

Issued on January 31, 2023.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-1680; Airspace Docket No. 22-ASO-30]

RIN 2120-AA66

Proposed Revocation of Class E Airspace; Liberty, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to revoke Class E airspace extending upward from 700 feet above the surface for Causey Airport, Liberty, NC, as all instrument approaches to the airport have been canceled.

DATES: Comments must be received on or before March 23, 2023.

ADDRESSES: Send comments on this proposal to:

The U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; Telephone: (800) 647-5527, or (202) 366-9826. You must identify Docket No. FAA-2022-1680; Airspace Docket No. 22-ASO-30 at the beginning of your comments. You may also submit comments through the internet at www.regulations.gov.

FAA Order JO 7400.11G Airspace Designations and Reporting Points and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; Telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-6364.

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 would remove airspace for Causey Airport, Liberty, NC.

Comments Invited

Interested persons are invited to comment on this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide a factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify docket numbers (Docket No. FAA-2022-1680 and Airspace Docket No. 22-ASO-30) and be submitted in triplicate to DOT Docket Operations (see **ADDRESSES** section for the address and phone number). You may also submit comments through the internet at www.regulations.gov.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2022-1680; Airspace Docket No. 22-ASO-30." The postcard will be dated/time-stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal in this document may be changed in light of the comments received. All comments submitted will be available for examination in the public docket before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at <https://www.regulations.gov>. Recently published rulemaking

documents can also be accessed through the FAA's web page at: www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESS** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except on federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except for federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, GA 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA proposes an amendment to 14 CFR part 71 to remove Class E airspace extending upward from 700 feet above the surface for Causey Airport, Liberty, NC, as there are no longer any instrument approaches into the airport. Therefore Class E airspace is no longer needed.

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will subsequently be published in FAA Order JO 7400.11.

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 proposed 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 Federal Aviation Administration Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

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

* * * * *

ASO NC E5 Liberty, NC [Revoked]

Causey Airport, NC

Issued in College Park, Georgia, on January 31, 2023.

Andree C. Davis,

Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 774

RIN 0694–XC096

Brain Computer Interface (BCI) Two-Day Hybrid Conference at the Department of Commerce

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

ACTION: Announcement of the Brain-Computer Interface (BCI) two-day hybrid conference.

SUMMARY: The Bureau of Industry and Security (BIS) is announcing a two-day hybrid (in-person and virtual) conference with industry and other experts from academia on Brain-Computer Interface (BCI) technology (hereinafter, the BCI conference). This document describes the purpose and scope of the BCI conference and the procedures for attending or requesting to speak. In an advance notice of proposed rulemaking (ANPRM) published on October 26, 2021, BIS requested input from the public and industry concerning the potential uses of BCI technology, particularly with respect to its impact on U.S. national security. While the comments submitted in response to the ANPRM increased BIS’s understanding of BCI technology, the BCI conference is intended to further both BIS’s and the public’s understanding of the current status of BCI technology and anticipated future developments in research and applications.

DATES:

BCI conference: The BCI conference will be held on February 16 and 17, 2023. On February 16, 2023, the proceedings will begin at 9:00 a.m. Eastern Standard Time (EST) and conclude at 3:30 p.m. EST. On February 17, 2023, the BCI conference proceedings will begin at 9:00 a.m. EST and conclude at 11:45 a.m. EST. The Microsoft Teams link for this event is available on the BIS website at <https://www.bis.doc.gov/BCIconference2023>.

Recording: Within 7 business days after the BCI conference, BIS will post a link on the BIS website at <https://www.bis.doc.gov/BCIconference2023> to a recording on MS Teams. This recording will include captioning to make the recording accessible to people with disabilities.

FOR FURTHER INFORMATION CONTACT: For questions or concerns, please contact Dr. Betty Lee, Chemical and Biological Controls Division, Bureau of Industry

and Security, Department of Commerce at phone number at (202) 482–5817; or email at Betty.Lee@bis.doc.gov and include “BCI conference” in the subject line. For technical help for the BCI conference, please contact ithelp@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

Purpose

In this document, the Bureau of Industry and Security (BIS) is announcing a two-day hybrid (in-person and virtual) conference with industry and other experts (e.g., from research institutions) on Brain-Computer Interface (BCI) technology. This document describes the purpose and scope of the BCI conference and the procedures for attending or requesting to speak. The BCI conference is intended to further BIS’s and the public’s understanding of the current status and future developments in BCI technology and anticipated future developments in research and applications. The information obtained through the BCI conference will assist BIS in assessing BCI technology’s national security implications in connection with potential regulation under the Export Administration Regulations, 15 CFR parts 730 through 774 (EAR) as a “Section 1758 technology” consistent with Section 1758 of the Export Control Reform Act of 2018, 50 U.S.C. 4817 (ECRA). Section 1758 of ECRA authorizes BIS to establish appropriate controls on the export, reexport, or transfer (in-country) of emerging and foundational technologies that are essential to the national security of the United States (referred to by BIS as “Section 1758 technologies”).

In October 2021, BIS published an advance notice of proposed rulemaking (ANPRM) (86 FR 59070 (Oct. 26, 2021)). This ANPRM requested comments from the public and industry concerning the potential uses of BCI technology, particularly with respect to its impact on U.S. national security (e.g., whether such technology could provide the United States, or any of its adversaries, with a qualitative military or intelligence advantage). BIS received 18 comments. The majority of comments stated that BCI technology is used for medical purposes to assist patients that are paralyzed and should not be controlled. These comments highlighted the fact that BCI technology is currently being monitored for future advances and commercialization. Given the limited number of comments, and the innovations made in BCI technology in