

that meets the antenna and power output requirements of Class A1S, A1, A2, A3, B1S, or B1 equipment as defined in TSO-C166b and Section 2 of RTCA DO-260B (as referenced in TSO-C166b), or TSO-C166c and Section 2 of RTCA DO-260C as modified by DO-260C—Change 1 (as referenced in TSO-C166c).

(2) * * *

(i) Class A1S, A1, A2, A3, B1S, or B1 as defined in TSO-C166b and Section 2 of RTCA DO-260B (as referenced in TSO-C166b) or TSO-C166c and Section 2 of RTCA DO-260C as modified by DO-260C—Change 1 (as referenced in TSO-C166c); or

(ii) Class A1S, A1H, A2, A3, B1S, or B1 equipment as defined in TSO-C154c and Section 2 of RTCA DO-282B (as referenced in TSO-C154c), or TSO-C154d and Section 2 of RTCA DO-282C (as referenced in TSO-C154d).

(c) * * *

(1) * * *

(iv) The aircraft’s SDA must be less than or equal to 10⁻⁵ per flight hour; and

(v) The aircraft’s SIL must be less than or equal to 10⁻⁷ per flight hour or per sample.

* * * * *

(d) *Minimum Broadcast Message Element Set for ADS-B Out.* Each aircraft must broadcast the following information, as defined in TSO-C166b (including Section 2 of RTCA DO-260B, as referenced in TSO-C166b), TSO-C166c (including Section 2 of RTCA DO-260C as modified by DO-260C—Change 1, as referenced in TSO-C166c), TSO-C154c (including Section 2 of RTCA DO-282B, as referenced in TSO-C154c), or TSO-C154d (including Section 2 of RTCA DO-282C, as referenced in TSO-C154d). The pilot must enter information for message elements listed in paragraphs (d)(7) through (10) of this section during the appropriate phase of flight.

* * * * *

(5) An indication if a collision avoidance system is installed and operating in a mode that can generate resolution advisory alerts;

(6) If an operable collision avoidance system is installed, an indication if a resolution advisory is in effect;

(7) An indication of the Mode A transponder code specified by ATC;

(8) An indication of the aircraft identification that is submitted on the flight plan or used for communicating with ATC, except when the pilot has not filed a flight plan, has not requested ATC services, and is using a TSO-C154c or TSO-C154d self-assigned temporary 24-bit address;

* * * * *

(11) An indication of the aircraft assigned ICAO 24-bit address, except when the pilot has not filed a flight plan, has not requested ATC services, and is using a TSO-C154c or TSO-C154d self-assigned temporary 24-bit address;

* * * * *

(13) An indication of whether an ADS-B In capability is available;

* * * * *

(g) *Incorporation by reference.* The standards required in this section are incorporated by reference with the approval of the Director of the Office of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the FAA and the National Archives and Records Administration (NARA). Contact the FAA at: Office of Rulemaking (ARM-1), 800 Independence Avenue SW, Washington, DC 20590 (telephone 202-267-9677). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations.html or email fr.inspection@nara.gov. This material is also available from the following sources indicated in this paragraph (g).

(1) U.S. Department of Transportation, Subsequent Distribution Office, DOT Warehouse M30, Ardmore East Business Center, 3341 Q 75th Avenue, Landover, MD 20785; telephone (301) 322-5377; website: www.faa.gov/aircraft/air_cert/design_approvals/tso/ (select the link “Search Technical Standard Orders”).

(i) TSO-C166b, Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Service-Broadcast (TIS-B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz), December 2, 2009.

(ii) TSO-C166c, Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Service-Broadcast (TIS-B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz), March 10, 2023.

(iii) TSO-C154c, Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B) Equipment Operating on the Frequency of 978 MHz, December 2, 2009.

(iv) TSO-C154d, Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B) Equipment Operating on the Radio Frequency of 978 Megahertz (MHz), March 10, 2023.

(2) RTCA, Inc., 1150 18th St. NW, Suite 910, Washington, DC 20036;

telephone (202) 833-9339; website: www.rtca.org/products.

