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#### SUPPLEMENTARY INFORMATION:

#### Good Cause for Immediate Adoption Without Prior Notice

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency for “good cause” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without seeking comment prior to the rulemaking.

Section 553(d)(3) of the Administrative Procedure Act requires that agencies publish a rule not less than 30 days before its effective date, except as otherwise provided by the agency for good cause found and published with the rule.

This document is correcting an error that is in 14 CFR 91.225, ADS-B Out equipment and use. This correction will not impose any additional restrictions on the persons affected by these regulations. Furthermore, any additional delay in making the regulations correct would be contrary to the public interest. Accordingly, the FAA finds that (i) public comment on these standards prior to promulgation is unnecessary, and (ii) good cause exists to make this rule effective in less than 30 days.

#### Background

On May 28, 2010, the FAA published a final rule entitled, “Automatic Dependent Surveillance—Broadcast Out Performance Requirements To Support Air Traffic Control Service” (75 FR 30160).

In that final rule, the FAA established § 91.225, which provides the ADS-B equipment requirements necessary to operate in certain classes of airspace effective January 1, 2020. Under paragraph (a)(1) of that section and in order to operate an aircraft in Class A airspace, an aircraft must have installed equipment that “meets the requirements of TSO-C166b.” Under paragraph (b)(1) of that section, in order to operate an aircraft below 18,000 feet MSL and in identified airspace described subsequently in § 91.225, an aircraft must be equipped with equipment that “meets the requirements of TSO-C166b; or TSO-C154c . . .”. In reviewing these paragraphs, the FAA notes that the regulatory text implies that the equipment must meet all the requirements of the referenced TSOs. As the ADS-B Out rule is a performance-

based rule, it was not the FAA’s intent to arguably limit operators to only install equipment marked with a TSO in accordance with 14 CFR part 21, subpart O. The FAA’s intent was to permit equipment that meets the performance requirements set forth in the referenced TSOs. Evidence of that intent is found in the Notice of Proposed Rulemaking (NPRM) for this rule. In the NPRM, the FAA proposed in § 91.225(a)(1) and (c)(1) that the equipment installed “Meets the performance requirements in TSO-C-166a” (72 FR 56947, 56971). The inadvertent removal of the word “performance” in the paragraphs implementing these provisions in the final rule was in error and resulted in confusion as to whether the regulation permits other than equipment marked with a TSO, provided that equipment met the specified performance requirements.

#### Technical Amendment

In order to address any confusion and clarify the equipage requirements permitted under this rule, the FAA is amending § 91.225 to insert text specifying the necessary performance requirements.

Because the changes in this technical amendment result in no substantive change, we find good cause exists under 5 U.S.C. 553(d)(3) to make the amendment effective in less than 30 days.

#### List of Subjects in 14 CFR part 91

Air traffic control, Aircraft, Airports, Aviation safety.

#### The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends chapter I of title 14, Code of Federal Regulations as follows:

#### PART 91—GENERAL OPERATING AND FLIGHT RULES

- 1. The authority citation for part 91 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 1155, 40101, 40103, 40105, 40113, 40120, 44101, 44111, 44701, 44704, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506–46507, 47122, 47508, 47528–47531, 47534, articles 12 and 29 of the Convention on International Civil Aviation (61 Stat. 1180), (126 Stat. 11).

- 2. In § 91.225, revise paragraphs (a) and (b) to read as follows:

#### § 91.225 Automatic Dependent Surveillance-Broadcast (ADS-B) Out equipment and use.

(a) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft in Class A

airspace unless the aircraft has equipment installed that—

(1) Meets the performance requirements in TSO-C166b, Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Service-Broadcast (TIS-B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz); and

(2) Meets the requirements of § 91.227.

(b) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft below 18,000 feet MSL and in airspace described in paragraph (d) of this section unless the aircraft has equipment installed that—

(1) Meets the performance requirements in—

(i) TSO-C166b; or  
(ii) TSO-C154c, Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B) Equipment Operating on the Frequency of 978 MHz;

(2) Meets the requirements of § 91.227.

