

**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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011 and effective September 15, 2011, is amended as follows:

*Paragraph 6010 VOR federal airways.*

\* \* \* \* \*

**V-130 [Amended]**

From Norwich, CT; INT Norwich 114° and Martha's Vineyard, MA 267° radials; to Martha's Vineyard.

**V-203 [Amended]**

From INT Chester, MA 266° and Albany, NY 134° radials; Albany; Saranac Lake, NY; Massena, NY; to INT Massena 047° and St. Jean, Canada 270° radials. The airspace within Canada is excluded.

**V-205 [Removed]**

**V-405 [Amended]**

From INT Pottstown, PA, 222° and Baltimore, MD, 034° radials; Pottstown; INT

Pottstown 050° and Solberg, NJ, 264° radials; Solberg; INT Solberg 044° and Carmel, NY, 243° radials; Carmel; INT Carmel 344° and Pawling, NY, 204° radials; Pawling; Barnes, MA; Putnam, CT; Providence, RI; INT Providence 151° and Martha's Vineyard, MA, 267° radials; to Martha's Vineyard.

**V-419 [Amended]**

From Westminster, MD to Modena, PA; Solberg, NJ; INT Solberg 044° and Carmel, NY 243° radials; Carmel; to INT Carmel 045° and Madison, CT 328° radials.

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*Paragraph 6011 United States area navigation routes.*

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**T-212 WEARD, NY to Putnam, CT (PUT) [New]**

WEARD, NY	Fix	(lat. 41°45'44" N., long. 74°31'30" W.)
WEETS, NY	Fix	(lat. 41°51'27" N., long. 74°11'52" W.)
NELIE, CT	INT	(lat. 41°56'28" N., long. 72°41'19" W.)
Putnam, CT (PUT)	VOR/DME	(lat. 41°57'20" N., long. 71°50'39" W.)

**T-255 NELIE, CT to Martha's Vineyard, MA (MVY) [New]**

NELIE, CT	INT	(lat. 41°56'28" N., long. 72°41'19" W.)
Providence, RI (PVD)	VORTAC	(lat. 41°43'28" N., long. 71°25'47" W.)
FALMA, RI	Fix	(lat. 41°22'22" N., long. 71°10'16" W.)
Martha's Vineyard, MA (MVY)	VOR/DME	(lat. 41°23'46" N., long. 70°36'46" W.)

**T-300 Albany, NY (ALB) to Martha's Vineyard, MA (MVY) [New]**

Albany, NY (ALB)	VORTAC	(lat. 42°44'50" N., long. 73°48'11" W.)
NELIE, CT	INT	(lat. 41°56'28" N., long. 72°41'19" W.)
Norwich, CT (ORW)	VOR/DME	(lat. 41°33'23" N., long. 72°59'58" W.)
MNNK, RI	Fix	(lat. 41°21'41" N., long. 71°25'27" W.)
FALMA, RI	Fix	(lat. 41°22'22" N., long. 71°10'16" W.)
Martha's Vineyard, MA (MVY)	VOR/DME	(lat. 41°23'46" N., long. 70°36'46" W.)

Issued in Washington, DC, on March 28, 2012.

**Gary A. Norek,**

*Manager, Airspace Regulations and ATC Procedures Group.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 117 and 121**

[Docket No. FAA-2012-0358]

**Notice of Procedures for Submitting Clarifying Questions Concerning the Flight, Duty, and Rest Requirements of Part 117**

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

**ACTION:** Notice of procedures for submitting clarifying questions.

**SUMMARY:** The FAA published a final rule on January 4, 2012 that amends the existing flight, duty and rest regulations applicable to certificate holders and their flightcrew members. Since then,

the FAA has received questions from stakeholders concerning the provisions of the final rule. In response to these questions, the FAA is issuing this document, which announces the procedures for submitting clarifying questions to the final rule.

**DATES:** You must submit your clarifying questions in writing using the procedures outlined below by June 4, 2012.

**ADDRESSES:** See the "Procedures for Submitting Clarifying Questions" section of this document.

**FOR FURTHER INFORMATION CONTACT:** See the "Procedures for Submitting Clarifying Questions" section of this document.

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 4, 2012, the FAA published a final rule entitled, "Flightcrew Member Duty and Rest Requirements" (77 FR 330). In that rule, the FAA created new part 117, which replaces the existing flight, duty, and rest regulations, contained in Subparts Q, R, and S, for part 121 passenger operations. As part of this rulemaking,

the FAA also applied the new part 117 to certain part 91 operations, and permitted all-cargo operations operating under part 121 to voluntarily opt into the part 117 flight, duty, and rest regulations.

Since the rule was published, the FAA has received numerous questions concerning the provisions of the final rule. Even though the final rule's compliance date is January 4, 2014, the FAA concludes that responding to the questions and providing additional regulatory clarity will enable the stakeholders to better plan the changes that they will need to make in order to comply with the final rule. To the extent possible, the FAA also seeks to ensure consistency of interpretation by answering the stakeholders' questions in a single document instead of multiple different interpretations.

