

document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 proposed 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 the 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 the high and low offshore airspace areas off the coast of California.

#### ICAO Considerations

As part of this proposal relates to navigable airspace outside the United States, this notice is submitted in accordance with the ICAO International Standards and Recommended Practices. The application of International Standards and Recommended Practices by the FAA, Office of System Operations Airspace and AIM, Airspace and Rules Group, in areas outside the United States domestic airspace, is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction. In accordance with Article 3 of the Convention, state-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft. Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator is consulting with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

#### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," prior to any FAA final regulatory action.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009 and effective September 15, 2009, is amended as follows:

*Paragraph 2003 Offshore Airspace Areas.*

\* \* \* \* \*

#### **Pacific High, CA [Amended]**

That airspace extending upward from 18,000 feet MSL to and including FL 600 bounded on the north by the Vancouver FIR boundary, on the east by a line 12 miles from and parallel to the U.S. shoreline, and on south by the Mexico FIR boundary, and on the west by the Oakland Oceanic CTA/FIR boundary, excluding active Warning Area airspace.

\* \* \* \* \*

*Paragraph 6007 Offshore Airspace Areas.*

\* \* \* \* \*

#### **Pacific Low, CA [Amended]**

That airspace extending upward from 5,500 feet MSL bounded on the north by the Vancouver FIR boundary, on the east by a line 12 miles from and parallel to the U.S. shoreline, and on south by the Mexico FIR boundary, and on the west by the Oakland Oceanic FIR boundary, excluding active Warning Area airspace.

Issued in Washington, DC, May 26, 2010.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. 2010–13603 Filed 6–4–10; 8:45 am]

**BILLING CODE 4910–13–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA–2010–0397; Airspace Docket No. 10–AAL–7]**

#### **Proposed Establishment and Amendment of Area Navigation (RNAV) Routes; Alaska**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to establish two and modify four Area Navigation (RNAV) routes in Alaska. T and Q-routes are Air Traffic Service (ATS) routes, based on RNAV, for use by aircraft having instrument flight rules (IFR)-approved Global Positioning System (GPS)/Global Navigation Satellite System (GNSS) equipment, or Distance Measuring Equipment (DME)/DME Inertial Reference Unit (IRU) navigation capability. The FAA is proposing this action to enhance safety and improve the efficient use of the navigable airspace in Alaska.

**DATES:** Comments must be received on or before July 22, 2010.

**ADDRESSES:** Send comments on the proposal to the U.S. Department of Transportation, Docket Operations, M–

30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify FAA Docket No. FAA-2010-0397 and Airspace Docket No. 10-AAL-7 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2010-0397 and Airspace Docket No. 10-AAL-7) and be submitted in triplicate to the Docket Management Facility (see **“ADDRESSES”** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA-2010-0397 and Airspace Docket No. 10-AAL-7.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s Web page at [http://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see **“ADDRESSES”** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Alaskan Service Center, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA’s Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish two RNAV T-routes, T-267 and T-271, and modify four RNAV T-routes and Q-routes in Alaska. In response to comments received for a NPRM published February 12, 2009, (74 FR 7012), a new T-route T-267 is proposed, which would circumvent the ocean near Kotzebue, AK, allowing IFR aircraft to fly closer to the shoreline. Also, one modified T-route would continue south from Frederick’s Point Non-directional Beacon, which would allow connectivity between Juneau and Ketchikan, AK. Two T-routes would be modified to allow lower minimum en route altitudes to be flown. Additionally, one Q-route would be revised providing a more direct route between Anchorage and Galena, AK. The RNAV routes described in this NPRM would enhance safety, and facilitate more flexible and efficient use of the navigable airspace for en route IFR operations in Alaska.

A graphical representation of this proposal is on the web (downloadable PDF file) at: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/fs/alaskan/notices/RNAV\\_Routes-2010/](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/fs/alaskan/notices/RNAV_Routes-2010/).

The High Altitude RNAV Routes are published in paragraph 2006, and Low Altitude RNAV Routes are published in paragraph 6011, in FAA Order 7400.9T,

Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR 71.1. The airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (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 proposed 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 the 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 proposes to establish and revise RNAV routes in Alaska.

##### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” prior to any FAA final regulatory action.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

##### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

*Paragraph 2006 United States Area Navigation Routes.*

\* \* \* \* \*

**Q–8 ANC to GAL [Revised]**

GAL VOR/DME  
(Lat. 64°44'17" N., long. 156°46'38" W.)  
ANC VOR/DME  
(Lat. 61°09'03" N., long. 150°12'24" W.)  
\* \* \* \* \*