\* \* \* \* \*

Issued under authority of 49 U.S.C. 106(f) and in Washington, DC, on February 4, 2015.

**Lirio Liu,**

*Director, Office of Rulemaking.*

[FR Doc. 2015–02579 Filed 2–6–15; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF COMMERCE

### Bureau of the Census

#### 15 CFR Part 30

[Docket Number: 140626542–4999–02]

**RIN 0607–AA52**

#### Foreign Trade Regulations (FTR): Clarification on Uses of Electronic Export Information

**AGENCY:** Bureau of the Census, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of the Census (Census Bureau) issues this final rule amending the Foreign Trade Regulations (FTR) to reflect changes related to the implementation of the International Trade Data System (ITDS) and subsequent changes to access the Electronic Export Information (EEI). The ITDS was established to eliminate redundant information requirements, efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade by establishing a

single portal system for the collection and distribution of standard electronic import and export data required by all participating federal agencies. The Automated Export System (AES), which is a part of the Automated Commercial Environment (ACE), will include export information collected under other federal agencies' authority, which is subject to those agencies' disclosure mandates. This rule clarifies the confidentiality provisions of the EEI and facilitates the legitimate sharing of export data consistent with the goals for the ITDS. On August 22, 2014, the Census Bureau published this rule on an interim final basis. The Census Bureau is finalizing this rule without change.

**DATES:** *Effective date:* This rule is effective February 9, 2015. The interim rule published on August 22, 2014 (79 FR 49659), became effective August 22, 2014.

**FOR FURTHER INFORMATION CONTACT:** Dale C. Kelly, Chief, International Trade Management Division, U.S. Census Bureau, 4600 Silver Hill Road, Room 6K032, Washington, DC 20233-6700, by phone (301) 763-6937, by fax (301) 763-8835, or by email [dale.c.kelly@census.gov](mailto:dale.c.kelly@census.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Census Bureau is responsible for collecting, compiling, and publishing export trade statistics for the United States under the provisions of Title 13, United States Code (U.S.C.), Chapter 9, Section 301. The Automated Export System (AES) is the primary instrument used for collecting export trade data, which are used by the Census Bureau for statistical purposes. Through the AES, the Census Bureau collects the Electronic Export Information (EEI), the electronic equivalent of the export data formerly collected on the Shipper's Export Declaration, reported pursuant to Title 15, Code of Federal Regulations (CFR), Part 30. The EEI consists of data elements set forth in 15 CFR 30.6 for an export shipment, and includes information such as the exporter's name, address and identification number, and detailed information concerning the exported product. Other agencies use the EEI for the purpose of enforcing U.S. export laws and regulations. The EEI is exempt from public disclosure unless the Secretary of Commerce determines under the provisions of Title 13, U.S.C., Chapter 9, Section 301(g) that such exemption would be contrary to the national interest.

The Security and Accountability for Every Port Act of 2006 (SAFE Port Act,

Pub. L. 109-347) established the International Trade Data System (ITDS). Pursuant to Section 405(d) of that Act, the purpose of the ITDS is to eliminate redundant information requirements, efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade by establishing a single portal system for the collection and distribution of standard electronic import and export data required by all participating federal agencies. The AES will include export information collected under other federal agencies' authority, which is subject to those agencies' disclosure mandates. Access and use of EEI by other federal agencies will also increase under the ITDS.

In accordance with the interim final rule published on August 22, 2014, this rule clarifies the confidentiality provisions of the EEI by amending § 30.60 of the Foreign Trade Regulations. This revision will allow federal agencies with appropriate authority to access export data in the AES, and ensure consistency with the Executive Order of February 19, 2014, titled, "Streamlining the Export/Import Process for America's Businesses." This rule will facilitate the legitimate sharing of export data consistent with the goals for the ITDS.

##### Summary of Comments and Responses

The Census Bureau received two comments on the interim final rule published in the **Federal Register** on August 22, 2014 (79 FR 49659). A summary of the comments and the Census Bureau's responses are provided below.

