

Rulemaking Distribution System, which describes the application procedure.

#### Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.9Z, airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### Background

The SYO VORTAC facility is scheduled to be decommissioned. With the decommissioning of the SYO VORTAC, the remaining ground-based navigation aid (NAVAID) coverage is insufficient to enable the continuity of the affected airways. The proposed modifications to VOR Federal airways V-140, V-272, and V-440 would result in slightly realigned routes through the Sayre, OK, area by using the Burns Flat, OK (BFV), VORTAC located approximately 22 nautical miles southeast of the SYO VORTAC to replace it. Route segments supported by other NAVAIDs would remain unchanged.

#### The Proposal

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to modify VOR Federal airways V-140, V-272, and V-440 in the vicinity of Sayre, OK. These proposed modifications are necessary due to the scheduled decommissioning of the SYO VORTAC. The proposed route modifications are outlined below.

V-140: V-140 extends from the Panhandle, TX (PNH), VORTAC to the Casanova, VA (CSN), VORTAC. The route segment between the PNH VORTAC and Kingfisher, OK (IFI), VORTAC would be realigned to proceed over the BFV VORTAC instead of the SYO VORTAC.

V-272: V-272 extends from the Dalhart, TX (DHT), VORTAC to the Fort Smith, AR (FSM), VORTAC. The route segment between the Borger, TX (BGD), VORTAC and Will Rogers, OK (IRW), VORTAC would be realigned to proceed over the BFV VORTAC instead of the SYO VORTAC.

V-440: V-440 extends from the PNH VORTAC to the IRW VORTAC. The intersecting NAVAID radial information used to describe the BRISC and CARFF fixes would be updated using BFV VORTAC radials instead of SYO VORTAC radials, and the route segment

between the BRISC and CARFF fixes would be realigned to proceed over the BFV VORTAC instead of the SYO VORTAC.

All radials in the route descriptions below that do not reflect True (T)/Magnetic (M) degree radial information are unchanged and stated in True degrees.

VOR Federal airways are published in paragraph 6010 of FAA Order 7400.9Z dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document would be subsequently published in the Order.

#### Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 proposed 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.

#### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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(f), 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015, is amended as follows:

*Paragraph 6010(a) Domestic VOR Federal Airways.*

\* \* \* \* \*

#### V-140 [Amended]

From Panhandle, TX; Burns Flat, OK; Kingfisher, OK; INT Kingfisher 072° and Tulsa, OK, 261° radials; Tulsa; Razorback, AR; Harrison, AR; Walnut Ridge, AR; Dyersburg, TN; Nashville, TN; Livingston, TN; London, KY; Hazard, KY; Bluefield, WV; INT Bluefield 071° and Montebello, VA, 250° radials; Montebello; to Casanova, VA.

\* \* \* \* \*

#### V-272 [Amended]

From Dalhart, TX; Borger, TX; Burns Flat, OK; Will Rogers, OK; INT Will Rogers 113° and McAlester, OK, 286° radials; McAlester; to Fort Smith, AR.

\* \* \* \* \*

#### V-440 [Amended]

From Panhandle, TX; INT Panhandle 070°(T)/062°(M) and Burns Flat, OK, 288°(T)/280°(M) radials; Burns Flat; INT Burns Flat 103°(T)/095°(M) and Will Rogers, OK, 248°(T)/241°(M) radials; to Will Rogers.

\* \* \* \* \*

Issued in Washington, DC, on October 8, 2015.

**Gary A. Norek,**

*Manager, Airspace Policy Group.*

[FR Doc. 2015–26498 Filed 10–19–15; 8:45 am]

**BILLING CODE 4910–13–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Part 1214

[Docket No: NASA–2015–0010]

RIN 2700–AD98

#### Space Flight

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The National Aeronautics and Space Administration (NASA) is proposing to amend its regulations that govern International Space Station crewmembers, mementos aboard Orion and Space Launch System (SLS) missions, the authority of the NASA Commander, and removes the Agency's policy on space flight participation and

other policies that were relevant to the Space Shuttle. The revisions to this rule are part of NASA's retrospective plan under Executive Order (E.O.) 13563 completed in August 2011. NASA's full plan can be accessed on the Agency's open Government Web site at <http://www.nasa.gov/open/>.

