

Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

*Paragraph 6002 Class E Airspace Areas Designates as Surface Areas.*

\* \* \* \* \*

#### **ACE KS E2 Newton, KS [Amended]**

Newton-City-County Airport, KS  
(Lat. 38°03'26" N, long. 97°16'31" W)

Within a 4.2-mile radius of Newton-City-County Airport.

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

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#### **ACE KS E5 Newton, KS [Amended]**

Newton-City-County Airport, KS  
(Lat. 38°03'26" N, long. 97°16'31" W)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Newton-City-County Airport.

Issued in Fort Worth, Texas, on September 27, 2021.

**Martin A. Skinner,**

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

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

[Docket No. FAA-2021-0555; Airspace  
Docket No. 21-ACE-16]

**RIN 2120-AA66**

#### **Amendment of Class E Airspace; Salem, MO**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class E airspace extending upward from 700 feet above the surface at Salem Memorial Airport, Salem, MO. This action is the result of an airspace review caused by the decommissioning of the Maples very high frequency (VHF) omnidirectional range (VOR) as part of the VOR Minimal Operational Network (MON) Program.

**DATES:** Effective 0901 UTC, December 2, 2021. The Director of the Federal Register approves this incorporation by reference action under 1 CFR 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order JO 7400.11F, 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 JO 7400.11F at NARA, email: [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

#### **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 amends the Class E airspace extending upward from 700 feet above the surface at Salem Memorial Airport, Salem, MO, to support instrument flight rule operations at this airport.

##### **History**

The FAA published a notice of proposed rulemaking in the **Federal Register** (86 FR 38954; July 23, 2021) for Docket No. FAA-2021-0555 to amend Class E airspace extending upward from 700 feet above the surface at Salem Memorial Airport, Salem, MO. 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 E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, 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.

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

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F 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 amends the Class E airspace extending upward from 700 feet above the at Salem Memorial Airport, Salem, MO, by removing the Maples VORTAC and associated extension from the airspace legal description.

This action is due to an airspace review caused by the decommissioning of the Maples VOR, which provided navigation information for the instrument procedures this airport, as part of the VOR MON Program.

FAA Order JO 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 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 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(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 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

\* \* \* \* \*

##### ACE MO E5 Salem, MO [Amended]

Salem Memorial Airport, MO  
(Lat. 37°36'55" N, long. 91°36'16" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Salem Memorial Airport.

Issued in Fort Worth, Texas, on September 27, 2021.

**Martin A. Skinner,**

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

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## DEPARTMENT OF STATE

### 22 CFR Part 126

[Public Notice: 11537]

RIN 1400–AF36

#### International Traffic in Arms Regulations: Temporary Update to Republic of Cyprus (Cyprus) Country Policy; Extension of Effective Period

**AGENCY:** Department of State.

**ACTION:** Temporary final rule; extension of effective period.

**SUMMARY:** The Department of State is extending the effective period of the International Traffic in Arms Regulations (ITAR) temporary modification to allow the temporary removal of prohibitions on exports, reexports, retransfers, and temporary imports of non-lethal defense articles and defense services destined for or originating in the Republic of Cyprus (Cyprus) through September 30, 2022, unless modified.

**DATES:** Effective September 30, 2021, the expiration date of the temporary final rule published on September 28, 2020 (85 FR 60698), is extended through September 30, 2022.

#### FOR FURTHER INFORMATION CONTACT:

Sarah Heidema, Office of Defense Trade Controls Policy, Department of State, telephone (202) 663–2809, or email [decspmdt@midatl.service-now.com](mailto:decspmdt@midatl.service-now.com). ATTN: Regulatory Change, ITAR Section 126.1 Cyprus Country Policy Update.

**SUPPLEMENTARY INFORMATION:** Section 1250A(d) of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116–92) and § 205(d) of the Eastern Mediterranean Security and Energy Act (Div. J. Pub. L. 116–94) (hereinafter “the Acts”) provide that the policy of denial for exports, reexports, or transfers of defense articles on the United States Munitions List (USML) to Cyprus shall remain in place unless the President determines and certifies to the appropriate Congressional Committees not less than annually that: (A) Cyprus is continuing to cooperate with the U.S. Government in anti-money laundering reforms; and (B) Cyprus has taken the steps necessary to deny Russian military vessels access to ports for refueling and servicing. These provisions further provide that the President may waive these limitations for one fiscal year if the President determines that it is essential to the national security interests of the United States to do so.

On April 14, 2020, the President delegated to the Secretary of State the functions and authorities vested in the President by the Acts (85 FR 35797). On May 28, 2021, the Secretary of State, exercising this delegated authority, determined that it was essential to the national security interest of the United States to waive the limitations on non-lethal defense articles and defense services destined for or originating in Cyprus. On September 28, 2020, the Department of State published a temporary rule (RIN 1400–AF14) in the **Federal Register**, amending the ITAR to update defense trade policy toward the Republic of Cyprus by temporarily removing prohibitions on exports,

reexports, retransfers, and temporary imports of non-lethal defense articles and defense services destined for or originating in Cyprus. This rule was effective on October 1, 2020, and expires on September 30, 2021.

On May 28, 2021, again utilizing these delegated functions and authorities, the Secretary of State determined that it is essential to the national security interest of the United States to maintain the temporary removal of restrictions on the export, reexport, retransfer, and temporary import of non-lethal defense articles and defense services destined for or originating in Cyprus. This determination requires the Department to extend the effective period of the temporarily modified text of ITAR § 126.1(r), which specifies the circumstances provided in the Acts in which the policy of denial for exports, reexports, retransfers, and temporary import of non-lethal defense articles and defense services destined for or originating in the Republic of Cyprus will not apply.

#### Extension

The expiration date of the temporary final rule will remain in effect through September 30, 2022, unless modified.

#### Regulatory Analysis and Notices

##### *Administrative Procedure Act*

The Department of State is of the opinion that controlling the import and export of defense articles and services is a military or foreign affairs function of the United States Government and that rules implementing this function are exempt from sections 553 (rulemaking) and 554 (adjudications) of the Administrative Procedure Act. Since this temporary rule is exempt from 5 U.S.C. 553, the provisions of § 553(d) do not apply to this rulemaking. Therefore, this temporary rule is effective upon publication.

##### *Regulatory Flexibility Act*

Since this temporary rule is exempt from the provisions of 5 U.S.C. 553, there is no requirement for an analysis under the Regulatory Flexibility Act.

##### *Unfunded Mandates Reform Act of 1995*

This rulemaking does not involve a mandate that will result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.