Accordingly, the FAA requests that all clarifying questions be submitted to the docket no later than June 4, 2012. The FAA emphasizes that it is not reconsidering the provisions of the final rule or reopening the final rule to notice and comment. Rather, the FAA is simply soliciting questions about how the final rule works so that the FAA can

provide greater clarity to the stakeholders by answering those questions.

### Procedures for Submitting Clarifying Questions

If you wish to submit a request to the FAA for clarification of the Flightcrew Member Duty and Rest Requirements final rule, you must send your request using the below method by June 4, 2012.

1. Post your request on the Federal eRulemaking Portal. To access this electronic docket, go to <http://www.regulations.gov>, enter Docket Number FAA-2012-0358, and follow the online instructions for sending your request electronically.

2. In addition to sending your request to the electronic docket, send a copy via email to the subject matter expert as noted below.

Technical Questions: Dale E. Roberts, Air Transportation Division, Flight Standards Service, Federal Aviation Administration; email [dale.e.roberts@faa.gov](mailto:dale.e.roberts@faa.gov).

Legal Questions: Alex Zektser, Office of the Chief Counsel, Regulations Division, Federal Aviation Administration; email [alex.zektser@faa.gov](mailto:alex.zektser@faa.gov).

The FAA will attempt to reply to the clarifying questions that are submitted by June 4, 2012.

Issued in Washington, DC, on March 26, 2012.

**Rebecca B. MacPherson,**

*Assistant Chief Counsel for Regulations, AGC-200.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**14 CFR Parts 400, 401, 404, 405, 406, 413, 414, 415, 417, 420, 431, 433, 435, 437, 440, 460**

#### 49 CFR Part 1

**[Docket No. FAA-2012-0232; Amendment Nos. 400-3, 401-7, 404-5, 405-5, 406-7, 413-10, 414-2, 415-5, 417-3, 420-5, 431-3, 433-2, 435-2, 437-1, 440-3, 460-1; 1-114; related to Docket Nos. 28851, 43810, FAA-1999-5535, FAA-1999-5833, FAA-1999-5835, FAA-2000-7953, FAA-2001-8607, FAA-2005-21332, FAA-2005-23449, FAA-2006-24197, FAA-2007-27390; OST Docket No. 1]**

**[RINs 2120-AF99, 2120-AG71, 2120-AG15, 2120-AG72, 2120-AG37, 2120-AH18, 2120-AI50, 2120-AI57, 2120-AI56, 2120-AI88]**

### Correction of Authority Citations for Commercial Space Transportation

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

**ACTION:** Technical amendment.

**SUMMARY:** In 2010, Congress transferred the statute authorizing the FAA's commercial space transportation regulations. This action is necessary to correct affected citations in the Code of Federal Regulations to reflect this transfer of authority. The intended effect of this action is to make the affected regulations comply with the statute.

**DATES:** These amendments become effective April 5, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Laura Montgomery, Senior Attorney for Commercial Space Transportation, Office of the Chief Counsel, Regulations Division, AGC-200, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-3150; facsimile (202) 267-7971; email [laura.montgomery@faa.gov](mailto:laura.montgomery@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Since 1994, the FAA has operated in the area of commercial space launch activities under the authority delegated by Congress in 49 U.S.C. chapter 701. See Revision of Title 49, United States Code Annotated, "Transportation," Public Law 103-272, 108 Stat. 745, 1130 (1994). The FAA implements these regulations through Title 14, Code of Federal Regulations (14 CFR) chapter III, Commercial Space Transportation.

In 2010, Congress consolidated commercial space laws into a single, unified title of the United States Code. See Enactment of Title 51—National

and Commercial Space Programs, Public Law 111-314, 124 Stat. 3328 (2010). Congress' purpose was "to codify certain existing laws related to national and commercial space programs as a positive law title of the United States Code." *Id.* During this process, 49 U.S.C. chapter 701 was transferred and redesignated as 51 U.S.C. chapter 509. The recodification makes no substantive changes.

The congressional transfer of authority made a number of citations in the Code of Federal Regulations obsolete. See 14 CFR chapter III (2011); 49 CFR 1.47 (2010). This amendment corrects the affected citations to accurately reference the new citations. This amendment does not make substantive changes to the affected regulations.

#### List of Subjects

##### 14 CFR Part 400

Space transportation and exploration.

##### 14 CFR Part 401

Organization and functions (Government agencies), Space safety, Space transportation and exploration.

##### 14 CFR Part 404

Administrative practice and procedure, Space safety, Space transportation and exploration.

##### 14 CFR Part 405

Investigations, Penalties, Space safety, Space transportation and exploration.

##### 14 CFR Part 406

Administrative practice and procedure, Space safety, Space transportation and exploration.

##### 14 CFR Part 413

Confidential business information, Human space flight, Reporting and recordkeeping requirements, Space safety, Space transportation and exploration.

##### 14 CFR Part 414

Airspace, Aviation safety, Space transportation and exploration.

##### 14 CFR Part 415

Aviation safety, Environmental protection, Rockets, Space safety, Space transportation and exploration.

##### 14 CFR Part 417

Aviation safety, Reporting and recordkeeping requirements, Rockets, Space safety, Space transportation and exploration.