**DATES:** Submit comments on or before November 19, 2015.

**ADDRESSES:** Comments must be identified with RIN 2700-AD98 and may be sent to NASA via the *Federal E-Rulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Please note that NASA will post all comments on the Internet without change, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:**

Craig Salvas at (202)-358-2330, [craig.b.salvas@nasa.gov](mailto:craig.b.salvas@nasa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Space Shuttle Program formally commenced in 1972. After a total of 135 flights, the last of which occurred in July 2011, the Space Shuttle was officially retired after 30 years of operation. During this period, the fleet and its crews carried out a large and varied number of tasks to meet the goals and objectives of the Nation's space program. These included the launch of large interplanetary probes, the performance of scientific experiments under microgravity conditions, the on-orbit servicing of the Hubble Space Telescope, and the assembly and resupply of the International Space Station. Functions previously performed by the Space Shuttle will now be done by many different spacecraft currently flying or in development, including vehicles owned by both the Government and the private sector.

NASA is currently developing a new human-rated spacecraft, the Orion, and launch system, the Space Launch System (SLS). With the end of the Space Shuttle Program, many sections of this rule are no longer relevant and will be deleted. However, sections which have current or future application will be maintained and updated or amended as required.

Significant elements of Part 1214, in its current form, govern the use and operation of the Space Shuttle and cover a diverse number of areas including requirements for reimbursement for Space Shuttle services to civil U.S. Government and foreign users, the flight of Payload Specialists and Space Flight Participants on Space Shuttle missions, reimbursement terms, and conditions

for use of the Spacelab Module. Also covered in Part 1214 are the rules for the NASA Astronaut Candidate Recruitment and Selection Program, the Code of Conduct for the International Space Station Crew, and the Authority of the Space Shuttle Commander.

The intent of these proposed amendments is to repeal those portions of the regulation that, with the ending of the Space Shuttle Program, are no longer relevant. Sections that remain in effect will be amended because they are outdated. Other sections that are applicable to the Orion and SLS will also be amended.

**Statutory Authority**

Section 1214 is established under the National Aeronautics and Space Act (Space Act) (51 U.S.C. 20101, *et seq.*).

**Regulatory Analysis**

*Executive Order 12866, Regulatory Planning and Review and Executive Order 13563, Improving Regulation and Regulation Review*

Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. This rule has been designated as "not significant" under section 3(f) of Executive Order 12866.

*Review Under the Regulatory Flexibility Act*

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires an agency to prepare an initial regulatory flexibility analysis to be published at the time the proposed rule is published. This requirement does not apply if the agency "certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities" (5 U.S.C. 603). This rule updates these sections of the CFR to align with Federal guidelines and does not have a significant economic impact on a substantial number of small entities.

*Review Under the Paperwork Reduction Act*

This proposed rule does not contain any information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

*Review Under Executive Order of 13132*

Executive Order 13132, "Federalism," 64 FR 43255 (August 4, 1999) requires regulations be reviewed for Federalism effects on the institutional interest of states and local governments, and if the effects are sufficiently substantial, preparation of the Federal assessment is required to assist senior policy makers. The amendments will not have any substantial direct effects on state and local governments within the meaning of the Executive Order. Therefore, no Federalism assessment is required.

**List of Subjects in 14 CFR Part 1214**

Government employees, Government procurement, Security measures, Space transportation and exploration.

For the reason stated in the preamble, NASA is proposing to amend 14 CFR part 1214 as follows:

**PART 1214—SPACE FLIGHT**

- 1. The authority citation for part 1214 is revised to read as follows:

**Authority:** Pub. L. 111-314, sec. 3, 124 Stat. 3328 (51 U.S.C. 20101, *et seq.*).

**Subpart 1214.1—[Removed and Reserved]**

- 2. Remove and reserve subpart 1214.1, consisting of §§ 1214.100 through 1214.119.

**Subpart 1214.2—[Removed and Reserved]**

- 3. Remove and reserve subpart 1214.2, consisting of §§ 1214.200 through 1214.207 and Appendices A and B.

**Subpart 1214.3—[Removed and Reserved]**

- 4. Remove and reserve subpart 1214.3, consisting of §§ 1214.300 through 1214.306.

**Subpart 1214.4—International Space Station Crew**

- 5. The authority citation for subpart 1214.4 is revised to read as follows:

**Authority:** Pub. L. 111-314, sec. 3, 124 Stat. 3328 (51 U.S.C. 20101, *et seq.*).

- 6. Revise Subpart 1214.6 to read as follows:

**Subpart 1214.6 Mementos aboard NASA missions**

Sec.	
1214.600	Scope.
1214.601	Definitions.
1214.602	Policy.
1214.603	Official Flight Kit.
1214.604	Personal Preference Kit.
1214.605	Reserved.
1214.606	Reserved.

