

# Rules and Regulations

Federal Register

Vol. 83, No. 38

Monday, February 26, 2018

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2017-0801; Airspace Docket No. 17-ASO-17]

#### Amendment of Class E Airspace; Greenville, NC

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E surface airspace at Greenville, NC, by removing Pitt County Memorial Hospital Heliport from the Class E surface area airspace associated with Pitt-Greenville Airport. Helicopters departing from the heliport must now receive clearance. Consequently, the cut out from Class E surface airspace is no longer required. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the airport. This action also updates the geographic coordinates of the airport under Class E surface airspace and Class E airspace extending upward from 700 feet or more above the surface of the earth, to coincide with the FAA's aeronautical database.

**DATES:** Effective 0901 UTC, May 24, 2018. 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington,

DC 20591; telephone (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1700 Columbia Avenue, College Park, Georgia 30337; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### Authority for This Rulemaking

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 supports IFR operations at Pitt-Greenville Airport, Greenville, NC.

##### History

The FAA published a notice of proposed rulemaking in the **Federal Register** (82 FR 50596; November 1, 2017) for Docket No. FAA-2017-0801, to amend Class E surface airspace at Pitt-Greenville Airport, Greenville, NC. 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 paragraphs 6002 and 6005, respectively, of FAA Order 7400.11B dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document

will be published subsequently in the Order.

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

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E surface airspace within a 4.4-mile radius of Pitt-Greenville Airport, Greenville, NC. The Pitt County Memorial Hospital Heliport no longer requires the southwest area below 200 feet from the airport for departures from the heliport. This action is for continued safety and management of IFR operations at the airport. The geographic coordinates of the airport are adjusted to coincide with the FAA's aeronautical database in both Class E surface airspace and Class E airspace extending upward from 700 feet above the surface.

#### Regulatory Notices and Analyses

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. 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.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA

Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5–6.5a. 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.

#### 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(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 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, effective September 15, 2017, is amended as follows:

*Paragraph 6002 Class E Surface Area Airspace.*

\* \* \* \* \*

#### ASO NC E2 Greenville, NC [Amended]

Pitt-Greenville Airport, NC  
(Lat. 35°38′09″ N, long. 77°23′03″ W)

Within a 4.4-mile radius of Pitt-Greenville 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 Chart Supplement.

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### ASO NC E5 Greenville, NC [Amended]

Pitt-Greenville Airport, NC  
(Lat. 35°38′09″ N, long. 77°23′03″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Pitt-Greenville Airport.

Issued in College Park, Georgia, on February 14, 2018.

**Ryan W. Almasy,**

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

[FR Doc. 2018–03657 Filed 2–23–18; 8:45 am]

**BILLING CODE 4910–13–P**

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Parts 229 and 249

[Release Nos. 33–10459; 34–82746]

### Commission Statement and Guidance on Public Company Cybersecurity Disclosures

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Interpretation.

**SUMMARY:** The Securities and Exchange Commission (the “Commission”) is publishing interpretive guidance to assist public companies in preparing disclosures about cybersecurity risks and incidents.

**DATES:** Applicable February 26, 2018.

**FOR FURTHER INFORMATION CONTACT:** Questions about specific filings should be directed to staff members responsible for reviewing the documents for the company files with the Commission. For general questions about this release, contact the Office of the Chief Counsel at (202) 551–3500 in the Division of Corporation Finance, U.S. Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

##### A. Cybersecurity

Cybersecurity risks pose grave threats to investors, our capital markets, and our country.<sup>1</sup> Whether it is the companies in which investors invest, their accounts with financial services firms, the markets through which they trade, or the infrastructure they count on daily, the investing public and the U.S. economy depend on the security and reliability of information and communications technology, systems, and networks. Companies today rely on digital technology to conduct their business operations and engage with their customers, business partners, and other constituencies. In a digitally connected world, cybersecurity presents ongoing risks and threats to our capital markets and to companies operating in all industries, including public

<sup>1</sup> The U.S. Computer Emergency Readiness Team defines cybersecurity as “[t]he activity or process, ability or capability, or state whereby information and communications systems and the information contained therein are protected from and/or defended against damage, unauthorized use or modification, or exploitation.” U.S. Computer Emergency Readiness Team website, available at <https://niccs.us-cert.gov/glossary#C> (Adapted from: CNSSI 4009, NIST SP 800–53 Rev 4, NIPP, DHS National Preparedness Goal; White House Cyberspace Policy Review, May 2009).

companies regulated by the Commission.

As companies’ exposure to and reliance on networked systems and the internet have increased, the attendant risks and frequency of cybersecurity incidents also have increased.<sup>2</sup> Today, the importance of data management and technology to business is analogous to the importance of electricity and other forms of power in the past century. Cybersecurity incidents<sup>3</sup> can result from unintentional events or deliberate attacks by insiders or third parties, including cybercriminals, competitors, nation-states, and “hacktivists.”<sup>4</sup> Companies face an evolving landscape of cybersecurity threats in which hackers use a complex array of means to perpetrate cyber-attacks, including the use of stolen access credentials, malware, ransomware, phishing, structured query language injection attacks, and distributed denial-of-service attacks, among other means. The objectives of cyber-attacks vary widely and may include the theft or destruction of financial assets, intellectual property, or other sensitive information belonging to companies, their customers, or their business partners. Cyber-attacks may also be directed at disrupting the operations of public companies or their business partners. This includes targeting companies that operate in industries responsible for critical infrastructure.

Companies that fall victim to successful cyber-attacks or experience

<sup>2</sup> See World Economic Forum, Global Risks Report 2017, 12th Ed. (Jan. 2017), available at <https://www.weforum.org/reports/the-global-risks-report-2017> (concluding that “greater interdependence among different infrastructure networks is increasing the scope for systemic failures—whether from cyber-attacks, software glitches, natural disasters or other causes—to cascade across networks and affect society in unanticipated ways.”). See also PwC, “Turnaround and Transformation in Cybersecurity: Key Findings from the Global State of Information Security Survey 2016” (Oct. 2015), available at <https://www.pwccn.com/en/retail-and-consumer/rcs-info-security-2016.pdf>. (finding that in 2015 there was a reported 38% increase in detected information security incidents from 2014).

<sup>3</sup> A “cybersecurity incident” is “[a]n occurrence that actually or potentially results in adverse consequences to . . . an information system or the information that the system processes, stores, or transmits and that may require a response action to mitigate the consequences.” U.S. Computer Emergency Readiness Team website, available at <https://niccs.us-cert.gov/glossary#I>.

<sup>4</sup> One study using a sample of 419 companies in 13 countries and regions noted that 47 percent of data breach incidents in 2016 involved a malicious or criminal attack, 25 percent were due to negligent employees or contractors (human factor) and 28 percent involved system glitches, including both IT and business process failures. See Ponemon Institute and IBM Research, 2017 Cost of Data Breach Study: Global Overview (Jun. 2017), available at <https://www.ponemon.org/library/2017-cost-of-data-breach-study-united-states>.