

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2021–0850; Airspace  
Docket No. 21–ANM–26]

RIN 2120–AA66

**Modification of Class E Airspace;  
Northeast Wyoming Regional Airport,  
Gillette, WY**

**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 at Northeast Wyoming Regional Airport, Gillette, WY. This action supports the safety and management of instrument flight rules (IFR) operations at the airport.

**DATES:** Effective date 0901 UTC, January 25, 2024. 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 JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at [www.regulations.gov](http://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

**FOR FURTHER INFORMATION CONTACT:** Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216th Street, Des Moines, WA 98198; telephone (206) 231–3460.

**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 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 Class E airspace to support IFR operations at Northeast Wyoming Regional Airport, Gillette, WY.

**History**

The FAA published a notice of proposed rulemaking for Docket No. FAA–2021–0850 in the **Federal Register** (88 FR 38412; June 13, 2023) proposing to modify Class E airspace at Northeast Wyoming Regional Airport, Gillette, WY. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

**Differences From the NPRM**

Subsequent to the publication of the NPRM, the FAA modified the Class E5 Airspace legal description for Northeast Wyoming Regional Airport, Gillette, WY, to simplify and shorten the description. The phrase “and that airspace” was removed from the description, and the phrase “that airspace” was replaced with the word “within.” Those changes are reflected in this final rule.

**Incorporation by Reference**

Class E5 airspace areas are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

This action amends 14 CFR part 71 by modifying the Class E airspace extending upward from 700 feet above the surface at Northeast Wyoming Regional Airport, Gillette, WY.

The Class E airspace extending upward from 700 feet above the surface is modified to include a 5-mile radius of the airport. This area accommodates arriving IFR operations below 1,500 feet above the surface and departing IFR

operations until they reach 1,200 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 5–6.5.a. 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 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 part 71.1 of FAA Order JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

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

\* \* \* \* \*

**ANM WY E5 Gillette, WY [Amended]**

Northeast Wyoming Regional Airport, WY  
(Lat. 44°20'56" N, long. 105°32'22" W)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the airport, within 4 miles each side of the 170° bearing extending from the 5-mile radius to 14 miles south of the airport, and within 4 miles each side of the 350° bearing extending from the 5-mile radius to 11 miles north of the airport.

\* \* \* \* \*

Issued in Des Moines, Washington, on  
October 13, 2023.

**B.G. Chew,**

Group Manager, Operations Support Group,  
Western Service Center.

[FR Doc. 2023–23123 Filed 10–19–23; 8:45 am]

**BILLING CODE 4910–13–P**

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9979]

**RIN 1545–BQ81**

**Additional Guidance on Low-Income  
Communities Bonus Credit Program**

*Correction*

In Rule Document 2023–17078, appearing on pages 55506 to 55548 in the issue of Tuesday, August 15, 2023, make the following correction:

**PART 1 [Corrected]**

■ On page 55540, in the second column, beginning on line 40, the Authority citation is corrected to read as forth below:

**Authority:** 26 U.S.C. 7805 unless otherwise noted.

\* \* \* \* \*

Section 1.48(e)–1 issued under 26 U.S.C.  
48

\* \* \* \* \*

[FR Doc. C2–2023–17078 Filed 10–19–23; 8:45 am]

**BILLING CODE 0099–10–P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9983]

**RIN 1545–BQ14**

**Mortality Tables for Determining  
Present Value Under Defined Benefit  
Pension Plans**

**AGENCY:** Internal Revenue Service (IRS),  
Treasury.

**ACTION:** Final regulations.

**SUMMARY:** This document sets forth final regulations prescribing mortality tables to be used for most defined benefit pension plans. The tables specify the probability of survival year-by-year for an individual based on age, gender, and other factors. The tables are used (together with other actuarial assumptions) to calculate the present value of a stream of expected future benefit payments for purposes of determining the minimum funding requirements for the plan. These mortality tables are also relevant for determining the minimum required amount of a lump-sum distribution from such a plan. These regulations affect participants in, beneficiaries of, employers maintaining, and administrators of certain defined benefit pension plans.

**DATES:**

*Effective date:* These regulations are effective October 20, 2023.

*Applicability date:* These regulations apply to valuation dates occurring on or after January 1, 2024.

*Incorporation by reference:* The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of October 20, 2023.

**FOR FURTHER INFORMATION CONTACT:**

Concerning the regulations, Arslan Malik or Linda Marshall at (202) 317–6700; concerning the construction of the base mortality tables and the static mortality tables for 2024, Christopher Denning at (202) 317–5755 (not toll free).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 412 of the Internal Revenue Code (Code) prescribes minimum funding requirements for defined benefit pension plans, and section 430 specifies the minimum funding requirements that apply generally to defined benefit plans that are not

multiemployer plans.<sup>1</sup> Section 430(a) defines the minimum required contribution for a plan by reference to the plan's funding target for the plan year. Under section 430(d)(1), a plan's funding target for a plan year generally is the present value of all benefits accrued or earned under the plan as of the first day of that plan year.

Section 430(h)(3) provides rules regarding the mortality tables to be used under section 430. Under section 430(h)(3)(A), except as provided in section 430(h)(3)(C) or (D), the Secretary is to prescribe by regulation mortality tables to be used in determining any present value or making any computation under section 430. Those mortality tables are to be based on the actual mortality experience of pension plan participants and projected trends in that experience. In prescribing those mortality tables, the Secretary is required to take into account results of available independent studies of mortality of individuals covered by pension plans. Under section 430(h)(3)(B), the Secretary is required to revise any mortality table in effect under section 430(h)(3)(A) at least every 10 years to reflect actual mortality experience of pension plan participants and projected trends in that experience. Under section 430(h)(3)(C), a plan sponsor may request the Secretary's approval to use plan-specific substitute mortality tables that meet requirements specified in the statute rather than the generally applicable mortality tables. If approved, the substitute mortality tables are used to determine present values and make computations under section 430 during the period of consecutive plan years (not to exceed 10) specified in the request.

Section 430(h)(3)(D) provides for the use of separate mortality tables with respect to certain individuals who are entitled to benefits on account of disability. These separate mortality tables are permitted to be used with respect to disabled individuals in lieu of the generally applicable mortality tables

<sup>1</sup> Section 302 of the Employee Retirement Income Security Act of 1974, Public Law 93–406, 88 Stat. 829 (1974), as amended (ERISA), sets forth funding rules that are parallel to those in section 412 of the Code, and section 303 of ERISA sets forth additional funding rules for defined benefit plans (other than multiemployer plans) that are parallel to those in section 430 of the Code. Pursuant to section 101 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App., as amended, the Secretary of the Treasury has interpretive jurisdiction over the subject matter addressed in these regulations for purposes of ERISA, as well as the Code. Thus, these Treasury regulations issued under section 430 of the Code also apply for purposes of section 303 of ERISA. Similarly, Treasury regulations under sections 431 and 433 apply for purposes of sections 304 and 306 of ERISA.