

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).

### 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 7400.11G, 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.*

\* \* \* \* \*

#### AGL MI E5 Hastings, MI [Amended]

Hastings Airport, MI  
(Lat 42°39'48" N, long 85°20'45" W)

That airspace extending upward from 700 feet above the surface within an 8.2-mile radius of Hastings Airport; and within 2 miles each side of the 123° bearing from the airport extending from the 8.2-mile radius of the airport to 11.3 miles southeast of the airport; and within 2 miles each side of the 303° bearing of the airport extending from the 8.2-mile radius of the airport to 9.9 miles northwest of the airport.

\* \* \* \* \*

Issued in Fort Worth, Texas, on June 20, 2023.

**Steven T. Phillips,**

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

[FR Doc. 2023–13355 Filed 6–23–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2022–1678; Airspace Docket No. 22–AWA–4]

RIN 2120–AA66

### Amendment of the Nashville International Airport Class C Airspace; Nashville, TN; and the John C. Tune Airport Class D Airspace; Nashville, TN

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a final rule published by the FAA in the **Federal Register** on June 6, 2023, that amended the Nashville International Airport Class C airspace area and the John C. Tune Class D airspace area. In the final rule, the words “(when active)” were inadvertently omitted from the sentences that exclude the Smyrna Airport Class D airspace from the Nashville Class C airspace area. The error would cause the incorrect depiction of the Class C and Class D airspace areas on aeronautical charts. This action corrects that error.

**DATES:** Effective date 0901 UTC, August 10, 2023. 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, the final rule, this final rule correction, 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.

FAA Order JO 7400.11G, 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:** Paul Gallant, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

### SUPPLEMENTARY INFORMATION:

#### History

The FAA published a final rule for Docket No. FAA–2022–1678 in the **Federal Register** (88 FR 36936; June 6, 2023), amending the Nashville International Airport Class C airspace area and the John C. Tune Class D airspace area. Subsequent to publication, the FAA determined that the words “(when active)” were inadvertently omitted from the preamble discussion and regulatory text that describe the exclusion of the Smyrna Class D airspace from the Nashville Class C airspace area. Since the Smyrna Class D airspace is a part-time designation, it is only excluded from the Class C airspace during the times the Class D is active. This rule corrects the preamble discussion, and the regulatory text by adding “(when active)” following all references to the exclusion of the Smyrna Class D airspace. This complies with aeronautical charting specification requirements to ensure the proper depiction of the airspace on the applicable charts. This action does not alter the actual dimensions of the Class C or Class D airspace areas.

#### Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the preamble discussion and regulatory text contained in Docket No. FAA–2022–1678, as published in the **Federal Register** of June 6, 2023 (88 FR 36936), FR Doc. 2023–11909, are corrected as follows:

- 1. In FR Doc. 2023–11909, on page 36938, add the words “(when active)” following both instances of the phrase “. . . excludes that portion of airspace that is within the Smyrna Airport Class D airspace area”, so that they read: “. . . excludes that portion of airspace that is within the Smyrna Airport Class D airspace area (when active);”.
- 2. Amend the Nashville, TN Airport Class C description by adding the words “(when active)” following references to the Smyrna, TN, Airport Class D airspace area, to read as follows:

#### § 71.1 [Corrected]

\* \* \* \* \*

#### ASO TN C Nashville, TN [Amended]

Nashville International Airport, TN  
(Lat. 36°07'28" N, long. 86°40'41" W)  
Smyrna Airport, TN

(Lat. 36°00'32" N, long. 86°31'12" W)

That airspace extending upward from the surface to 6,000 feet MSL within a 5-mile radius of Nashville International Airport; and that airspace extending upward from the surface to 6,000 feet MSL within a 7-mile radius of Nashville International Airport from the 335° bearing from the airport clockwise to the 230° bearing from the airport, excluding that portion within the Smyrna Airport, TN, Class D airspace area (when active); and that airspace extending upward from 1,800 feet MSL to 6,000 feet MSL within a 15-mile radius of Nashville International Airport from the 335° bearing from the airport clockwise to the 060° bearing from the airport; and that airspace extending upward from 2,400 feet MSL to 6,000 feet MSL within a 15-mile radius of the airport from the 060° bearing from the airport clockwise to the 155° bearing from the airport, excluding that portion within the Smyrna Airport, TN, Class D airspace area (when active); and that airspace extending upward from 1,800 feet MSL to 6,000 feet MSL within a 15-mile radius of Nashville International Airport from the 155° bearing from the airport clockwise to the 230° bearing from the airport; and that airspace extending upward from 2,400 feet MSL to 6,000 feet MSL within a 15-mile radius of Nashville International Airport from the 230° bearing from the airport clockwise to the 335° bearing from the airport.

\* \* \* \* \*

Issued in Washington, DC.