(i) RTCA DO-260B, Minimum Operational Performance Standards for 1090 MHz Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Services-Broadcast (TIS-B), Section 2, Equipment Performance Requirements and Test Procedures, December 2, 2009.

(ii) RTCA DO-260C, Minimum Operational Performance Standards for 1090 MHz Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Services-Broadcast (TIS-B), Section 2, Equipment Performance Requirements and Test Procedures, December 17, 2020.

(iii) RTCA DO-260C, Minimum Operational Performance Standards for 1090 MHz Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Services-Broadcast (TIS-B), Change 1, January 25, 2022.

(iv) RTCA DO-282B, Minimum Operational Performance Standards for Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B), Section 2, Equipment Performance Requirements and Test Procedures, December 2, 2009.

(v) RTCA DO-282C, Minimum Operational Performance Standards (MOPS) for Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B), Section 2, Equipment Performance Requirements and Test Procedures, June 23, 2022.

Issued under authority provided by 49 U.S.C. 106(f), 40103, and 44701, in Washington, DC.

Polly E. Trottenberg,
Acting Administrator.

[FR Doc. 2023-22710 Filed 10-16-23; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 748

[Docket No. 231010-0244]

RIN 0694-AJ39

Existing Validated End-User Authorizations in the People’s Republic of China: Samsung China Semiconductor Co. Ltd. and SK Hynix Semiconductor (China) Ltd.

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: In this rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to revise the existing Validated End-User (VEU) list for the People's Republic of China (PRC) by updating the list of eligible items in the EAR for Samsung China Semiconductor Co. Ltd. and SK hynix Semiconductor (China) Ltd. In addition, this rule makes corresponding changes consistent with the scope of the amended authorizations for these VEUs.

DATES: This rule is effective October 17, 2023.

FOR FURTHER INFORMATION CONTACT: Chair, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, U.S. Department of Commerce, Phone: 202-482-5991; Email: ERC@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

Authorization Validated End-User

Validated End-Users (VEUs) are designated entities located in eligible destinations to which eligible items may be exported, reexported, or transferred (in-country) under a general authorization instead of a license. The names of the VEUs, as well as the dates they were so designated, and the associated eligible destinations (facilities) and items are identified in supplement no. 7 to part 748 of the Export Administration Regulations (EAR, 15 CFR parts 730-774). Pursuant to § 748.15 (Authorization Validated End-User (VEU)), eligible destinations of VEUs may obtain eligible items without the need for the VEUs' supplier to obtain an export or reexport license from BIS. Eligible items vary among VEUs and may include commodities, software, and/or technology, except items controlled for missile technology or crime control reasons on the Commerce Control List (CCL) (supp. no. 1 to part 774 of the EAR).

VEUs are reviewed and approved by the U.S. Government in accordance with the provisions of Section 748.15 and Supplement Nos. 8 and 9 to part 748 of the EAR. The End-User Review Committee (ERC), composed of representatives from the Departments of State, Defense, Energy, Commerce, and other agencies as appropriate, is responsible for administering the VEU program. BIS amended the EAR in a final rule published on June 19, 2007 (72 FR 33646), to create Authorization

Clarification to Heading of Supplement No. 7 to Part 748

This rule clarifies the heading of supplement no. 7 to part 748 by adding the parenthetical "(in-country)" after the word "transfer" to make clear that the term that applies to this supplement is transfer (in-country) as described in § 734.16 of the EAR and not the defined term "transfer" in § 772.1 of the EAR.

Amendments to Existing VEU Authorizations for Samsung China Semiconductor Co. Ltd. and SK Hynix Semiconductor (China) Ltd.

Revision to the List of Eligible Items for Samsung China Semiconductor Co. Ltd.

In this rule, BIS amends supplement no. 7 to part 748 to revise the list of eligible items that may be exported, reexported or transferred (in-country) to Samsung China Semiconductor Co. Ltd. under Authorization VEU. Specifically, this rule amends the list of items eligible for export, reexport or transfer (in-country) to Samsung China Semiconductor Co. Ltd. under Authorization VEU to read: "All items subject to the Export Administration Regulations, except "extreme ultraviolet" ("EUV") equipment and "specially designed" "parts," "components," "software," and "technology," necessary for the "development" or "production" of NAND memory. Excluded from §§ 744.6(c)(2)(i-iii), and 744.23(a)(1)(iii) and (a)(2)(iii) of the EAR. See § 748.15(d)."

