

In addition to the EASA CS-E, amendment 6 requirements,² the following requirements from 14 CFR part 33, amendment 33–34 also apply.

TABLE 8—FAA VALIDATION OF EASA STATE OF DESIGN RECIPROCATING AIRCRAFT ENGINES

Subject	14 CFR Part 33
Instructions for Continued Airworthiness (ICA).	Section 33.4, appendices A33.1(b), A33.2, A33.3(b) and (c), and A33.4(a)(2).
Engine ratings and operating limitations including reciprocating engine limits.	Sections 33.7(b)(6) and (b)(8).
Durability (Propeller blade pitch control systems).	Section 33.19(b).
Turbine, compressor, fan, and turbo-supercharger rotor overspeed.	Section 33.27.
Turbocharger rotors .. Lubrication system	Section 33.34. Sections 33.39(a) and (c).
Vibration test	Sections 33.43(a) and (c).
Endurance test	Section 33.49(d).

Issued in Kansas City, Missouri, on November 20, 2023.
Patrick R. Mullen,
Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 43 and 91

[Docket No. FAA–2023–1836; Amdt. Nos. 43–53A and 91–371A]

RIN 2120–AL70

Inclusion of Additional Automatic Dependent Surveillance-Broadcast (ADS–B) Out Technical Standard Orders; Incorporation by Reference; Confirmation of Effective Date

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This action confirms the December 18, 2023, effective date of the “Inclusion of Additional Automatic Dependent Surveillance-Broadcast

(ADS–B) Out Technical Standard Orders; Incorporation by Reference” direct final rule published on October 17, 2023. The direct final rule amends the Automatic Dependent Surveillance-Broadcast (ADS–B) Out requirements to allow aircraft meeting the performance requirements in Technical Standard Order (TSO)–C166c (Extended Squitter Automatic Dependent Surveillance—Broadcast (ADS–B) and Traffic Information Service—Broadcast (TIS–B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz)), or TSO–C154d, (Universal Access Transceiver (UAT) ADS–B Equipment Operating on the Radio Frequency of 978 Megahertz (MHz)) to meet the regulations. Aircraft equipped with ADS–B Out that meets the performance requirements of either TSO–C166c or TSO–C154d will provide additional information to pilots and air traffic control, including weather information, spectrum monitoring, and airspeed. They will also enable new wake turbulence applications, enhance weather forecasting, and enable or enhance ADS–B In applications such as Flight Interval Management.

DATES: The effective date of December 18, 2023, for the direct final rule published October 17, 2023 (88 FR 71468) is confirmed.

Incorporation by reference: The incorporation by reference of certain publications listed in this rule is approved by the Director of the Office of the Federal Register as of December 18, 2023. The incorporation by reference of certain other publications listed in this rule was approved by the Director of the Office of the Federal Register as of August 11, 2010.

ADDRESSES: For information on where to obtain copies of rulemaking documents and other information related to this action, see “How To Obtain Additional Information” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Juan Sebastian Yanguas, Airspace Rules & Regulations, AJV–P21, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267–8783; email Juan.S.Yanguas@faa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

This action confirms the effective date of the “Inclusion of Additional Automatic Dependent Surveillance-Broadcast (ADS–B) Out Technical Standard Orders; Incorporation by

Reference” direct final rule.¹ As of January 1, 2020, Federal Aviation Administration (FAA) regulations, codified in title 14 Code of Federal Regulations (14 CFR), §§ 91.225 and 91.227, require aircraft to equip with Automatic Dependent Surveillance-Broadcast (ADS–B) Out to operate in expressly identified airspace areas. ADS–B Out equipment must meet the performance requirements in § 91.227 along with those in Technical Standard Orders (TSO)–C166b or TSO–C154c. This rule revised §§ 91.225 and 91.227 to allow aircraft with equipment that meets the performance requirements in the new TSOs, TSO–C166c and TSO–C154d, to also operate in compliance with the regulations. Specifically, to allow use of these new TSOs, the direct final rule incorporates by reference TSO–C166c, TSO–C154d, section 2 of RTCA DO–260C, RTCA DO–260C Change 1, and section 2 of RTCA DO–282C into 14 CFR 91.225 and 91.227. These new performance requirements enable new wake turbulence applications, incorporate functionality for high-altitude and high-velocity vehicles, and enhance weather forecasting. The addition of TSO–C166c and TSO–C154d to the list of permitted TSOs will not negatively affect current users because TSO–C166b and TSO–C154c will remain as acceptable performance requirements.

This rule also made minor changes to other regulatory sections of part 91. It revised § 91.215 to remove the requirement that transponders reply to intermode interrogations, as International Civil Aviation Organization (ICAO) prohibited those replies in ICAO Annex 10 Volume IV Standards and Recommended Practices and new transponder certifications do not include the capability to reply to intermode interrogations. This rule also removed the requirement in part 43, appendix F, to verify response to an intermode interrogation.

