]

- 11. Paragraph (a) of section 71.901 is amended by removing the words “FAA

Order 7400.9V” and adding, in their place, the words “FAA Order 7400.9W.”

Issued in Washington, DC, on August 15, 2012.

Alan Wilkes,

Acting Manager, Airspace Policy and ATC Procedures Group.

[FR Doc. 2012-20660 Filed 8-22-12; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 95**

[Docket No. 30859; Amdt. No. 502]

**IFR Altitudes; Miscellaneous Amendments**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**DATES:** *Effective Date:* 0901 UTC, September 20, 2012.

**FOR FURTHER INFORMATION CONTACT:** Rick Dunham, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike

Monroey Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125), telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

**The Rule**

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the

amendment effective in less than 30 days.

**Conclusion**

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. 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 95**

Airspace, Navigation (air).

Issued in Washington, DC, on August 17, 2012.

John M. Allen,

Deputy Director, Flight Standards Service.

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, July 26, 2012.

■ 1. The authority citation for part 95 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

■ 2. Part 95 is amended to read as follows:

**REVISIONS TO IFR ALTITUDES & CHANGEOVER POINTS**

[Amendment 502 effective date September 20, 2012]

From	To	MEA	MAA
<b>§ 95.3000 Low Altitude RNAV Routes</b>			
<b>§ 95.3310 RNAV Route T310 Is Amended To Read in Part</b>			
Tucson, AZ VORTAC ..... **9200—MCA Sulli, AZ FIX, E BND *7200—MOCA	**Sulli, AZ FIX .....	*8000	17500
From	To	MEA	
<b>§ 95.6001 Victor Routes-U.S.</b>			
<b>§ 95.6001 VOR Federal Airway V1 Is Amended To Read in Part</b>			
Hartford, CT VOR/DME ..... Dvany, CT FIX .....	Dvany, CT FIX ..... Graym, MA FIX .....		3000 *4000
*2500—MOCA			