

31(b)(2) Receipt

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4. Web site of the Consumer Financial Protection Bureau. Section 1005.31(b)(2)(vi) requires a remittance transfer provider to disclose the name, toll-free telephone number(s), and Web site of the Consumer Financial Protection Bureau. Providers may satisfy this requirement by disclosing the Web site of the Consumer Financial Protection Bureau's homepage, www.consumerfinance.gov, as shown on Model Forms A-32, A-34, A-35, and A-39. Alternatively, providers may, but are not required to, disclose the Bureau's Web site as the address of a page on the Bureau's Web site that provides information for consumers about remittance transfers, currently, consumerfinance.gov/sending-money, as shown on Model Form A-31. In addition, providers making disclosures in a language other than English pursuant to § 1005.31(g) may, but are not required to, disclose the Bureau's Web site as a page on the Bureau's Web site that provides information for consumers about remittance transfers in the relevant language, if such Web site exists. For example, a provider that is making disclosures in Spanish under § 1005.31(g) may, but is not required to, disclose the Bureau's Web site on Spanish-language disclosures as the page on the Bureau's Web site that provides information regarding remittance transfers in Spanish, currently consumerfinance.gov/envios. This optional disclosure is shown on Model A-40. The Bureau will publish a list of any other foreign language Web sites that provide information regarding remittance transfers.

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31(e) Timing

1. Request to send a remittance transfer. Except as provided in § 1005.36(a), prepayment and combined disclosures are required to be provided to the sender when the sender requests the remittance transfer, but prior to payment for the transfer. Whether a consumer has requested a remittance transfer depends on the facts and circumstances. A sender that asks a provider to send a remittance transfer, and provides transaction-specific information to the provider in order to send funds to a designated recipient, has requested a remittance transfer. A sender that has sent an email, fax, mailed letter, or similar written or electronic communication has not requested a remittance transfer if the provider believes that it is impractical for the provider to treat that communication as a request and if the provider treats the communication as an inquiry and subsequently responds to that inquiry by calling the consumer on a telephone and orally gathering or confirming the information needed to process a request for a remittance transfer. See comment 31(a)(3)-2. Likewise, a consumer who solely inquires about that day's rates and fees to send to Mexico has not requested the provider to send a remittance transfer. Conversely, a sender who asks the provider at an agent location to send money to a recipient in Mexico and provides the sender

and recipient information to the provider has requested a remittance transfer.

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Section 1005.33 Procedures for Resolving Errors

33(a) Definition of Error

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7. Failure to make funds available by disclosed date of availability—fraud and other screening procedures. Under § 1005.33(a)(1)(iv)(B), a remittance transfer provider's failure to deliver funds by the disclosed date of availability is not an error if such delay is related to the provider's or any third party's investigation necessary to address potentially suspicious, blocked or prohibited activity, and the provider did not and could not have reasonably foreseen the delay so as to enable it to timely disclose an accurate date of availability when providing the sender with a receipt or combined disclosure. For example, no error occurs if delivery of funds is delayed because, after the receipt is provided, the provider's fraud screening system flags a remittance transfer because the designated recipient has a name similar to the name of a blocked person under a sanctions program and further investigation is needed to determine that the designated recipient is not actually a blocked person. Similarly, no error occurs where, after disclosing a date of availability to the sender, a remittance transfer provider receives specific law enforcement information indicating that the characteristics of a remittance transfer match a pattern of fraudulent activity, and as a result, the provider deems it necessary to delay delivery of the funds to allow for further investigation. However, if a delay could have been reasonably foreseen, the exception in § 1005.33(a)(1)(iv)(B) would not apply. For example, if a provider knows in time to make a disclosure that all remittance transfers to a certain geographic area must undergo screening procedures that routinely delay such transfers by two days, the provider's failure to include the additional two days in its disclosure of the date of availability constitutes an error if delivery of the funds is indeed delayed beyond the disclosed date of availability.

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33(c) Time Limits and Extent of Investigation

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5. Amount appropriate to resolve the error. For purposes of the remedies set forth in § 1005.33(c)(2)(i)(A), (c)(2)(i)(B), (c)(2)(ii)(A)(1), and (c)(2)(i)(A)(2) the amount appropriate to resolve the error is the specific amount of transferred funds that should have been received if the remittance transfer had been effected without error. The amount appropriate to resolve the error does not include consequential damages. For example, when the amount that was disclosed pursuant to § 1005.31(b)(1)(vii) was received by the designated recipient before the provider must determine the appropriate remedy for an error under § 1005.33(a)(1)(iv), no additional amounts are required to resolve the error after the remittance transfer provider refunds the appropriate fees and taxes paid by the sender pursuant to

§ 1005.33(c)(2)(ii)(B) or (c)(2)(iii), as applicable.