Revisions to the List of Eligible Items for SK Hynix Semiconductor (China) Ltd.

BIS also amends supplement no. 7 to part 748 to revise the list of items eligible for export, reexport or transfer (in-country) to SK hynix Semiconductor (China) Ltd. under Authorization VEU to read: "All items subject to the Export Administration Regulations, except "extreme ultraviolet" ("EUV") equipment and "specially designed" "parts," "components," "software," and "technology," necessary for the "development" or "production" of dynamic random-access memory (DRAM). Excluded from §§ 744.6(c)(2)(i-iii) and 744.23(a)(1)(iii) and (a)(2)(iii) of the EAR. See § 748.15(d)."

Amendment to § 748.15 Authorization Validated End-User (VEU)

In addition to the amendments to the lists of eligible items discussed above, BIS also makes corresponding changes to § 748.15, consistent with the scope of the amended authorizations for these VEUs. Specifically, in this rule, BIS

adds a new sentence after the first sentence of § 748.15(d) that provides an exclusion to the restrictions of §§ 744.6(c)(2)(i-iii) and 744.23(a)(1)(iii) and (a)(2)(iii) controls. The added sentence states, "This restriction does not apply to Validated End Users identified in supplement no. 7 to part 748—Authorization Validated End-User (VEU) as excluded from §§ 744.6(c)(2)(i-iii) and 744.23(a)(1)(iii) and (a)(2)(iii)." This serves to inform exporters that Authorization VEU may be used to overcome the license requirements set forth in §§ 744.6(c) and 744.23(a)(1)(iii) and (a)(2)(iii) for identified VEUs.

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA) (50 U.S.C. 4801-4852). ECRA provides the legal basis for BIS's principal authorities and serves as the authority under which BIS issues this rule.

Rulemaking Requirements

1. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to or be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves an information collection approved by OMB under control number 0694-0088, Simplified Network Application Processing System. BIS does not anticipate a change to the burden hours associated with this collection as a result of this rule. Information regarding the collection, including all supporting materials, can be accessed at <https://www.reginfo.gov/public/do/PRAMain>.

3. This rule does not contain policies with federalism implications as that term is defined in Executive Order 13132.

4. Pursuant to section 1762 of the Export Control Reform Act of 2018, this action is exempt from the Administrative Procedure Act (5 U.S.C. 553) requirements for notice of proposed rulemaking, opportunity for public participation, and delay in effective date.

5. Because a notice of proposed rulemaking and an opportunity for

public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

List of Subjects in 15 CFR Part 748

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

Accordingly, part 748 of the EAR (15 CFR parts 730–774) is amended as follows:

PART 748—[AMENDED]

■ 1. The authority citation for part 748 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 4, 2022, 87 FR 48077 (August 5, 2021).

■ 2. Amend § 748.15(d) by adding a sentence after the first sentence to read as follows:

§ 748.15 Authorization Validated End-User (VEU).

* * * * *

(d) * * * Items obtained under authorization VEU in China may be used only for civil end uses and may not be used for any activities described in part 744 of the EAR. The restrictions of §§ 744.6(c)(2)(i) through (iii) and 744.23(a)(1)(iii) and (a)(2)(iii) do not apply to VEUs identified in supplement

no. 7 to part 748 as excluded from §§ 744.6(c)(2)(i) through (iii) and 744.23(a)(1)(iii) and (a)(2)(iii). * * *

■ 3. Amend Supplement No. 7 to part 748 by revising the heading of the supplement and the entries for “Samsung China Semiconductor Co. Ltd.” and “SK hynix Semiconductor (China) Ltd.” in “China (People’s Republic of)” to read as follows:

Supplement No. 7 to Part 748— Authorization Validated End-User (VEU): List of Validated End-Users, Respective Items Eligible for Export, Reexport and Transfer (In-Country), and Eligible Destinations

Country	Validated end-user	Eligible items (by ECCN)	Eligible destination	Federal Register citation
Nothing in this Supplement shall be deemed to supersede other provisions in the EAR, including but not limited to § 748.15(c).				

