

That airspace extending upward from 700 feet above the surface within an 8.7-mile radius of the Riverton Regional Airport and within 4 miles each side of the Riverton VOR/DME 291° radial extending from the 8.7-mile radius to 16.6 miles west of the VOR/DME, and within 3.1 miles each side of the Riverton VOR/DME 123° radial extending from the 8.7-mile radius to 10.5 miles southeast of the VOR/DME; that airspace extending upward from 1,200 feet above the surface within a 21.8-mile radius of the Riverton VOR/DME within 8.7 miles east and 6.1 miles west of the Riverton VOR/DME 016° radial extending from the 21.8-mile radius to 33.1 miles north of the VOR/DME, and within 6.1 miles northeast and 12.7 miles southwest of the Riverton VOR/DME 301° radial extending from the 21.8-mile radius to 32.2 miles northwest of the VOR/DME, on the east within an area bounded by a point beginning at lat. 42°56'30" N., long. 107°59'45" W.; to lat. 42°54'53" N., long. 107°44'31" W.; to lat. 42°42'35" N., long. 107°53'00" W.; to lat. 42°49'00" N., long. 108°06'00" W.; thence to the point of beginning.

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Issued in Seattle, Washington, on December 2, 2009.

**H. Steve Karnes,**

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

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2009-0695; Airspace Docket No. 09-AWP-7]

**Establishment and Modification of Class E Airspace; Bishop, CA**

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

**ACTION:** Final rule.

**SUMMARY:** This action will establish Class E surface airspace and modify existing Class E airspace at Bishop, CA. Additional controlled airspace is necessary to accommodate a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) developed for Eastern Sierra Regional Airport, Bishop, CA. This will improve the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, February 11, 2010. 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:**

Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

**SUPPLEMENTARY INFORMATION:**

**History**

On September 24, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to modify and establish additional controlled airspace at Bishop, CA, (74 FR 48671). 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 E airspace designations are published in paragraph 6002 and 6005, respectively, of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, 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 designated as surface areas and modifying existing Class E airspace extending upward from 700 feet above the surface at Bishop, CA. Additional controlled airspace is necessary for the safety and management of IFR aircraft executing a new RNAV (GPS) SIAP at Eastern Sierra Regional Airport, Bishop, CA.

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 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 additional controlled airspace at Eastern Sierra Regional Airport, Bishop, CA.

**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 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009 is amended as follows:

*Paragraph 6002 Class E airspace designated as surface areas.*

\* \* \* \* \*

**AWP CA, E2 Bishop, CA [New]**

Eastern Sierra Regional, CA  
(Lat. 37°22'23" N., long. 118°21'49" W.)

Within a 4.2-mile radius of Eastern Sierra Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

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

\* \* \* \* \*

**AWP CA, E5 Bishop, CA [Modified]**

Eastern Sierra Regional, CA  
(Lat. 37°22'23" N., long. 118°21'49" W.)  
Beatty VORTAC  
(Lat. 36°48'02" N., long. 116°44'52" W.)  
LIDAT Intersection

(Lat. 37°25'49" N., long. 117°16'41" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Eastern Sierra Regional Airport, and that airspace within 2.2 miles each side of the Eastern Sierra Regional Airport 337° bearing extending from the 6.7-mile radius to 27.8 miles northwest of the Eastern Sierra Regional Airport; and that airspace extending upward from 1,200 feet above the surface of the earth bounded by a line beginning at lat. 38°11'08" N., long. 118°46'30" W.; to lat. 38°13'14" N., long. 118°41'00" W.; to lat. 38°14'25" N., long. 118°17'04" W.; to lat. 38°03'17" N., long. 118°02'30" W.; to lat. 37°41'20" N., long. 118°16'42" W.; to lat. 37°09'50" N., long. 118°00'13" W.; to lat. 37°02'00" N., long. 118°21'30" W.; to lat. 38°11'08" N., long. 118°57'00" W.; thence to the point of origin. That airspace extending upward from 12,500 feet MSL within 4.3 miles each side of a direct course between the Eastern Sierra Regional Airport and LIDAT Intersection, 36.5 miles 12,500 feet MSL, 10,500 feet MSL LIDAT Intersection; and within 4.3 miles each side of a direct course between Eastern Sierra Regional Airport and the Beatty VORTAC 69.5 miles 12,500 feet MSL, 10,500 feet MSL Beatty VORTAC.