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12. \* \* \*

i. A sender instructs a remittance transfer provider to send US\$100 to a designated recipient in local currency, for which the provider charges a transfer fee of US\$10 (and thus the sender pays the provider \$110). The provider's correspondent imposes a fee of US\$15 that it deducts from the amount of the transfer. The sender provides incorrect or insufficient information that results in non-delivery of the remittance transfer as requested. Once the provider determines that an error occurred because the sender provided incorrect or insufficient information, the provider must provide the report required by § 1005.33(c)(1) or (d)(1) and inform the sender, pursuant to § 1005.33(c)(1) or (d)(1), that it will refund US\$95 to the sender within three business days, unless the sender chooses to apply the US\$95 towards a new remittance transfer and the provider agrees. Of the \$95 that is refunded to the sender, \$10 reflects the refund of the provider's transfer fee, and \$85 reflects the refund of the amount of funds provided by the sender in connection with the transfer which was not properly transmitted. The provider is not required to refund the US\$15 fee imposed by the correspondent (unless the \$15 will be refunded to the provider by the correspondent).

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Dated: August 21, 2014.

Richard Cordray, Director, Bureau of Consumer Financial Protection.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2014-0369; Airspace Docket No. 14-ANM-4]

RIN 2120-AA66

Modification of VOR Federal Airway V-298 in the Vicinity of Pasco, WA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies VOR Federal airway V-298 in the vicinity of Pasco, WA. The FAA is taking this action due to the Pasco, WA (PSC), VHF Omnidirectional Range (VOR)/Distance Measuring Equipment (DME) facility that provides navigation aid (NAVAID) guidance for a portion of V-298, being relocated. This action will ensure the safety and efficient management of

aircraft operating within the National Airspace System.

**DATES:** Effective date 0901 UTC, November 13, 2014. 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.

**ADDRESSES:** FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](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](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 Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202-267-8783.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Airspace Policy and Regulations Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

The Tri-Cities Airport, located in Pasco, WA, is the fourth largest air carrier airport in Washington State. In the past five years, the number of enplanements at the airport has increased by nearly 100,000 per year. To accommodate this unprecedented growth, the Port of Pasco is expanding the Tri-Cities Airport terminal to nearly double the size of the existing terminal. However, the terminal expansion project creates a proximity issue to one of the taxiways on the airfield (taxiway D) by aircraft that will push back from the gates at the expanded terminal, as well as encroaches into the PSC VOR 1,000 foot clear zone.

To resolve the terminal expansion proximity issue with taxiway D, approximately two thirds of the taxiway is being relocated to the northeast, away from the terminal, to establish a straight, parallel taxiway to runways 12/30 for the entire length of the taxiway. As a result of the portion of taxiway D effected by the terminal expansion being relocated, the new taxiway will run

through the PSC VOR/DME site. To overcome the airport terminal expansion encroaching on the PSC VOR clear zone and, subsequently, the new taxiway D being relocated through the VOR/DME site, the NAVAID will be moved north 0.44 nautical miles, away from the airport terminal expansion and the taxiway relocation. Moving the PSC VOR/DME enables the NAVAID to be retained and continue providing ground-based navigation aid coverage for the existing VOR Federal airway segments it supports today.

Due to the PSC VOR/DME NAVAID being relocated, VOR Federal airway V-298 requires amendment action. The FAA is modifying this airway by changing the PSC VOR radial information used to identify the intersection point in the legal description using corrected radial information from the PSC VOR/DME in its new location. Since this action merely involves editorial changes in the legal descriptions of VOR Federal Airways, and does not involve a change in the dimensions or operating requirements of that airspace, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

**The Rule**

The FAA is amending Title 14, Code of Federal Regulations (14 CFR) part 71 to modify VOR Federal airway V-298. The PSC VOR/DME relocation, due to the Tri-Cities Airport terminal expansion and taxiway D relocation projects, has made this action necessary. The route modification is outlined below.

*V-298:* V-298 extends between the Seattle, WA, VORTAC and Gillette, WY, VOR. This action modifies the route segment between the Yakima, WA, VORTAC and the PSC VOR/DME by changing the PSC radial used to describe the intersection between the two NAVAIDs from the Pasco 274° radial to the Pasco 273° radial. Additionally, this action removes reference to a south alternate airway designation previously deleted by regulatory action published in the **Federal Register** (48 FR 54829, December 7, 1983).

The navigation aid radials cited in this action are stated relative to True north.

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9Y dated August 6, 2014, and effective September 15, 2014, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document would be subsequently published in the Order.

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 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 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 the 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 modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the NAS.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

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

Airspace, Incorporation by reference, Navigation (air).