The major concerns were as follows:

1. *Clarify if exporters are prohibited from sending Electronic Export Information (EEI) to a document management company outside of the United States for scanning/record retention purposes.* One commenter requested clarification on the use of foreign document management companies to retain EEI. The EEI may not be supplied by the USPPPI, the authorized agent, or representative of the USPPPI to foreign entities or foreign governments for any purpose. As a result, the EEI may not be supplied to a foreign document management company. However, it is permissible for a U.S. party to maintain its own IT system and application software on a server located outside of the U.S. In this situation, the U.S. party is responsible for maintaining the confidentiality of the EEI, must implement proper safeguards to ensure the EEI is protected from unauthorized use, and is liable for

any violations of the Foreign Trade Regulations.

2. *Request to add "foreign persons" to Section 30.60(c)(4).* One commenter requested that the Census Bureau add "foreign persons" to the list of parties prohibited from receiving the EEI. Section 30.60(c)(4) prohibits "foreign entities," a term which includes both foreign persons and companies. As a result, the previous regulations remain appropriate.

##### Rulemaking Requirements

###### *Administrative Procedure Act*

The Census Bureau finds good cause pursuant to Title 5, United States Code (U.S.C.), 553 (b)(3)(B) to waive prior notice and opportunity for public comment, as contrary to the public interest. With the implementation of the International Trade Data System (ITDS), the Automated Export System (AES) will capture export information collected and used by other federal agencies under their authorities. The Census Bureau is undertaking this amendment in order to accurately reflect the authorized uses of Electronic Export Information (EEI) by other federal agencies resulting from the ITDS. In particular, this rule amends § 30.60 of the Foreign Trade Regulations to help ensure that federal agencies with appropriate authority can access export data in the AES, which will ensure the efficient and timely flow of exports as well as protect U.S. interests in export controls and enforcement. Additionally, the rule complies with the directives and timelines established by the Executive Order of February 19, 2014, titled "Streamlining the Export/Import Process for America's Businesses." Allowing for a period of notice and comment may delay exports and make export control more difficult, both of which are contrary to public interest.

###### *Regulatory Flexibility Act*

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this rule will not have a significant impact on a substantial number of small entities.

The purpose and goal of this rule are explained in the preamble, and are not repeated here. This rule does not mandate any new filing requirements and does not directly impact any small or large entities. Rather, this rule's impact is largely on federal entities. Indeed, to the extent they will be indirectly impacted by this rule, small entities will see reduced burdens for exports because this rule creates a

“single window” through which exporters can comply with export laws and regulations. We received no comments on the certification in the proposed rule; accordingly, no Regulatory Flexibility analysis is required and none has been prepared.

#### *Executive Orders*

This rule has been determined to be not significant for purposes of Executive Orders 12866 and 13563, and has been drafted according to the requirements of those Executive Orders. It has also been determined that this rule does not contain policies with federalism implications as that term is defined under Executive Order 13132.

#### *Paperwork Reduction Act*

This rule does not contain any information collection subject to the Paperwork Reduction Act (PRA). However, notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a current, valid Office of Management and Budget (OMB) control number.

#### **List of Subjects in 15 CFR Part 30**

Economic statistics, Exports, Foreign trade, Reporting, and recordkeeping requirements.

Accordingly, as discussed above, the interim final rule amending title 15, Code of Federal Regulations, part 30, which was published at 79 FR 49659 on August 22, 2014, is adopted as a final rule without change.

Dated: January 30, 2015.

**John H. Thompson,**

*Director, Bureau of the Census.*

[FR Doc. 2015–02520 Filed 2–6–15; 8:45 am]

**BILLING CODE 3510–07–P**

## **SECURITIES AND EXCHANGE COMMISSION**

### **17 CFR Part 200**

[Release No. 33–9273A, 34–65686A, 39–2480A, IA–3310A and IC–29855A]

### **Rescission of Outdated Rules and Forms, and Amendments To Correct References**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Technical amendment.

**SUMMARY:** The Securities and Exchange Commission (“SEC” or “Commission”) is making technical amendments to

update control numbers assigned to information collection requirements of the Commission by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1980.

