

13, 2019), all comments received, the final rule, and all background material may be viewed online at <http://www.regulations.gov> using the docket number listed above. A copy of this final rule will also be placed in the docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at <http://www.ojr.gov> and the Government Publishing Office's website at <http://www.gpo.gov>.

### Background

On January 20, 2021, the Assistant to the President and Chief of Staff issued a memorandum titled, "Regulatory Freeze Pending Review." The memorandum requested that the heads of executive departments and agencies (agencies) take steps to ensure that the President's appointees or designees have the opportunity to review any new or pending rules. With respect to rules published in the **Federal Register**, but not yet effective, the memorandum asked that agencies consider postponing the rules' effective dates for 60 days from the date of the memorandum (*i.e.*, March 21, 2021) for the purpose of reviewing any questions of fact, law, and policy the rules may raise.

In accordance with this direction, the Agency has decided to delay until March 16, 2021, the effective date of the final rule, Operation of Small Unmanned Aircraft Systems Over People (RIN 2120-AK85), including the amendments to §§ 107.61, 107.63, 107.65, 107.73, and 107.74. The final rule permits routine operations of small unmanned aircraft over people, moving vehicles, and at night under certain conditions. The final rule also makes changes to the recurrent testing framework and expands the list of persons who may request the presentation of a remote pilot certificate. The delay in the rule's effective date will afford the President's appointees or designees an opportunity to review the rule and will allow for consideration of any questions of fact, law, or policy that the rule may raise before it becomes effective.

Additionally, as a result of the delay in the effective date, several corrections are necessary. The compliance date for § 107.29(a)(1) regarding the operation of a small unmanned aircraft system at night must be corrected so that it does not precede the new effective date. Similarly, a correction to § 107.65(d) regarding the timing of passing the recurrent aeronautical knowledge test or satisfying training requirements must

also be made to conform to the delayed effective date.

### Waiver of Rulemaking and Delayed Effective Date

Under the Administrative Procedure Act (APA) (5 U.S.C. 553), the Agency generally offers interested parties the opportunity to comment on proposed regulations and publish rules not less than 30 days before their effective dates. However, the APA provides that an agency is not required to conduct notice-and-comment rulemaking or delay effective dates when the agency, for good cause, finds that the requirement is impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553(b)(B) and (d)(3)). There is good cause to waive both of these requirements here as they are impracticable. A delay in the effective date of the final rule, Operation of Small Unmanned Aircraft Systems Over People, is necessary for the President's appointees and designees to have adequate time to review the rule before it takes effect, and neither the notice and comment process nor the delayed effective date could be implemented in time to allow for this review.

### Corrections

In FR Doc. 2020-28947 (86 FR 4314) published on January 15, 2021, the following corrections are made:

#### § 107.29 [Corrected]

- 1. On page 4382, in the second column, in § 107.29, in paragraph (a)(1), the date "March 1, 2021" is corrected to read "March 16, 2021".

#### § 107.65 [Corrected]

- 2. On page 4383, in the first column, in § 107.65, in paragraph (d), the date "March 1, 2021" is corrected to read "March 16, 2021".

Issued in Washington, DC, under the authority provided by 49 U.S.C. 106(f), 40101 note and 44807, on February 23, 2021.

#### Steve Dickson,

*Administrator, Federal Aviation Administration.*

[FR Doc. 2021-04093 Filed 2-24-21; 4:15 pm]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2020-0943; Airspace Docket No. 20-AWP-11]

RIN 2120-AA66

### Amendment of Class D and Class E Airspace and Establishment of Class E Airspace; Lancaster, CA

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies the Class E airspace, designated as an extension to a Class D or Class E surface area, at General WM J Fox Airfield Airport. Additionally, this action establishes Class E airspace, extending upward from 700 feet above the surface. Further, this action removes the Palmdale Production Flight/Test Instln Plant NR42, Palmdale VORTAC, and the Gen. William J. Fox NDB from the Class E4 legal description. Lastly, this action implements several administrative corrections to the Class D, Class E2 and Class E4 airspace text headers and legal descriptions.

**DATES:** Effective 0901 UTC, June 17, 2021. 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://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 7400.11E at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Matthew Van Der Wal, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231-3695.

**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 modifies Class D and Class E airspace and establishes Class E airspace at General WM J Fox Airfield Airport, Lancaster, CA, to ensure the safety and management of Instrument Flight Rules (IFR) operations at the airport.

### History

The FAA published a notice of proposed rulemaking in the **Federal Register** (85 FR 72613, November 13, 2020) for Docket No. FAA–2020–0943 to modify Class D and Class E airspace, and establish Class E airspace at General WM J Fox Airfield Airport, Lancaster, CA. 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 D, E2, E4, and E5 airspace designations are published in paragraphs 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designation 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### The Rule

This amendment to 14 CFR part 71 modifies the Class E airspace, designated as an extension to a Class D or Class E surface area, at General WM J Fox Airfield Airport, Lancaster, CA, to

properly contain IFR aircraft descending below 1,000 feet above the surface. This airspace area is described as follows: That airspace extending upward from the surface within 1 mile each side of the 252° bearing from the airport, extending from the 4-mile radius to 8.2 miles west of General WM J Fox Airfield Airport.

