

economic concerns. Before making a decision on the proposed Project, DOS will consult with the eight federal agencies identified in Executive Order 13337: The Departments of Energy, Defense, Transportation, Homeland Security, Justice, Interior, and Commerce, and the Environmental Protection Agency.

The Department of State also intends to evaluate the potential environmental effects of the proposed project consistent with Section 102(C) of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) and implementing regulations promulgated by the Council on Environmental Quality (40 CFR parts 1500–1508) and the Department of State (22 CFR part 161), including in particular 22 CFR 161.7(c)(1). In addition, the Department of State intends to conduct consultations on possible impacts to traditional or cultural properties with interested Native American tribes consistent with Section 106 of the National Historical Preservation Act (NHPA).

**FOR FURTHER INFORMATION CONTACT:** The DOS Project Web site ([www.keystonepipeline-xl.state.gov](http://www.keystonepipeline-xl.state.gov)) provides Project-related information for viewing and downloading.

Issued in Washington, DC, on May 4, 2012.

Dated: May 4, 2012.

**Cynthia H. Akuetteh,**

*Acting Director, Office of Asia and Western Hemisphere, Bureau of Energy Resources, U.S. Department of State.*

Dated: May 4, 2012.

**George N. Sibley,**

*Director, Office of Environmental Policy, Bureau of Oceans and International Environmental and Scientific Affairs, U.S. Department of State.*

[FR Doc. 2012-11298 Filed 5-9-12; 8:45 am]

**BILLING CODE 4710-09-P**

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending April 28, 2012

The following Agreements were filed with the Department of Transportation under the Sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1382 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* DOT-OST-2012-0063.

*Date Filed:* April 23, 2012.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 708TC3, Special Passenger Amending Resolution 010o, Special Passenger Amending Resolution between Myanmar and TC3 (except South West Pacific), e-Tariffs, 18–20 April 2012. Intended Effective Date: 25 April 2012.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2012-11308 Filed 5-9-12; 8:45 am]

**BILLING CODE 4910-9X-P**

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary of Transportation

**[Docket No. DOT-OST-2012-0044]**

#### Department of Transportation Updated Environmental Justice Order 5610.2(a)

**AGENCY:** Office of the Secretary of Transportation, DOT.

**ACTION:** Final DOT Environmental Justice Order.

**SUMMARY:** The Department of Transportation (the Department or DOT) is issuing an update to Departmental Order 5610.2(a) (Actions to Address Environmental Justice in Minority Populations and Low-Income Populations). This Order updates the Department's original Environmental Justice Order, which was published April 15, 1997. The Order continues to be a key component of the Department's strategy to promote the principles of environmental justice in all Departmental programs, policies, and activities.

DOT Order 5610.2(a) sets forth the DOT policy to consider environmental justice principles in all (DOT) programs, policies, and activities. It describes how the objectives of environmental justice will be integrated into planning and programming, rulemaking, and policy formulation. The Order sets forth steps to prevent disproportionately high and adverse effects to minority or low-income populations through Title VI analyses and environmental justice analyses conducted as part of Federal transportation planning and NEPA provisions. It also describes the specific measures to be taken to address instances of disproportionately high and adverse effects and sets forth relevant definitions.

This updated Order reaffirms DOT's commitment to environmental justice and clarifies certain aspects of the original Order, including the definitions

of "minority" populations in compliance with the Office of Management and Budget's (OMB) Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity of October 30, 1997. The revisions clarify the distinction between a Title VI analysis and an environmental justice analysis conducted as part of a NEPA review, and affirm the importance of considering environmental justice principles as part of early planning activities in order to avoid disproportionately high and adverse effects. The updated Order maintains the original Orders general framework and procedures and DOT's commitment to promoting the principles of environmental justice in all DOT programs, policies, and activities.

This Order is effective upon its date of issuance.

**FOR FURTHER INFORMATION CONTACT:** Beth Osborne, Deputy Assistant Secretary for Transportation Policy, telephone (202) 366-8979, or [EJ@dot.gov](mailto:EJ@dot.gov), U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590.

#### Order 5610.2(a)

*Subject: Department of Transportation Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*

##### 1. Purpose and Authority

a. This Order updates and clarifies environmental justice procedures for the Department in response to the Memorandum of Understanding on Environmental Justice signed by heads of Federal agencies on August 4, 2011, DOT's revised environmental justice strategy issued on March 2, 2012, and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, dated February 11, 1994.

The Department's original Environmental Justice Order, issued April 15, 1997, was a key component of the Department's original strategy and established procedures to be used by DOT to comply with Executive Order 12898. This revised Order continues to be a key component of DOT's environmental justice strategy. It updates and clarifies certain aspects of the original Order while maintaining its general framework and procedures and DOT's commitment to promoting the principles of environmental justice in all DOT programs, policies, and activities. Relevant definitions are in the Appendix.

b. Executive Order 12898 requires each Federal agency, to the greatest