**DATES:** *Effective date:* February 9, 2015.

#### **FOR FURTHER INFORMATION CONTACT:**

Daniel K. Chang, Senior Counsel, at (202) 551–6792, Office of Regulatory Policy, Division of Investment Management, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–8549.

**SUPPLEMENTARY INFORMATION:** The Commission published a final rule at 76 FR 71872, on November 21, 2011, which rescinded rules and forms adopted under the Public Utility Holding Company Act (“PUHCA”),<sup>1</sup> revised other rules and forms to correct outdated references to PUHCA, corrected outdated references due to enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“the Dodd-Frank Act”), and made other ministerial corrections.<sup>2</sup> Congress repealed PUHCA effective 2006, and the Dodd-Frank Act amended various provisions of the federal securities laws and removed references to PUHCA from those laws.

The final rule contained a typographical error that prevented an amendment to the Code of Federal Regulations.<sup>3</sup> This technical amendment is being published so that the table in 17 CFR 200.800(b) can be updated to reflect that amendment.

#### **List of Subjects in 17 CFR Part 200**

Administrative practice and procedure, Authority delegations (Government agencies), Classified information, Conflicts of interest, Government employees, Organization and functions (Government agencies).

#### **Text of the Amendments**

For the reasons set out in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

<sup>1</sup> 15 U.S.C. 79 (repealed effective 2006).

<sup>2</sup> Public Law 111–203, 124 Stat. 1376 (2010).

<sup>3</sup> The final rule incorrectly referenced 17 CFR 200.80(b) of Subpart M, rather than 17 CFR 200.800(b) of Subpart N. As a result of the incorrect reference, the table in 17 CFR 200.800(b) of Subpart N was not amended.

## **PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS**

### **Subpart N—Commission Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers**

■ 1. The authority citation for part 200, subpart N, continues to read as follows:

**Authority:** 44 U.S.C. 3506; 44 U.S.C. 3507.

#### **§ 200.800 [Amended]**

■ 2. In § 200.800(b), in the table, remove the following entries: Form ET, wherever it appears; Rule 1(a); Rule 1(b); Rule 1(c); Rule 2; Rule 3; Rule 7; Rule 7(d); Rule 20(b); Rule 20(c); Rule 20(d); Rule 23; Rule 24; Rule 26; Rule 29; Rule 44; Rule 45; Rule 47(b); Rule 52; Form 53; Rule 54; Rule 57(a); Rule 57(b); Rule 58; Rule 62; Rule 71(a); Rule 72; Rule 83; Rule 87; Rule 88; Rule 93; Rule 94; Rule 95; Rule 100(a); Uniform System of Accounts for Mutual Service Companies and Subsidiary Service Companies, Public Utility Holding Company Act of 1935; Preservation and Destruction of Records of Registered Public Utility Holding Companies and of Mutual and Subsidiary Service Companies; Form U5A; Form U5B; Form U5S; Form U–1; Form U–13–1; Form U–6B–2; Form U–57; Form U–9C–3; Form U–12(I)–A; Form U–12(I)–B; Form U–13E–1; Form U–R–1; Form U–13–60; Form U–3A–2; Form U–3A3–1; Form U–7D; Form U–33–S; Form ID, 259.602, 3235–0328; and Form SE., 259.603, 3235–0327.

Dated: February 3, 2015.

**Brent J. Fields,**

*Secretary.*

[FR Doc. 2015–02465 Filed 2–6–15; 8:45 am]

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## **DEPARTMENT OF THE TREASURY**

### **Alcohol and Tobacco Tax and Trade Bureau**

### **27 CFR Part 9**

[Docket No. TTB–2014–0003; T.D. TTB–127; Ref: Notice No. 142]

**RIN 1513–AC05**

### **Establishment of The Rocks District of Milton-Freewater Viticultural Area**

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Final rule; Treasury decision.

**SUMMARY:** The Alcohol and Tobacco Tax and Trade Bureau (TTB) establishes the approximately 3,770-acre “The Rocks