

# Rules and Regulations

Federal Register

Vol. 91, No. 109

Monday, June 8, 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-2026-3637; Airspace Docket No. 26-AGL-3]

RIN 2120-AA66

#### Establishment of Class E Airspace; Dover, OH

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Cleveland Clinic, Union Hospital Heliport, Dover, OH. This action supports new instrument procedures and instrument flight rule (IFR) operations.

**DATES:** Effective 0901 UTC, October 29, 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](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. An electronic copy of this document may also be downloaded from [www.federalregister.gov](http://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/](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:** Raul Garza Jr., Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5874.

#### 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 extending upward from 700 feet above the surface at Cleveland Clinic, Union Hospital Heliport, Dover, OH, to support IFR operations at this airport.

##### History

The FAA published an NPRM for Docket No. FAA-2026-3637 in the **Federal Register** (91 FR 17164; April 6, 2026) proposing to establish Class E airspace at Cleveland Clinic, Union Hospital Heliport, Dover, OH. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

##### 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 modifies 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface within an 8.1-mile radius of Cleveland Clinic, Union Hospital Heliport, Dover, OH. This action is the result of instrument procedures being developed for this airport to support IFR operations.

#### 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 Order 2100.6B, "Rulemaking and Guidance Procedure" (March 10, 2025); and (3) is expected to result in, at most, de minimis costs from compliance with applicable operating requirements or minor flight rerouting for operators choosing to navigate around the controlled airspace. Since these amendments are routine and the expected impact to operators is de minimis, the FAA certifies 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 1050.1G, "FAA National Environmental Policy Act Implementing Procedures," paragraph B-2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B-2.5(k), which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks.

As such, this action is not expected to result in any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### Lists of Subjects in 14 CFR 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 OH E5 Dover, OH [Establish]

Cleveland Clinic, Union Hospital Heliport, OH

(Lat 40°30'57" N, long 81°27'21" W)

That airspace extending upward from 700 feet above the surface within an 8.1-mile radius of the Cleveland Clinic, Union Hospital Heliport.

\* \* \* \* \*

Issued in Fort Worth, Texas, on June 4, 2026.

**Courtney E. Johns,**

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

[FR Doc. 2026–11476 Filed 6–5–26; 8:45 am]

**BILLING CODE 4910–13–P**

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 10

#### Rescission of Policy Relating to the Acceptance of Settlements in Administrative and Civil Proceedings

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commodity Futures Trading Commission (“CFTC” or “Commission”) is rescinding a policy contained in an appendix to its regulations concerning acceptance of settlements in administrative and civil proceedings. This policy is commonly understood to limit a respondent’s or defendant’s ability to deny allegations following settlement.

**DATES:** This rule is effective June 8, 2026.

**FOR FURTHER INFORMATION CONTACT:** Stephen Andrews, Deputy General Counsel for Regulation, *sandrews@cftc.gov*, 202–308–7563, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** Since 1998,<sup>1</sup> the Commission has maintained a policy, codified in appendix A to part 10 of its rules of practice for adjudicatory proceedings, 17 CFR part 10, that the Commission will not accept settlement<sup>2</sup> offers where the respondent or defendant continues to deny the allegations, or the findings of fact and conclusions of law. For the reasons explained below, the Commission now rescinds this policy and repeals appendix A of part 10.

#### I. Background

When the Commission exercises its authority to investigate and bring enforcement actions,<sup>3</sup> it does not litigate every action to judgment. Like all parties to litigation, the Commission and litigant against whom it brings a federal district court action or agency adjudication may agree to settle.<sup>4</sup> The Commission’s decision to settle depends on a range of factors, including the Commission’s judgment that obtaining an immediate result by settlement better serves the public interest than expending the resources and accepting the risk that comes with fully litigating the matter. Similarly, a defendant’s

decision to settle may turn on numerous factors.

In a typical Commission settlement, a defendant in federal district court signs a consent<sup>5</sup> that describes the terms on which the parties have agreed to settle, or, in an administrative action, a respondent submits an offer of settlement that contains those terms. These documents reflect the defendant’s (or respondent’s) agreement and representation that the defendant (or respondent) is entering into the settlement knowingly and voluntarily. For actions in federal district court, the Commission (sometimes jointly with the defendant) will then ask the court to enter a consent judgment (or consent order) that incorporates the terms of the consent and to retain continuing jurisdiction.<sup>6</sup> For administrative adjudications, the Commission accepts an offer of settlement by issuing an opinion and order, which makes findings, imposes remedial sanctions, and incorporates the terms of the offer.

In 1998, the Commission adopted appendix A to part 10.<sup>7</sup> Appendix A set forth a policy not to accept any offer of settlement in an administrative or civil proceeding if the respondent or defendant wished to continue to deny the allegations of the Commission’s complaint.<sup>8</sup> The Commission reasoned that “[i]n accepting a settlement and entering an order finding violations . . . the Commission makes uncontested finding of fact and conclusions of law. The Commission does not believe it would be appropriate for the agency to be making such uncontested findings of violations if the party against whom the uncontested findings are to be entered is continuing to deny the alleged misconduct.”<sup>9</sup> By limiting the circumstances under which the Commission will accept a settlement offer, this policy binds the staff of the Commission’s Division of Enforcement in settlement negotiations.

<sup>5</sup> The consent is typically incorporated into a proposed consent order signed by the defendant and presented to the Commission for its consideration. If approved by the Commission, it is signed by a Commission Division of Enforcement attorney and presented to the federal district court for its consideration.

<sup>6</sup> Consent judgments are “compromises in which the parties give up something they might have won in litigation and waive their rights to litigation.” *United States v. ITT Cont’l Baking Co.*, 420 U.S. 223, 235 (1975). They “embod[y] an agreement of the parties and thus in some respects [are] contractual in nature,” but they are also “enforceable as . . . judicial decree[s].” *Texas v. New Mexico*, 602 U.S. 943, 953 (2024).

<sup>7</sup> Rules of Practice, 63 FR 55784, 55790 (Oct. 19, 1998).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>1</sup> Rules of Practice, 63 FR 55784, 55796 (Oct. 19, 1998); Technical Correction, 64 FR 30902, 30903–30904 (June 9, 1999).

<sup>2</sup> We use the term “settlement” to refer to the resolution of enforcement actions by consent in which the Commission and a party against whom it has brought an action agree to terms to end that action, including agreed-upon sanctions. Settlements can include entry into consent judgments in federal district court and the acceptance of settlement offers in an order issued in an administrative adjudication.

<sup>3</sup> 7 U.S.C. 9, 15.

<sup>4</sup> *CFTC v. Schor*, 478 U.S. 833 (1986) (establishing that the CFTC has authority to adjudicate cases, which includes the implied authority to reach settlements in both administrative proceedings and enforcement actions).