

Las Vegas, NV, KLAS, ILS Y OR LOC Y RWY 26R, Orig
 Las Vegas, NV, KLAS ILS Z OR LOC Z RWY 26L, Amdt 8
 Las Vegas, NV, KLAS, ILS Z OR LOC Z RWY 26R, Amdt 21
 Dallas, TX, KRBD, RNAV (GPS) RWY 31, Amdt 1C
 Sonora, TX, KSOA, NDB OR GPS RWY 18, Amdt 3A, CANCELED
 Sonora, TX, KSOA, RNAV (GPS) RWY 18, Orig
 Front Royal, VA, KFRR, VOR-B, Orig-B, CANCELED

Rescinded: On July 28, 2023 (88 FR 48722), the FAA published an Amendment in Docket No. 31499, Amdt No. 4071, to part 97 of the Federal Aviation Regulations under §§ 97.20, 97.23, 97.33, and 97.37. The following entries for Northway, AK, effective October 5, 2023, are hereby rescinded in their entirety:

Northway, AK, PAOR, NORTHWAY ONE, Graphic DP
 Northway, AK, PAOR, RNAV (GPS) RWY 6, Amdt 1
 Northway, AK, PAOR, RNAV (GPS) RWY 24, Amdt 2
 Northway, AK, PAOR, Takeoff Minimums and Obstacle DP, Amdt 3
 Northway, AK, PAOR, VOR-A, Amdt 2

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31506; Amdt. No. 4078]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective September 18, 2023. The compliance date for each SIAP, associated Takeoff Minimums,

and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 18, 2023.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590-0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, email fr.inspection@nara.gov or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at nfdc.faa.gov to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg. 26, Room 217, Oklahoma City, OK 73099. Telephone: (405) 954-1139.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P-NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further,

airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary. This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good

cause exists for making these SIAPs effective in less than 30 days.

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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on September 1, 2023.

Thomas J. Nichols,

Aviation Safety, Flight Standards Service, Manager, Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97 is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

* * * *Effective Upon Publication*

AIRAC date	State	City	Airport name	FDC No.	FDC date	Procedure name
5–Oct–23	PA	Reading	Reading Rgnl/Carl A Spaatz Fld.	3/2093	8/10/23	This NOTAM, published in Docket No. 31504, Amdt No. 4076, TL 23–21, (88 FR 58496, August 28, 2023) is hereby rescinded in its entirety.
5–Oct–23	AK	Toksook Bay	Toksook Bay	3/0840	8/17/23	RNAV (GPS) RWY 34, Amdt 3B.
5–Oct–23	AK	Kobuk	Kobuk	3/0901	8/17/23	RNAV (GPS) RWY 9, Orig–B.
5–Oct–23	HI	Kahului	Kahului	3/1978	8/17/23	VOR Z OR TACAN RWY 20, Amdt 1.
5–Oct–23	AK	Cordova	Merle K (Mudhole) Smith	3/4108	8/17/23	RNAV (GPS) RWY 27, Amdt 2B.
5–Oct–23	AK	Cordova	Merle K (Mudhole) Smith	3/4118	8/17/23	RNAV (GPS)–B, Amdt 2A.
5–Oct–23	TX	Cisco	Gregory M Simmons Memorial	3/5997	8/18/23	RNAV (GPS) RWY 36, Amdt 1.
5–Oct–23	TX	Cisco	Gregory M Simmons Memorial	3/5998	8/19/23	RNAV (GPS) Y RWY 18, Amdt 1.
5–Oct–23	OH	Delaware	Delaware Muni/Jim Moore Fld	3/7356	8/18/23	RNAV (GPS) RWY 10, Amdt 1A.
5–Oct–23	NC	Roxboro	Raleigh Rgnl At Person County.	3/7532	8/18/23	ILS OR LOC RWY 6, Amdt 2.
5–Oct–23	CA	Petaluma	Petaluma Muni	3/9654	8/17/23	VOR RWY 29, Orig–D.
5–Oct–23	CA	Petaluma	Petaluma Muni	3/9655	8/17/23	RNAV (GPS) RWY 29, Orig–C.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 734

[Docket No. 230907–0214]

RIN 0694–AJ37

Export Administration Regulations (EAR): Transfer of Access Information and Release of Software (Source Code and Object Code)

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule; technical correction.

SUMMARY: In this final rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to make a technical correction

that also serves to clarify provisions of the EAR pertaining to the release of “software” as set out in the sections on release and transfer of access information. This final rule clarifies an ambiguity in the EAR by adding a cross-reference addressing transfer of access information in the section on releases of “technology” and “software,” as was originally intended. In addition, this final rule adds a clarifying note that, for purposes of transfer of access information, a release of “software” includes both source code and object code.

DATES: This rule is effective September 18, 2023.

FOR FURTHER INFORMATION CONTACT: For questions on these technical corrections, contact Eileen Albanese, Director, Office of National Security and Technology Transfer Controls, Bureau of Industry and Security, Department of Commerce,

Phone: (202) 482–0092, Email: rp2@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

In this final rule, BIS amends the EAR to make a technical correction that also serves to clarify provisions of the EAR that pertain to the release of “software.” On June 3, 2016, BIS published the final rule, *Revisions to Definitions in the Export Administration Regulations* (81 FR 35568) (June 3 rule). The June 3 rule added provisions to address releases of “technology” and “software” under § 734.15 and transfer of access information under § 734.19. In § 734.15, this final rule clarifies an ambiguity by adding a cross reference to § 734.19. In § 734.19, this final rule adds a new note to the section clarifying that for purposes of transfer of access information, a release of “software” includes source code and object code.