Also, this action establishes Class E airspace extending upward from 700 feet above the surface for the airport. This airspace is designed to contain IFR departures to 1,200 feet above the surface, and IFR arrivals descending below 1,500 feet above the surface. The airspace area is described as follows: That airspace extending upward from 700 feet above the surface within a 4-mile radius of the airport, and within 2 miles each side of the 091° bearing from the airport, extending from the 4-mile radius to 9.4 miles east of the airport, and within 2 miles each side of the 252° bearing from the airport, extending from the 4-mile radius to 16.3 miles west of the airport, and within 3.8 miles each side of the 311° bearing from the airport, extending from the 4-mile radius to 9.6 miles northwest of General WM J Fox Airfield Airport.

Additionally, this action removes the Palmdale Production Flight/Test Instln Plant NR42, the Palmdale VORTAC, and the Gen. William J. Fox NDB from the Class E4 legal description. The airport and the navigational aids are not needed to define the airspace. Removal of the airport and navigational aids allows the airspace to be defined from a single reference point which simplifies how the airspace is described.

Lastly, this action implements several administrative corrections to the airspaces' text headers and legal descriptions. The geographic coordinates in the Class D legal description are updated to lat. 34°44'28" N, long. 118°13'07" W. This action removes the city name from the second line of the Class D, Class E2, and Class E4 text headers. This action updates the airport name from "Gen. William J. Fox Airfield" to "General WM J Fox Airfield Airport" in the second line of the Class D, Class E2, and Class E4 text headers. The last sentence in the Class D and Class E2 legal descriptions is updated to replace the term "Airport/Facilities Directory." with the term "Chart Supplement."

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

### 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, 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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would 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.

### List 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 14 CFR 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**AWP CA D Lancaster, CA [Amended]**  
General WM J Fox Airfield Airport, CA

(Lat. 34°44'28" N, long. 118°13'07" W)

That airspace extending upward from the surface to and including 4,800 feet MSL within a 4-mile radius of General WM J Fox Airfield Airport. This Class D 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 6002 Class E Airspace Areas Designated as a Surface Area.*

\* \* \* \* \*

#### **AWP CA E2 Lancaster, CA [Amended]**

General WM J Fox Airfield Airport, CA  
(Lat. 34°44'28" N, long. 118°13'07" W)

That airspace extending upward from the surface within a 4-mile radius of General WM J Fox Airfield 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 6004 Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.*

\* \* \* \* \*

#### **AWP CA E4 Lancaster, CA [Amended]**

General WM J Fox Airfield Airport, CA  
(Lat. 34°44'28" N, long. 118°13'07" W)

That airspace extending upward from the surface within 1 mile each side of the 252° bearing from the airport, extending from the 4-mile radius to 8.2 miles west of General WM J Fox Airfield Airport.

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

\* \* \* \* \*

#### **AWP CA E5 Lancaster, CA [New]**

General WM J Fox Airfield Airport, CA  
(Lat. 34°44'28" N, long. 118°13'07" W)

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the airport, and within 2 miles each side of the 091° bearing from the airport, extending from the 4-mile radius to 9.4 miles east of the airport, and within 2 miles each side of the 252° bearing from the airport, extending from the 4-mile radius to 16.3 miles west of the airport, and within 3.8 miles each side of the 311° bearing from the airport, extending from the 4-mile radius to 9.6 miles northwest of General WM J Fox Airfield Airport.

Issued in Seattle, Washington, on February 16, 2021.

**B.G. Chew,**

*Acting Group Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2021-03910 Filed 2-25-21; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

[Docket No. FAA-2020-0727; Airspace Docket No. 20-ACE-18]

**RIN 2120-AA66**

#### **Amendment of Class E Airspace; Cambridge, NE**

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies the Class E airspace extending upward from 700 feet above the surface to properly contain instrument flight rules (IFR) operations at the airport. This action also removes the Harry Strunk NDB from the Class E5 text header and airspace description. Additionally, this action corrects the airport's geographic coordinates.

**DATES:** Effective 0901 UTC, June 17, 2021. 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://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 7400.11E at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Matthew Van Der Wal, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231-3695.

#### **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 modifies the Class E airspace at Cambridge Municipal Airport, Cambridge, NE, to ensure the safety and management of IFR operations at the airport.

#### **History**

The FAA published a notice of proposed rulemaking in the **Federal Register** (85 FR 79934, December 11, 2020) for Docket No. FAA-2020-0727 to modify Class E airspace at Cambridge Municipal Airport, Cambridge, NE. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Subsequent to publication of the NPRM, the FAA identified a typographical error in The Proposal section of the NPRM. The sentence in the NPRM's proposal that reads "To properly contain IFR departures to 700 feet above the surface the 6.4-mile radius should be increased to a 7.5-mile radius of the airport." Should have read "To properly contain IFR departures to 1,200 feet above the surface, the 6.4-mile radius should be increased to a 7.5-mile radius of the airport." The Final Rule corrects 700 feet to 1,200 feet in The Rule section of this document. The correction does not impact the airspace's lateral or vertical dimensions.

Class E5 airspace designations are published in paragraph 6005 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E 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 part 71 modifies the