*Paragraph 6011 United States Area Navigation Routes.*

\* \* \* \* \*

**T–227 SYA to SCC [Modified]**

SYA VORTAC  
(Lat. 52°43'06" N., long. 174°03'44" E.)  
JANNT WP  
(Lat. 52°04'18" N., long. 178°15'37" W.)  
BAERE WP  
(Lat. 52°12'12" N., long. 176°08'09" W.)  
ALEUT FIX  
(Lat. 54°14'17" N., long. 166°32'52" W.)  
MORDI FIX  
(Lat. 54°52'50" N., long. 165°03'15" W.)  
GENFU FIX  
(Lat. 55°23'19" N., long. 163°06'22" W.)  
BINAL FIX  
(Lat. 55°46'00" N., long. 161°59'56" W.)  
PDN NDB/DME  
(Lat. 56°57'15" N., long. 158°38'51" W.)  
BATTY FIX  
(Lat. 59°03'57" N., long. 155°04'42" W.)  
AMOTT FIX  
(Lat. 60°53'56" N., long. 151°21'46" W.)  
ANC VOR/DME  
(Lat. 61°09'03" N., long. 150°12'24" W.)  
FAI VORTAC  
(Lat. 64°48'00" N., long. 148°00'43" W.)  
SCC VOR/DME  
(Lat. 70°11'57" N., long. 148°24'58" W.)  
\* \* \* \* \*

**T–266 CGL to ANN [Modified]**

CGL NDB  
(Lat. 58°21'33" N., long. 134°41'58" W.)  
FPN NDB  
(Lat. 56°47'32" N., long. 132°49'16" W.)  
ANN VOR/DME  
(Lat. 55°03'37" N., long. 131°34'42" W.)  
\* \* \* \* \*

**T–267 OME to OTZ [New]**

OME VOR/DME

(Lat. 64°29'06" N., long. 165°15'11" W.)  
BALIN FIX  
(Lat. 64°33'55" N., long. 161°34'32" W.)  
OTZ VOR/DME  
(Lat. 66°53'09" N., long. 162°32'24" W.)  
\* \* \* \* \*

**T–271 CDB to AMOTT [New]**

CDB VORTAC  
(Lat. 55°16'03" N., long. 162°46'27" W.)  
BINAL FIX  
(Lat. 55°46'00" N., long. 161°59'56" W.)  
AKN VORTAC  
(Lat. 58°43'29" N., long. 156°45'08" W.)  
AMOTT FIX  
(Lat. 60°53'56" N., long. 151°21'46" W.)  
\* \* \* \* \*

**T–273 FAI to ROCES [Modified]**

FAI VORTAC  
(Lat. 64°48'00" N., long. 148°00'43" W.)  
AYKID FIX  
(Lat. 65°50'58" N., long. 147°16'34" W.)  
TUVVO FIX  
(Lat. 67°37'20" N., long. 146°04'49" W.)  
ROCES WP  
(Lat. 70°08'34" N., long. 144°08'16" W.)

Issued in Washington, DC, May 28, 2010.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. 2010–13596 Filed 6–4–10; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF COMMERCE**

**Bureau of Industry and Security**

**15 CFR Part 700**

**[Docket No. 0912311453–0016–01]**

**RIN 0694–AE81**

**Revisions to Defense Priorities and Allocations System Regulations**

**AGENCY:** Bureau of Industry and Security, Department of Commerce.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would reorganize and clarify existing standards and procedures by which the Bureau of Industry and Security (BIS) may require that certain contracts or orders that promote the national defense be given priority over other contracts or orders. This rule also sets new standards and procedures by which BIS may allocate materials, services and facilities to promote the national defense. BIS is publishing this rule to comply with a requirement of the Defense Production Act Reauthorization of 2009 to publish regulations providing standards and procedures for prioritization of contracts and orders and for allocation of materials, services and facilities to promote the national defense.

**DATES:** Comments must be received by July 7, 2010.

**ADDRESSES:** You may submit comments, identified by RIN 0694–AE81, by any of the following methods:

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

• By e-mail directly to [bis@publiccomments.bis.doc.gov](mailto:bis@publiccomments.bis.doc.gov). Include RIN 0694–AE81 in the subject line.

• By mail or delivery to Regulatory Policy Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 2705, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** John Isbell, Director (Acting), Defense Programs Division, Office of Strategic Industries and Economic Security, Bureau of Industry and Security; (202) 482–8229, [jisbell@bis.doc.gov](mailto:jisbell@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

This rule updates and expands 15 CFR part 700, the Bureau of Industry and Security’s (BIS) Defense Priorities and Allocations System (DPAS) regulations. The DPAS regulations implement BIS’ administration of priorities and allocations actions involving industrial resources. BIS administers the DPAS pursuant to authority under Title I of the Defense Production Act (50 U.S.C. app. 2071 *et seq.*) (DPA) as delegated by Executive Order 12919 (June 3, 1994). The DPAS has two principal components: Priorities and allocations. Under the priorities component, certain contracts between the government and private parties or between private parties for the production or delivery of industrial resources are required to be given priority over other contracts to facilitate expedited delivery in promotion of the U.S. national defense. Under the allocations component, materials, services, and facilities may be allocated to promote the national defense. For both components, the term “national defense” is defined broadly and can include critical infrastructure protection and restoration, emergency preparedness, and recovery from natural disasters. BIS has extensive experience using its prioritizations authorities. However, BIS has not used its allocations authorities in more than fifty years.

On September 30, 2009, the Defense Production Act Reauthorization of 2009 (Pub. L. 111–67, 123 Stat. 2006, September 30, 2009) (DPA) was enacted. That act requires that within 270 days of its enactment (that is, by June 20, 2010), all agencies to which the