II. Discussion of Comments

The FAA received one comment related to this direct final rule. AIRBUS Commercial Aircraft commented that they believed Advisory Circulars 20–165, Airworthiness Approval of Automatic Dependent Surveillance—Broadcast OUT Systems, and Advisory Circular 20–172, Airworthiness Approval for ADS–B In Systems and Applications, covering the installation of ADS–B Out and ADS–B In,

¹ *Inclusion of Additional Automatic Dependent Surveillance-Broadcast (ADS–B) Technical Standard Orders; Incorporation by Reference* direct final rule, 88 FR 71468 (Oct. 17, 2023).

² CS–E, Amendment 6—Aircraft cybersecurity.

respectively, should be updated to account for TSO–C166c as part of the rulemaking.

The FAA is revising Advisory Circular 20–165B to directly address the Technical Standard Orders being incorporated by reference into FAA regulations through this rulemaking. The FAA will make the revision available for public comment through the Advisory Circular comment process prior to issuance. The existing guidance can continue to be used until the FAA issues the revised Advisory Circular.

The FAA is also revising Advisory Circular 20–172B to address Technical Standard Order C195c. However, as TSO–C195 and AC 20–172 (and later revisions) are standards and guidance for ADS–B In equipment, those publications are not applicable to this rulemaking, which pertains to rules that only require ADS–B Out systems, and this rulemaking therefore does not reference TSO–C195c or AC 20–172C.

Therefore, the effective date of the direct final rule published October 17, 2023, at 88 FR 71468 is confirmed.

III. How To Obtain Additional Information

A copy of this direct final rule, the confirmation document, and all background material may be viewed online at <https://www.regulations.gov> using the docket number listed above. A copy of this direct final rule confirmation will be placed in the docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at <https://www.federalregister.gov> and the Government Publishing Office's website at <https://www.govinfo.gov>. A copy may also be found on the FAA's Regulations and Policies website at https://www.faa.gov/regulations_policies.

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW, Washington, DC 20591, or by calling (202) 267–9677. Interested persons must identify the docket or amendment number of this rulemaking.

All documents the FAA considered in developing this rule, including economic analyses and technical reports, may be accessed in the electronic docket for this rulemaking.

Issued under authority provided by 49 U.S.C. 106(f), 40103, and 44701, in Washington, DC, on November 21, 2023.

Brandon Roberts,

Executive Director, Office of Rulemaking.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2023–0243; Airspace Docket No. 23–ASO–31]

RIN 2120–AA66

Renaming of Restricted Areas R–5311A, R–5311B, and R–5311C; Fort Bragg, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action is an administrative change to rename restricted areas R–5311A, R–5311B, and R–5311C, Fort Bragg, NC, and to update the using agency description to reflect the change. Additionally, geographic coordinate technical amendments for two boundary points listed in the restricted areas are made to accurately align the existing boundary with the Little River referenced in the descriptions. This action partially implements recommendations of the Commission on the Naming of Items (Naming Commission) of the Department of Defense (DoD) as established by section 370 of the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA).

DATES: Effective date 0901 UTC, January 25, 2024.

ADDRESSES: A copy of this final rule, and all background material may be viewed online at 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.

FOR FURTHER INFORMATION CONTACT: Brian Vidis, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

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 the 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 updates the information in the airspace descriptions of restricted areas R–5311A, R–5311B, and R–5311C.

Background

The FY 2021 NDAA directed the DoD to establish a commission relating to assigning, modifying, or removing of names, symbols, displays, monuments, and paraphernalia to assets of the DoD that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.¹ In January 2023, the Secretary of Defense directed all DoD organizations to begin full implementation of the Naming Commission's recommendations. As approved by the Secretary of Defense, the name "Fort Bragg, NC" is changed to "Fort Liberty, NC." Consequently, this rulemaking action implements the requisite changes to part 73 by updating the airspace descriptions of restricted areas R–5311A, R–5311B, and R–5311C to reflect the new name.

Upon review of the restricted areas, the FAA identified two boundary points used in the boundary descriptions that required technical amendment to accurately align with the Little River used in the description. This action includes the geographic coordinate technical amendments to align the northern boundary with the Little River, as originally intended.

The Rule

This action amends 14 CFR part 73 by updating the airspace titles and using agency descriptions for restricted areas R–5311A, R–5311B, and R–5311C by removing the name "Fort Bragg, NC" and replacing it with "Fort Liberty, NC."

The FAA also makes a technical amendment to two geographic points in the description of restricted areas R–5311A, R–5311B, and R–5311C. These minor amendments to the geographic coordinates more accurately describe the intersection of each restricted area where it meets the Little River in North

¹ Public Law 116–283, 134 Stat. 3388, Jan. 1, 2021.