Samsung China Semiconductor Co. Ltd.	All items subject to the Export Administration Regulations (EAR), except “extreme ultraviolet” (“EUV”) equipment and “specially designed” “parts,” “components,” “software,” and “technology” therefor, necessary for the “development” or “production” of NAND memory. Excluded from §§ 744.6(c)(2)(i–iii) and 744.23(a)(1)(iii) and (a)(2)(iii) of the EAR. See § 748.15(d).	Samsung China Semiconductor Co., Ltd., No. 1999, North Xiaohu Road, Xi’an, China 710119.	78 FR 41291, 7/10/13. 78 FR 69535, 11/20/13. 79 FR 30713, 5/29/14. 80 FR 11863, 3/5/15. 88 FR [INSERT PAGE NUMBER], 10/17/23.	
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Country	Validated end-user	Eligible items (by ECCN)	Eligible destination	Federal Register citation
*	*	*	*	*
SK hynix Semiconductor (China) Ltd.	All items subject to the Export Administration Regulations, except “extreme ultraviolet” (“EUV”) equipment and “specially designed” “parts,” “components,” “software,” and “technology,” necessary for the “development” or “production” of dynamic random-access memory (DRAM). Excluded from §§ 744.6(c)(2)(i–iii) and 744.23(a)(1)(iii) and (a)(2)(iii) of the EAR. See § 748.15(d).	SK hynix Semiconductor (China) Ltd., Lot K7, Wuxi High-tech Zone, Comprehensive Bonded Zone, Wuxi New District, Jiangsu Province, China 214028.	75 FR 62462, 10/12/10. 77 FR 40258, 7/9/12. 78 FR 3319, 1/16/13. 78 FR 69537, 11/20/13. 88 FR [INSERT PAGE NUMBER], 10/17/23.	
*	*	*	*	*

Matthew S. Borman,
Deputy Assistant Secretary for Export Administration.
 [FR Doc. 2023–22873 Filed 10–13–23; 8:45 am]
BILLING CODE 3510–33–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2023–0809]

Special Local Regulations; Marine Events Within the Eleventh Coast Guard District-San Diego Fleet Week Veterans Day Boat Parade.

AGENCY: Coast Guard, DHS.
ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulations on the waters of San Diego Bay, CA, during the San Diego Fleet Week Veterans Day Boat Parade on November 12, 2023. This special local regulation is necessary to provide for the safety of the participants, crew, sponsor vessels of the event, and general users of the waterway. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander

or any Official Patrol displaying a Coast Guard ensign.
DATES: The regulations in 33 CFR 100.1101 for the location described in Item No. 17 in table 1 to § 100.1101, will be enforced from 8:30 a.m. until noon on November 12, 2023.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Junior Grade Shelley Turner, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278–7656, email MarineEventsSD@uscg.mil.

SUPPLEMENTARY INFORMATION: *The Coast Guard will enforce the special local regulations in 33 CFR 100.1101 for the location identified in Item No. 17 in table 1 to § 100.1101, from 8:30 a.m. until noon on November 12, 2023, for the San Diego Fleet Week Veterans Day Boat Parade in San Diego Bay, CA. This action is being taken to provide for the safety of life on the navigable waterways during the event. Our regulation for recurring marine events in the San Diego Captain of the Port Zone, § 100.1101, Item No. 17 in table 1 to § 100.1101, specifies the location of the regulated area for the San Diego Fleet Week Veterans Day Boat Parade, which encompasses portions of San Diego Bay. Under the provisions of § 100.1101, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area*

unless authorized by the Captain of the Port, or his designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Local Notice to Mariners and marine information broadcasts.

Dated: October 10, 2023.

J.W. Spitzer,
Captain, U.S. Coast Guard, Captain of the Port Sector San Diego.

[FR Doc. 2023–22882 Filed 10–16–23; 8:45 am]
BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2023–0593]

RIN 1625–AA08

Special Local Regulation; Lake Havasu, Lake Havasu City, AZ

AGENCY: Coast Guard, DHS.
ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a special local regulation in the navigable waters of the Bridgewater