**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 FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014 and effective September 15, 2014, is amended as follows:

*Paragraph 6010(a) Domestic VOR Federal Airways*

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**V-298 [Amended]**

From Seattle, WA; INT Seattle 107° and Yakima, WA, 331° radials; Yakima; INT Yakima 129° and Pasco, WA, 273° radials; Pasco; Pendleton, OR; 74 miles, 43 miles 115 MSL, 99 MSL Donnelly, ID; 41 miles 99 MSL, 89 miles 145 MSL, Dubois, ID; 68 miles 130 MSL, Dunoir, WY; 62 miles 135 MSL, Boysen Reservoir, WY; 9 miles, 34 miles 105 MSL, Muddy Mountain, WY; to Gillette, WY.

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Issued in Washington, DC, on September 11, 2014.

**Ellen Crum,**

*Acting Manager, Airspace Policy and Regulations Group.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2014-0274; Airspace Docket No. 13-AGL-23]

**RIN 2120-AA66**

**Modification and Revocation of Air Traffic Service (ATS) Routes in the Vicinity of Sandusky, OH**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends 5 VHF Omnidirectional Range (VOR) Federal airways (V-6, V-30, V-126, V-133, and V-416) and removes 1 VOR Federal airway (V-65) in the vicinity of Sandusky, OH. The FAA is taking this action due to the scheduled decommissioning of the Sandusky, OH, VOR/Distance Measuring Equipment (VOR/DME) facility that provides

navigation guidance for a portion of the airways listed.

**DATES:** Effective date 0901 UTC, November 13, 2014. 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.

**ADDRESSES:** FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](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](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 Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202-267-8783.

**FOR FURTHER INFORMATION CONTACT:**

Colby Abbott, Airspace Policy and Regulations Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

The FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend VOR Federal airways V-6, V-30, V-126, V-133, and V-416, and remove VOR Federal airway V-65 in the Sandusky, OH, area (79 FR 34453, June 17, 2014). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

**The Rule**

The FAA is amending Title 14, Code of Federal Regulations (14 CFR) part 71 by modifying VOR Federal airways V-6, V-30, V-126, V-133, and V-416, and removing VOR Federal airway V-65 in the vicinity of Sandusky, OH. These airway modifications are necessary due to the Sandusky, OH, VOR/DME being decommissioned and the remaining ground-based navigation aid (NAVAID) coverage in the area being insufficient to enable the continuity of the affected airways. The route modifications are outlined below.

V-6: V-6 extends from the Oakland, CA, VOR Tactical Air Navigation (VORTAC) to the DuPage, IL, VOR/DME, and from the intersection of the Chicago Heights, IL, VORTAC 358° and Gipper, MI, VORTAC 271° radials (NILES fix) to the La Guardia, NY, VOR/DME. The route segment between the Waterville, OH, VOR/DME and Dryer, OH, VOR/DME is removed. Aircraft flying between the Waterville, OH, VOR/DME and Dryer, OH, VOR/DME will be routed using other existing adjacent airways.

V-30: V-30 extends from the Badger, WI, VORTAC to the Solberg, NJ, VOR/DME. The route segment between the Waterville, OH, VOR/DME and Dryer, OH, VOR/DME is removed. Aircraft flying between the Waterville, OH, VOR/DME and Dryer, OH, VOR/DME will be routed using other existing adjacent airways.

V-65: V-65 is removed.

V-126: V-126 extends from the intersection of the Peotone, IL, VORTAC 053° and Knox, IN, VOR/DME 297° radials (BEARZ fix) to the Stonyfork, PA, VOR/DME. The route segment between the Waterville, OH, VOR/DME and Dryer, OH, VOR/DME is removed. Aircraft flying between the Waterville, OH, VOR/DME and Dryer, OH, VOR/DME will be routed using other existing adjacent airways.

V-133: V-133 extends from the intersection of the Charlotte, NC, VOR/DME 305° and Barretts Mountain, NC, VOR/DME 197° radials (LINCO fix) to the Red Lake, ON, Canada (YRL), VOR/DME, excluding the airspace within Canada. The route segment between the Mansfield, OH, VORTAC and Salem, MI, VORTAC is removed. Aircraft flying between the Mansfield, OH, VORTAC and Salem, MI, VORTAC will be routed using other existing adjacent airways.

V-416: V-416 extends from the Rosewood, OH, VORTAC to the intersection of the Mansfield, OH, VORTAC 045° and Sandusky, OH, VOR/DME 107° radials (JAKEE fix). The JAKEE fix is redefined in its existing location using radials from the Mansfield, OH, VORTAC and Dryer, OH, VOR/DME.

The navigation aid radials cited in the VOR Federal airway descriptions in this action are stated relative to True north.

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9Y dated August 6, 2014, and effective September 15, 2014, 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.

The FAA has determined that this regulation only involves an established