

Issued in Des Moines, Washington, on March 12, 2021.

**B.G. Chew,**

*Acting Group Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2021-05599 Filed 3-22-21; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2020-1124; Airspace Docket No. 20-AWP-48]

RIN 2120-AA66

#### Revocation of Class E Airspace; Kayenta, AZ

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

**ACTION:** Final rule.

**SUMMARY:** This action revokes the Class E airspace established for Bedard Field Airport, Kayenta, AZ. The special instrument procedures that were developed for the private airport have been canceled. The Class E airspace is no longer required.

**DATES:** Effective 0901 UTC, June 17, 2021. 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Matthew Van Der Wal, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231-3695.

#### 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 revokes the Class E airspace at Bedard Field Airport, Kayenta, AZ, as IFR operations are no longer conducted at the airport.

#### History

The FAA published a notice of proposed rulemaking in the **Federal Register** (85 FR 85565; December 29, 2020) for Docket No. FAA-2020-1124 to revoke the Class E airspace at Bedard Field Airport, Kayenta, AZ. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E5 airspace designations are published in paragraph 6005 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### The Rule

This amendment to 14 CFR part 71 revokes the Class E airspace established for Bedard Field Airport, Kayenta, AZ. The special instrument procedures that were developed for the private airport have been canceled. The Class E airspace is no longer required. FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

#### 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, is non-controversial, and unlikely to result in adverse or negative comments. 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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would 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 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

#### List 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 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

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

\* \* \* \* \*

**AWP AZ E5 Kayenta, AZ [Revoked]**

Bedard Field, AZ

(Lat. 36°28'18" N, long. 110°25'05" W)

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**B.G. Chew,***Acting Group Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2021-05601 Filed 3-22-21; 8:45 am]

**BILLING CODE 4910-13-P****DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****15 CFR Part 922**

[Docket No. 210318-0059]

**RIN 0648-BA21****Expansion of Flower Garden Banks National Marine Sanctuary; Notification of Effective Date and Technical Amendment**

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notification of effective date of final rule; technical amendment.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) is providing notice that the final rule published on January 19, 2021 to expand Flower Garden Banks National Marine Sanctuary (FGBNMS) is effective on March 22, 2021. NOAA is also amending the FGBNMS regulations to reflect the effective date.

**DATES:** The final rule to expand Flower Garden Banks National Marine Sanctuary, which was published at 86 FR 4937 on January 19, 2021, is effective on March 22, 2021. The technical amendment in this document is effective on March 22, 2021.

**FOR FURTHER INFORMATION CONTACT:** George P. Schmahl, Superintendent, Flower Garden Banks National Marine Sanctuary, 4700 Avenue U, Building 216, Galveston, Texas 77551, at 409-356-0383, or [fgbexpansion@noaa.gov](mailto:fgbexpansion@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 304(b) of the National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1434(b)), NOAA published the designation and final regulations to implement the expansion of FGBNMS published on January 19, 2021 (86 FR 4937). As required by the NMSA, the designation and regulations would become effective following the close of a review period of 45 days of

continuous session of Congress beginning on the date of publication. Moreover, a Presidential Memorandum issued on January 20, 2021 required agencies to consider a 60-day postponement in new regulations. Accordingly, NOAA announces the designation and the final regulations to implement the expansion of FGBNMS is effective on March 22, 2021. With this document, NOAA is also amending the FGBNMS regulations at § 922.122 (e)(1) to update and reflect the effective date of March 22, 2021.

**Nicole R. LeBoeuf,***Acting Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration.*

Accordingly, for the reasons set forth above, NOAA amends part 922, title 15 of the Code of Federal Regulations as follows:

**PART 922—NATIONAL MARINE SANCTUARY PROGRAM REGULATIONS**

■ 1. The authority citation for part 922 continues to read as follows:

**Authority:** 16 U.S.C. 1431 *et seq.*

**Subpart L—Flower Garden Banks National Marine Sanctuary****§ 922.122 [Amended]**

■ 2. Amend § 922.122(e)(1) by adding “March 22, 2021,” before the phrase “the effective date of the revised terms of sanctuary designation”.

[FR Doc. 2021-06051 Filed 3-22-21; 8:45 am]

**BILLING CODE 3510-NK-P****DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 6****Public Health Service****42 CFR Part 1****Centers for Medicare and Medicaid Services****42 CFR Part 404****Office of the Inspector General****42 CFR Part 1000****Office of the Secretary****45 CFR Part 8****Administration for Children and Families****45 CFR Parts 200, 300, 403, 1010, and 1300**

[Docket No. HHS-OS-2020-0012]

**RIN 0991-AC24****Securing Updated and Necessary Statutory Evaluations Timely; Administrative Delay of Effective Date; Correction**

**AGENCY:** Department of Health and Human Services (HHS).

**ACTION:** Final rule; delay of effective date and correction.

**SUMMARY:** The Department of Health and Human Services (HHS or Department) is postponing, pending judicial review, the effective date of a final rule entitled “Securing Updated and Necessary Statutory Evaluations Timely” (SUNSET final rule) and published in the **Federal Register** of January 19, 2021. This document also corrects certain errors in the SUNSET final rule.

**DATES:** As of March 19, 2021, the effective date of the final rule published January 19, 2021 (86 FR 5694), is delayed pursuant to 5 U.S.C. 705 for one year until March 22, 2022.

This correction is effective as of March 22, 2022, and amendatory instruction #10 in FR 2021-00597 (86 FR 5694), published on January 19, 2021, is corrected.

**FOR FURTHER INFORMATION CONTACT:** Daniel J. Barry, Acting General Counsel, 200 Independence Avenue SW, Washington, DC 20201; or by email at [reviewnprm@hhs.gov](mailto:reviewnprm@hhs.gov); or by telephone at 1-877-696-6775.