- 1214.607 Media and public inquiries.
- 1214.608 Reserved.
- 1214.609 Loss or theft.
- 1214.610 Violations.

**Authority:** Pub. L. 111–314, sec. 3, 124 Stat. 3328 (51 U.S.C. 20101, *et seq.*).

#### **§ 1214.600 Scope.**

This subpart establishes policy and procedures for carrying mementos on the NASA missions, with the exception of mementos and personal effects carried onboard the International Space Station (ISS).

#### **§ 1214.601 Definitions.**

*Mementos.* Flags, patches, insignia, minor graphics, and similar items of little commercial value, especially suited for display by the individuals or groups to whom they have been presented.

#### **§ 1214.602 Policy.**

*Premise.* Mementos are welcome aboard NASA missions. However, they are flown as a courtesy—not as an entitlement. The NASA Administrator, or his/her designee, will approve all requests for flying mementos.

#### **§ 1214.603 Official Flight Kit.**

(a) *Purpose.* The Official Flight Kit (OFK) on a particular mission allows NASA, and other domestic and friendly foreign countries organizations with NASA approval, to utilize mementos as awards and commendations or preserve them in museums or archives. No personal items will be carried in the OFK.

(b) *Approval of Contents.* At least 120 days prior to the scheduled launch of a particular mission, an authorized representative of each organization desiring mementos to be carried on a flight in the OFK must submit a letter or request describing the item(s) to be flown and the intended purpose or distribution. Letters should be directed to the Associate Administrator for Human Exploration and Operations, NASA Headquarters, Washington, DC 20546.

#### **§ 1214.604 Personal Preference Kit.**

(a) *Purpose.* The Personal Preference Kit (PPK) enables persons on a particular mission to carry personal items for use as mementos. Only those individuals actually accompanying such flights may request authorization to carry personal items as mementos.

(b) *Approval of Content.* At least 60 days prior to the scheduled launch of a particular mission, each person assigned to the flight who desires to carry items in a PPK must submit a proposed list of items and their recipients to the Associate Director, NASA Johnson

Space Center. The Associate Director will review the proposed list of items and, if approved, submit the crew members' PPK lists through supervisory channels to the Associate Administrator for Human Exploration and Operations for approval. A signed copy of approval from the Associate Administrator for Human Exploration and Operations will be returned to the Director, NASA Johnson Space Center, for distribution.

#### **§§ 1214.605, 1214.606 [Reserved]**

#### **§ 1214.607 Media and public inquiries.**

Information on mementos flown on a particular mission will be routinely released by the Associate Administrator of the Office of Communications to the media and to the public upon their request, but only after they have been approved for flight.

#### **§ 1214.608 [Reserved]**

#### **§ 1214.609 Loss or Theft.**

(a) *Liability.* Neither NASA nor the U.S. Government will be liable for the loss or theft of, or damage to, items carried in OFKs or PPKs.

(b) *Report of Loss or Theft.* Any person who learns that an item contained in an OFK or a PPK is missing shall immediately report the loss to the Johnson Space Center Security Office and the NASA Inspector General.

#### **§ 1214.610 Violations.**

Any items carried in violation of the requirements of this subpart shall become property of the U.S. Government, subject to applicable Federal laws and regulations, and the violator may be subject to disciplinary action, including being permanently prohibited from use of, or if an individual, from flying aboard a NASA mission.

#### **Subpart 1214.7—The Authority of the NASA Commander**

■ 7. The authority citation for subpart 7 is revised to read as follows:

**Authority:** Pub. L. 111–314, sec. 3, 124 Stat. 3328 (51 U.S.C. 20101, *et seq.*)

■ 8. Revise the heading of subpart 1214.7 to read as set forth above.

■ 9. Revise sections §§ 1214.700, 1214.701, and 1214.702 to read as follows:

#### **§ 1214.700 Scope.**

This subpart establishes the authority of the NASA Commander of a NASA mission, excluding missions related to the ISS and activities licensed under Title 51 U.S.C. Chapter 509, to enforce order and discipline during a mission and to take whatever action in his/her

judgment is reasonable and necessary for the protection, safety, and well-being of all personnel and on-board equipment, including the spacecraft and payloads. During the final launch countdown, following crew ingress, the NASA Commander has the authority to enforce order and discipline among all on-board personnel. During emergency situations prior to liftoff, the NASA Commander has the authority to take whatever action in his/her judgment is necessary for the protection or security, safety, and well-being of all personnel on board.

#### **§ 1214.701 Definitions.**

(a) The *flight crew* consists of the NASA Commander, astronaut crew members, and [any] other persons aboard the spacecraft.

