

# Rules and Regulations

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## MERIT SYSTEMS PROTECTION BOARD

### 5 CFR Part 1201

#### Practices and Procedures

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Final rule.

**SUMMARY:** The Merit Systems Protection Board (MSPB or the Board) is amending its rules of practice and procedure to reflect the relocation of its Washington Regional Office.

**DATES:** Effective July 29, 2013.

**FOR FURTHER INFORMATION CONTACT:** William D. Spencer, Clerk of the Board, Merit Systems Protection Board, 1615 M Street NW., Washington, DC 20419; phone: (202) 653-7200; fax: (202) 653-7130; or email: [mspb@mspb.gov](mailto:mspb@mspb.gov).

**SUPPLEMENTARY INFORMATION:** On July 26, 2013, MSPB will relocate its Washington Regional Office from 1800 Diagonal Road, Alexandria, Virginia, to 1901 S. Bell Street, Arlington, Virginia. Appendix II of this part is amended to show the new address. The facsimile number and the geographical areas served by the Washington Regional Office are unchanged. The Board is publishing this as a final rule pursuant to 5 U.S.C. 1204(h).

#### List of Subjects in 5 CFR Part 1201

Administrative practice and procedure.

Accordingly, the Board amends 5 CFR part 1201 as follows:

#### PART 1201—PRACTICES AND PROCEDURES

■ 1. The authority citation for part 1201 continues to read as follows:

**Authority:** 5 U.S.C. 1204, 1305, and 7701, and 38 U.S.C. 4331, unless otherwise noted.

#### Appendix II to Part 1201 [Amended]

■ 2. Amend Appendix II to part 1201 in item 4. by removing “1800 Diagonal Road, Alexandria, Virginia 22314” and adding, in its place, “1901 S. Bell Street, Arlington, Virginia 22202”.

**William D. Spencer,**  
*Clerk of the Board.*

[FR Doc. 2013-17592 Filed 7-22-13; 8:45 am]

**BILLING CODE 7400-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0609; Airspace Docket No. 13-ASO-15]

#### Amendment of Class E Airspace; Tri-Cities, TN

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace for the Tri-Cities, TN area, by correcting the regulatory text of the Class E surface airspace at Tri-Cities Regional Airport, Tri-Cities, TN. Exclusionary language was omitted in the final rule published in the **Federal Register** of February 5, 2013. This action is necessary for the safety and management of Instrument Flight Rules (IFR) operations in the Tri-Cities area.

**DATES:** Effective date: 0901 UTC July 23, 2013.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### History

On February 5, 2013, the FAA published in the **Federal Register** a final rule amending Class D and E airspace in the Tri-Cities, TN, area (78 FR 7993).

The line defining the exclusion of controlled airspace surrounding the Edwards Heliport in the Class E surface area airspace description for Tri-Cities Regional Airport, Tri-Cities, TN, was erroneously omitted. Since any delay in correcting the controlled airspace in order to seek public comment would be inconsistent with the agency's safety mandate, action is taken herein to

include the corrective language. Since the regulatory text, as currently described, penetrates the controlled airspace of Edwards Heliport, immediate corrective action is required in the interest of flight safety. Therefore, I find that notice and public procedures under 5 U.S.C. 553(b) is impracticable and contrary to the public interest. Also, in consideration of the need to include this exclusion of controlled airspace for Tri-cities Regional Airport and to avoid confusion on the part of pilots flying in the vicinity of Tri-Cities, TN, the FAA finds good cause, pursuant to 5 U.S.C. 553(d), for making this amendment effective in less than 30 days in order to promote the safe and efficient handling of air traffic in the area.

#### SUPPLEMENTARY INFORMATION:

##### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E surface airspace at Tri-Cities Regional Airport, Tri-Cities, TN, by inserting in the regulatory text the exclusion of the 2.5-mile radius surrounding Edwards Heliport.

The Class E airspace designations are published in Paragraph 6002 of FAA Order 7400.9W, dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the order.

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.

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 amends Class E airspace at Tri-Cities Regional Airport, Tri-Cities, TN.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. 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).

