

7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, . . .” and add in its place “Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, . . .”.

Issued in Washington, DC, on July 29, 2014.

Gary A. Norek,

Manager, Airspace Policy and Regulations Group .

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2014-0082; Airspace Docket No. 14-ASO-3]

Amendment and Revocation of Class E Airspace; Tuskegee, AL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, technical amendment.

SUMMARY: This action amends the Class E airspace designation for Moton Field Municipal Airport, Tuskegee, AL, by correcting the state from TN to AL. This action also removes reference to the Class E airspace, Tuskegee, AL, which was never amended due to the incorrect state error.

DATES: Effective 0901 UTC, September 18, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.9X, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air\_traffic/publications/. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to http://www.archives.gov/federal\_register/code\_of\_federal\_regulations/ibr\_locations.html.

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and ATC Procedures Group, Federal

Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202-267-8783.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

History

On June 18, 2013, the FAA published in the Federal Register a final rule amending Class E airspace at Moton Field Municipal Airport, Tuskegee, AL (78 FR 36411). The airspace designation title incorrectly listed the state as TN, instead of AL, and therefore was listed incorrectly FAA Order 7400.9X. By listing the amendment under TN, it then left the Class E airspace for Tuskegee, AL, unchanged in the Order. This action makes the corrections.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 removes the Class E airspace designation and description for Tuskegee Municipal Airport, Tuskegee, AL. This action also corrects the Class E airspace designation title for Moton Field Municipal Airport, Tuskegee, AL, from ASO TN E5, Tuskegee, AL, to ASO AL E5, Tuskegee, AL. This is an administrative change and does not affect the boundaries, altitudes, or operating requirements of the airspace, therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

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, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (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 only affects air traffic procedures and air navigation, it is

certified that this rule, when promulgated, does 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 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 amends the airspace at Tuskegee Municipal Airport, Tuskegee, AL.

Lists 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 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 Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, effective September 15, 2013, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

\* \* \* \* \*

ASO AL E5 Tuskegee, AL [Removed]

Tuskegee Municipal Airport, AL

\* \* \* \* \*

ASO AL E5 Tuskegee, AL [Amended]

Moton Field Municipal Airport, AL (Lat. 32°27’38” N., long. 85°40’48” W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Moton Field Municipal Airport.

Issued in College Park, Georgia, on July 24, 2014.

**Myron A Jenkins,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Parts 200 and 2700

[Docket No. FR-5795-F-01]

RIN 2502-AJ24

#### Removal of Emergency Homeowners' Loan Program Regulations

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Final rule.

**SUMMARY:** Through this rule, HUD removes regulations for the Emergency Homeowners' Loan Program. The statutory authority to provide emergency assistance to homeowners under this program expired on September 30, 2011. Because these regulations are no longer operative, they are being removed by this final rule. To the extent that assistance made available under this program is still ongoing, the removal of these regulations does not affect the requirements for transactions entered into when these parts were in effect. Assistance made available under the Emergency Homeowners' Loan Program will continue to be governed by the regulations that existed immediately before September 8, 2014.

**DATES:** *Effective date:* September 8, 2014.

**FOR FURTHER INFORMATION CONTACT:** Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410; telephone 202-708-1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8389.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On July 2, 1975, the Emergency Housing Act of 1975 (Pub. L. 94-50) (12 U.S.C. 2701 *et seq.*) was signed into law. Title I of this statute is the Emergency Homeowners' Relief Act (1975 Act), which conferred on HUD standby authority to insure or make loans to, or make emergency mortgage relief

payments on behalf of, homeowners to defray their mortgage expenses (collectively emergency assistance). The goal of the program was to prevent widespread mortgage foreclosures and distress sales of homes by homeowners who had experienced a substantial reduction of income resulting from the temporary involuntary loss of employment or underemployment due to adverse economic conditions. HUD promulgated regulations implementing the 1975 Act on December 30, 1975 (see 40 FR 59866) and codified these regulations in 24 CFR part 2700. This emergency assistance program, quickly put in place by HUD in 1975, was not utilized and, in 1995, as part of HUD's effort to remove outdated, obsolete, or unutilized regulations, HUD removed the regulations in 24 CFR part 2700 from the CFR. (See 60 FR 47263.)

The Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111-203) (the Dodd-Frank Act), signed into law on July 21, 2010, reauthorized the 1975 Act, with certain amendments, and the Emergency Homeowners' Loan Program (EHLPL). The Dodd-Frank Act also made available \$1,000,000,000 for HUD to provide emergency mortgage assistance on behalf of homeowners struggling to make mortgage payments due to a substantial reduction of income resulting from the temporary involuntary loss of employment or underemployment due to adverse economic conditions. In accordance with the 1975 Act, as reauthorized and amended, HUD reinstated regulations for EHLPL on March 4, 2011, at 76 FR 11946, and administered EHLPL. (For further information about EHLPL, see 76 FR 11946 through 11948.)

The reauthorization of EHLPL, however was only for one fiscal year, fiscal year (FY) 2011. September 30, 2011 was the last date upon which HUD could enter into binding agreements with individual mortgagors approved for participation in EHLPL. As provided in the March 4, 2011, rule, a binding agreement was considered to have occurred only when a borrower had been approved for participation in this program and funds had been allocated to that borrower, all of which must have occurred on or before September 30, 2011.

##### This Final Rule

Since authority for HUD to enter into agreements with borrowers to provide emergency assistance under the EHLPL expired on September 30, 2011, HUD is proceeding to remove EHLPL regulations codified in 24 CFR part 2700.

Emergency assistance provided under EHLPL that is still outstanding will

continue to be governed by the regulations in effect prior to September 8, 2014. Accordingly, this rule amends 24 CFR 200.1301 (Expiring Programs—Savings Clause) of 24 CFR 200, subpart W (Administrative Matters), and adds a new paragraph (f) to § 200.1301, which preserves the EHLPL regulations as in effect prior to the effective date of this final rule and continues to govern any assistance provided under EHLPL on or before September 30, 2011.

##### II. Justification for Final Rulemaking

HUD generally publishes a rule for public comment before issuing a final rule for effect, in accordance with HUD's own regulations on rulemaking in 24 CFR part 10. However, part 10 provides for exceptions to the general rule if the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is impracticable, unnecessary, or contrary to the public interest." (See 24 CFR 10.1.)

HUD finds that public notice and comment are not necessary for this rulemaking because the authority to provide assistance under EHLPL expired on September 30, 2011, assistance is no longer being provided under this program and therefore, the regulations are no longer operative. For these reasons, HUD has determined that it is unnecessary to delay the effectiveness of this rule in order to solicit prior public comment.

##### III. Findings and Certification

###### *Regulatory Flexibility Act*

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because HUD has determined that good cause exists to issue this rule without prior public comment, this rule is not subject to the requirement to publish an initial or final regulatory flexibility analysis under the RFA as part of such action.

###### *Unfunded Mandates Reform*

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA)<sup>1</sup> requires that an agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in the expenditure by state, local and tribal governments, in the aggregate, or by the

<sup>1</sup> 2 U.S.C. 1532.