(b) A *mission* is the period including the flight-phases from launch to landing on the surface of the Earth—a single round trip. (In the case of a forced landing, the NASA Commander's authority continues until a competent authority takes over the responsibility for the persons and property aboard).

(c) The *flight-phases* consist of launch, in orbit/transit, extraterrestrial mission, deorbit, entry, and landing, and post-landing back on Earth.

(d) A *payload* is a specific complement of instruments, space equipment, and support hardware/software carried into space to accomplish a scientific mission or discrete activity.

#### **§ 1214.702 Authority and responsibility of the NASA Commander.**

(a) During all flight phases, the NASA Commander shall have the absolute authority to take whatever action is in his/her discretion necessary to:

- (1) Enhance order and discipline.
- (2) Provide for the safety and well-being of all personnel on board.
- (3) Provide for the protection of the spacecraft and payloads.

The NASA Commander shall have authority, throughout the mission, to use any reasonable and necessary means, including the use of physical force, to achieve this end.

(b) The authority of the NASA Commander extends to any and all personnel on board the spacecraft including Federal officers and employees and all other persons whether or not they are U.S. nationals.

(c) The authority of the NASA Commander extends to all spaceflight elements, payloads, and activities originating with or defined to be a part of the NASA mission.

(d) The NASA Commander may, when he/she deems such action to be

necessary for the safety of the spacecraft and personnel on board, subject any of the personnel on board to such restraint as the circumstances require until such time as delivery of such individual or individuals to the proper authorities is possible.

■ 10. Amend paragraphs (a), (c) and (d) in § 1214.703 to read as follows:

**§ 1214.703 Chain of command.**

(a) The NASA *Commander* is a trained NASA astronaut who has been designated to serve as commander on a NASA mission and who shall have the authority described in § 1214.702 of this part. Under normal flight conditions (other than emergencies or when otherwise designated) the NASA Commander is responsible to the Mission Flight Director.

\* \* \* \* \*

(c) Before each flight, the other flight crewmembers will be designated in the order in which they will assume the authority of the NASA Commander under this subpart in the event that the NASA Commander is not able to carry out his/her duties.

(d) The determinations, if any, that a crewmember in the chain of command is not able to carry out his or her command duties and is, therefore, to be relieved of command, and that another crewmember in the chain of command is to succeed to the authority of the NASA Commander, will be made by the NASA Administrator or his/her designee.

■ 11. Revise § 1214.704 to read as follows:

**§ 1214.704 Violations.**

(a) All personnel on board the NASA mission are subject to the authority of the NASA Commander and shall conform to his/her orders and direction as authorized by this subpart.

(b) This regulation is a regulation within the meaning of 18 U.S.C. 799, and whoever willfully violates, attempts to violate, or conspires to violate any provision of this subpart or any order or direction issued under this subpart shall be subject to fines and imprisonment, as specified by law.

**Subpart 1214.8—[Removed and Reserved]**

■ 12. Remove and reserve subpart 1214.8, consisting §§ 1214.800 through 1214.813.

**Subpart 1214.17—[Removed and Reserved]**

■ 13. Remove and reserve subpart 1214.17, consisting of §§ 1214.1700 through 1214.1707.

Nanette Jennings,

*Federal Register Liaison Officer.*

[FR Doc. 2015–26475 Filed 10–19–15; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 101**

[Docket No. FDA–2012–N–1210]

RIN 0910–AF22

**Food Labeling: Revision of the Nutrition and Supplement Facts Labels; Reopening of the Comment Period**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** The Food and Drug Administration (FDA or we) is announcing the reopening of the comment period for certain documents associated with the proposed rule to amend FDA's labeling regulations for conventional foods and dietary supplements to provide updated nutrition information on the Nutrition Facts and Supplement Facts labels to assist consumers in maintaining healthy dietary practices. We also are reopening the comment period for a supplemental proposed rule to revise the Nutrition Facts and Supplement Facts labels. We are taking this action due to technical difficulties at the Federal eRulemaking Portal.

**DATES:** Submit either electronic or written comments on the supplemental proposed rule and related documents by October 23, 2015.

**ADDRESSES:** You may submit comments as follows:

*Electronic Submissions*

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <http://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are

solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <http://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

*Written/Paper Submissions*

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Division of Dockets Management, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

*Instructions:* All submissions received must include the Docket No. FDA–2012–N–1210 for this rulemaking. Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <http://www.regulations.gov> or at the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

- *Confidential Submissions—*To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION”. The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <http://www.regulations.gov>. Submit both copies to the Division of Dockets Management. If you do not wish your