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**H. Steve Karnes,**

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

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## DEPARTMENT OF COMMERCE

### Bureau of Economic Analysis

#### 15 CFR Part 806

[Docket No. 090130089-91425-02]

RIN 0691-AA71

#### Direct Investment Surveys: BE-10, 2009 Benchmark Survey of U.S. Direct Investment Abroad

**AGENCY:** Bureau of Economic Analysis, Commerce.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends regulations of the Bureau of Economic Analysis (BEA), Department of Commerce, setting forth the reporting requirements for the 2009 BE-10, Benchmark Survey of U.S. Direct Investment Abroad. The benchmark survey covers the U.S. direct investment abroad universe, and is BEA's most comprehensive survey of such investment in terms of subject matter. Benchmark surveys are conducted every 5 years. The changes to the 2009 benchmark survey include: (a) Changes

in survey form design and reporting criteria to simplify the survey forms and improve response rates; and (b) modifications, deletions and additions of specific items on the survey forms. Some of the items that will no longer be collected are those that are now collected on BEA's surveys of international services.

**DATES:** This final rule will be effective on January 14, 2010.

**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; phone (202) 606-9835 or e-mail [David.Galler@bea.gov](mailto:David.Galler@bea.gov).

**SUPPLEMENTARY INFORMATION:** In the September 30, 2009, **Federal Register**, 74 FR 50150-50154, BEA published a notice of proposed rulemaking that set forth revised reporting criteria for the BE-10, Benchmark Survey of U.S. Direct Investment Abroad. No comments on the proposed rule were received. Thus, the proposed rule is adopted without change.

This final rule amends 15 CFR 806.16 to set forth the reporting requirements for the BE-10, Benchmark Survey of U.S. Direct Investment Abroad—2009.

#### Description of Changes

The changes to the benchmark survey include: (a) Changes in survey form design and reporting criteria to simplify the survey forms and improve response rates; and (b) modifications, deletions and additions of specific items on the survey forms. BEA is adding a question that will identify U.S. parent companies that use foreign manufacturing services to process or further manufacture goods that they own. Several items on cross-border services transactions between affiliated parties are no longer being collected on the benchmark survey because they are now collected on BEA's surveys of international services (BE-45, BE-120, BE-125, and BE-185).

BEA is discontinuing the use of separate forms for banks. The benchmark survey Form BE-10A BANK is being discontinued. Similarly, Form BE-10B BANK, report for foreign affiliates that are banks, is being discontinued. For 2009, bank and nonbank U.S. Reporters must file Form BE-10A, Report for U.S. Reporter. A U.S. Reporter must report all domestic operations on a fully consolidated basis. BEA is adding a question to Form BE-10A so it can continue to identify U.S. Reporters that are banks even if the majority of their revenues are generated by nonbanking activities.

All foreign affiliates, regardless of industry, must be filed on one of three foreign affiliate forms—

(a) Form BE-10B—report for majority-owned foreign affiliates with total assets, sales or gross operating revenues, or net income greater than \$80 million, positive or negative; additional items must be filed for affiliates with assets, sales, or net income greater than \$300 million, positive or negative. Form BE-10B replaces the 2004 benchmark survey Forms BE-10B(LF) long form and BE-10B(SF) short form for reporting large majority-owned foreign affiliates;

(b) Form BE-10C—report for majority-owned foreign affiliates with total assets, sales or gross operating revenues, or net income greater than \$25 million, positive or negative, but for which no one of these items is greater than \$80 million, positive or negative, and for minority-owned foreign affiliates with total assets, sales or gross operating revenues, or net income greater than \$25 million, positive or negative. Form BE-10C replaces the 2004 benchmark survey Form BE-10B(SF) short form for reporting small majority-owned foreign affiliates and minority-owned foreign affiliates; or

(c) Form BE-10D—schedule for foreign affiliates with total assets, sales or gross operating revenues, and net income less than or equal to \$25 million, positive or negative. Form BE-10D replaces the 2004 benchmark survey Form BE-10B Mini and the 2004 BE-10A Supplement A schedule for reporting the smallest majority- and minority-owned foreign affiliates.

BEA is also increasing the exemption level for reporting of selected items on Form BE-10A from \$150 million to \$300 million.

#### Survey Background

The BEA conducts the BE-10, Benchmark Survey of U.S. Direct Investment Abroad under the International Investment and Trade in Services Survey Act, 22 U.S.C. 3101-3108 (the Act). Section 4(b) of the Act provides that, with respect to United States direct investment abroad, "the President shall conduct a benchmark survey covering year 1982, a benchmark survey covering year 1989, and benchmark surveys covering every fifth year thereafter. In conducting surveys pursuant to this subsection, the "President shall, among other things and to the extent he determines necessary and feasible—

(1) Identify the location, nature, and magnitude of, and changes in total investment by any parent in each of its affiliates and the financial transactions