

Rules and Regulations

Federal Register

Vol. 91, No. 15

Friday, January 23, 2026

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.

The **Code of Federal Regulations** is sold by the Superintendent of Documents.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-2305; Airspace Docket No. 24-AGL-22]

RIN 2120-AA66

Establishment of Class E Airspace; Washburn, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Washburn, ND. This action is due to the development of new public instrument procedures at Washburn Municipal Airport, Washburn, ND, and to support instrument flight rule (IFR) operations.

DATES: Effective 0901 UTC, May 14, 2026. 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 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. An electronic copy of this document may also be downloaded from www.federalregister.gov.

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at 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:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

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 establishes Class E airspace at the affected airport to support IFR operations.

History

The FAA published an NPRM for Docket No. FAA-2024-2305 in the **Federal Register** (89 FR 80430; October 3, 2024) proposing to establish Class E airspace at Washburn, ND. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received supporting this action. No response is provided.

Incorporation by Reference

Class E airspace designations 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 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface to within a 6.9-mile radius of Washburn Municipal Airport, Washburn, ND.

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.

Lists 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 71.1 of FAA Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows:

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

* * * * *

AGL ND E5 Washburn, ND [Establish]

Washburn Municipal Airport, ND
(Lat. 47°21'04" N, long. 101°01'33" W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Washburn Municipal Airport.

* * * * *

Issued in Fort Worth, Texas, on January 21, 2026.

Courtney E. Johns,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

[FR Doc. 2026-01293 Filed 1-22-26; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 93**

[Docket No. FAA-2026-0199; Amdt. No. 93-105]

RIN 2120-AM14

Flight Restrictions in the Vicinity of Ronald Reagan Washington National Airport (DCA)

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Interim final rule with request for comments.

SUMMARY: FAA is revising its regulations to implement certain flight restrictions in the airspace over the Potomac River near Ronald Reagan Washington National Airport (DCA) permanently. These revisions are necessary to mitigate the potential for midair collisions resulting from insufficient separation between fixed-wing aircraft operating to or from DCA and helicopters or powered-lift operating in the vertical-lift flight mode near DCA. The revisions will also fully implement a National Transportation Safety Board safety recommendation. The flight restrictions will prohibit helicopters and powered-lift operating in the vertical-lift flight mode from operating in a designated area near DCA unless these aircraft are conducting an essential operation.

DATES: This interim final rule is effective January 23, 2026.

Submit comments on or before February 23, 2026.

ADDRESSES: Send comments identified by docket number FAA-2026-0199 using any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at (202) 493-2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Brian Konie, Rules and Regulations Group, Policy Directorate, Air Traffic Organization, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:**I. Executive Summary**

FAA is revising its regulations to add subpart X to 14 CFR part 93 that will permanently implement certain flight restrictions in the airspace over the Potomac River near Ronald Reagan Washington National Airport (DCA). These revisions are necessary to mitigate the potential for midair collisions resulting from insufficient separation between fixed-wing aircraft operating to or from DCA and helicopters or powered-lift operating in the vertical-lift flight mode near DCA. The revisions will also fully implement a National Transportation Safety Board (NTSB) safety recommendation.

Specifically, helicopters or powered-lift operating in the vertical-lift flight mode may only conduct essential operations in the area between the Memorial Bridge, Hains Point, and the

Wilson Bridge as defined in new § 93.373. These requirements are effective immediately.

When helicopters or powered-lift operating in the vertical-lift flight mode must conduct essential operations in this area designated in § 93.373, air traffic control (ATC) will manage fixed-wing traffic to restrict traffic from entering the special flight rules area. This includes local procedures which restrict the use of Runways 15/33 or 4/22 for arrivals or departures when excepted helicopter/powered-lift aircraft are operating within the area.

For the purposes of this subpart, and as described in § 93.375, FAA recognizes the following operations as essential: lifesaving medical, active law enforcement, active national security, continuity activities for the Federal government, or transportation for the President or Vice President of the United States (U.S.). Routine training, proficiency evaluation flights, and other flights for transportation of personnel that are not involved in an essential operation, as previously described, are not essential operations. In short, essential helicopter operations in this area should be exceedingly rare.

Through this rule, FAA is also amending the authority citation for 14 CFR part 93 to remove the citation to 49 U.S.C. 106(g) to reflect amendments resulting from the FAA Reauthorization Act of 2024.¹

II. Interim Final Rule

FAA is adopting this interim final rule without prior notice and prior public comment to enact measures to mitigate the unacceptable risk of midair collisions near DCA resulting from insufficient separation immediately. U.S. Department of Transportation (DOT) Order 2100.6B, Policies and Procedures for Rulemaking,² provides that issuing substantive rules without completing notice and comment is an exception and not favored. Accordingly, FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. The agency also invites comments relating to the economic, environmental, energy, or federalism impacts that might result from this interim final rule. FAA will replace this IFR with a final rule at the earliest opportunity following a review of comments received.

See the “Additional Information” section for information on how to comment on this interim final rule and how FAA will handle comments received. The “Additional Information” section also contains related information about the docket, privacy,