#### Adoption of 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 part 71 continues to read as follows:

**Authority:** 49 U.S.C. 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 Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, is amended as follows:

*Paragraph 6002 Class E Airspace Designated as Surface Areas*

\* \* \* \* \*

#### **ASO TN E2 Tri-Cities, TN [Amended]**

Tri-Cities Regional Airport, TN/VA  
(Lat. 36°28'31" N., long. 82°24'27" W.)  
Edwards Heliport, TN

(Lat. 36°25'57" N., long. 82°17'37" W.)  
That airspace extending upward from the surface within a 6.8-mile radius of Tri-Cities

Regional Airport, excluding the 2.5-mile radius of Edwards Heliport. This Class E airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

Issued in College Park, Georgia, on July 10, 2013.

**Jack Allen,**

*Acting Manager, Operations Support Group,  
Eastern Service Center, Air Traffic  
Organization.*

[FR Doc. 2013–17256 Filed 7–22–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 736 and 746

[Docket No. 130627574–3574–01]

RIN 0694–AF94

#### **Amendments to the Export Administration Regulations: Implementation of Limited Syria Waiver for Reconstruction Assistance**

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

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to implement a limited waiver, published by the Secretary of State on June 12, 2013, of the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (the SAA). The waiver authorizes BIS to issue licenses on a case-by-case basis for the export or reexport of certain commodities, software, and technology necessary for the support of the Syrian people. Specifically, consistent with Section 5(b) of the SAA, Executive Order 13338 of May 11, 2004 and the International Emergency Economic Powers Act (IEEPA), BIS implements the waiver by amending its Syria licensing policy under the EAR. BIS will review licenses on a case-by-case basis for the export or reexport of certain commodities, software, and technology, including, but not limited to, those related to water supply and sanitation, agricultural production and food processing, power generation, oil and gas production, construction and engineering, transportation, and educational infrastructure, as a means of helping to address the critical needs of the Syrian people and facilitating reconstruction. These exports are necessary to support a political transition, restore stability, and counter

destabilizing influences in the region, and are therefore essential to the national security of the United States.

**DATES:** This rule is effective July 23, 2013.

#### **FOR FURTHER INFORMATION CONTACT:**

Steven Schrader, Senior Export Policy Analyst, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance, Bureau of Industry and Security, by phone (202) 482–1338 or by email [Steven.Schrader@bis.doc.gov](mailto:Steven.Schrader@bis.doc.gov) or the BIS Foreign Policy Division at (202) 482–4252.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Pub. L. 108–175, codified as a note to 22 U.S.C. 2151) (the SAA), the United States addressed the Syrian government's support for terrorist groups, its military presence in Lebanon, its pursuit of weapons of mass destruction, and its actions to undermine U.S. and international efforts with respect to the stabilization and reconstruction of Iraq (Section 5(a) and (d)). Section 5(a)(1) of the SAA requires the President to prohibit the export to Syria of all items on the Commerce Control List (15 CFR Part 774). The SAA also requires the President to impose two or more of the six additional sanctions set forth in Section 5(a)(2)(A)–(F).

The President implemented those sanctions through Executive Order (EO) 13338 of May 11, 2004, which includes an additional sanction prohibiting the export to Syria of products of the United States other than food and medicine. However, the President exercised national security waiver authority pursuant to Section 5(b) of the SAA, which authorized certain transactions under BIS license and delegated his authority to issue additional waivers to the Secretary of State.

In accordance with this EO, BIS implemented sanctions on Syria by issuing General Order No. 2 to Supplement No. 1 to Part 736 of the Export Administration Regulations (EAR). See 69 FR 26766 (May 14, 2004). In addition, BIS later made administrative changes to General Order No. 2 and § 746.9 of the EAR to facilitate compliance with the comprehensive U.S. sanctions on Syria. See 74 FR 77115 (Dec. 12, 2011).

On June 12, 2013, the Secretary of State exercised authority delegated to him by the President in Section 9 of EO 13338 to waive the application of specific sanctions imposed on Syria pursuant to the SAA. This rule