**Brian Konie,**

*Acting Manager, Airspace Rules and Regulations.*

[FR Doc. 2023-13388 Filed 6-23-23; 8:45 am]

**BILLING CODE 4910-13-P**

## AGENCY FOR INTERNATIONAL DEVELOPMENT

### 22 CFR Part 242

RIN 0412-AB11

#### Implementation of the HAVANA Act of 2021

**AGENCY:** The United States Agency for International Development (USAID).

**ACTION:** Interim final rule.

**SUMMARY:** This rule provides implementation by the United States Agency for International Development (USAID) of the HAVANA Act of 2021. The Act provides authority for the Secretary of State and other agency heads to provide payments to certain individuals who have incurred qualifying injuries to the brain. This rule covers current and former USAID employees, and dependents of current or former employees.

**DATES:**

*Effective date:* This interim final rule is effective August 10, 2023.

*Comment due date:* The United States Agency for International Development will accept comments on this interim final rule until August 25, 2023.

**ADDRESSES:** Interested parties may submit comments by one of the following methods:

- *Email:* [AHIRule@usaid.gov](mailto:AHIRule@usaid.gov) with the subject line, HAVANA ACT RULE.
- *Internet:* At [www.Regulations.gov](http://www.Regulations.gov), search for this document using the subject line, HAVANA ACT RULE.

Note that all submissions to [regulations.gov](http://regulations.gov) are public, and USAID cannot edit the comments to remove personal information. If you have any concerns about your comment being viewed by the public, please use the email option above.

**FOR FURTHER INFORMATION CONTACT:**

Aaron Michael Stern, USAID AHI Working Group Coordinator, [HARuleInfo@usaid.gov](mailto:HARuleInfo@usaid.gov), (202) 712-5568.

**SUPPLEMENTARY INFORMATION:** This rule implements the HAVANA Act of 2021, Public Law 117-46, codified in 22 U.S.C. 2680b(i).

#### Background and Authority—§ 242.1

On October 8, 2021, the “Helping American Victims Affected by Neurological Attacks” (HAVANA) Act of 2021 became law (Pub. L. 117-46). In this Act, Congress authorized federal government agencies to compensate affected current employees, former employees, and their dependents for qualifying injuries to the brain after January 1, 2016, in connection with certain hostile or other incidents designated by the Secretary of State. This law requires USAID (and other agencies) to “prescribe regulations” implementing the HAVANA Act not later than 180 days after the effective date of the Act. Section 3 of the HAVANA Act of 2021 removed the requirement in Public Law 116-94, Division J, Title IX, Section 901, that the qualifying injury occurs in “the Republic of Cuba, People’s Republic of China, or other foreign country designated by the Secretary of State” for the purpose of making a payment under the HAVANA Act. This interim final rule only implements the HAVANA Act of 2021.

This regulation applies only to current and former employees of the United States Agency for International Development, and dependents of current or former employees, as defined in § 242.2 of this rule.

#### Definitions—§ 242.2

The rule follows the definitional template provided in the HAVANA Act and its predecessors. The rule defines

certain categories of individuals as employees (and thus covered under the Foreign Affairs Manual and the USAID Automated Directives System (ADS)), as well as those who are not considered employees.

For covered employees, the qualifying injury must have occurred on or after January 1, 2016. Similarly, for dependents, the qualifying injury must have occurred on or after January 1, 2016, while the employee was a covered employee of USAID. To make a payment under the Act, this rule defines “covered dependent” as any family member of a USAID current or former employee, without any restriction on where the USAID employee was posted. The rule adopts the Department of State’s definition of “eligible family member” in 14 Foreign Affairs Manual (FAM) 511.3 to define “dependent.”

The term “covered employee” includes USAID Foreign Service Officers; USAID Civil Service employees; Appointment Eligible Family Member Adjudicator positions; Expanded Professional Associates Program members; Family Member Appointments; Foreign Service Family Reserve Corps; employees on Limited Non-Career Appointments; Temporary Appointments; students providing volunteer services under U.S.C. 3111; an individual under a Personal Services Contract (Third Country National, Cooperating Country National, and US Personal Services Contracts); or appointed to the position; and USAID’s Interns and Fellows.

The term “covered individual” includes any former employee of USAID (including retired or separated employees) who, on or after January 1, 2016, became injured because of a qualifying injury to the brain while they were a covered employee of USAID.

The term “covered dependent” includes any family member of a USAID current or former employee who, on or after January 1, 2016, becomes injured because of a qualifying injury to the brain while the dependent’s sponsor was a covered employee of USAID. For purposes of determining whether someone is a covered dependent, the term “family members” includes unmarried children under 21 years of age (or certain other children); parents; sisters and brothers; and spouse. Stepparents and step-siblings are included in the definition.

The definition of “qualifying injury to the brain” is based on current medical practices related to brain injuries. Further, the injury must have occurred in connection with certain hostile acts, including war, terrorist activity, or other incidents designated by the Secretary of