

would indicate that the ventilation system is failing to meet the requirements of 14 CFR 25.831(b).

iii. The smoke from a smoke source below the main deck must not rise above armrest height on the main deck.

iv. The smoke from a source in the main deck must dissipate rapidly via dilution with fresh air and be evacuated from the airplane. A procedure must be included in the Airplane Flight Manual (AFM) to evacuate smoke from the occupied areas of the airplane. In order to demonstrate that the quantity of smoke is small, a flight test must be conducted that simulates the emergency procedures used in the event of a fire/smoke during flight, including the use of  $V_{MO}/M_{MO}$  descent profiles and a simulated landing, if such conditions are specified in the emergency procedure.

2. Requirement for smoke or fire detection in electrical/electronic equipment bays:

A smoke or fire detection system compliant with 14 CFR 25.858 and 25.855 must be provided for each electrical/electronic equipment bay in the pressurized cabin. Each system must provide a visual indication to the flight deck within one minute after the start of a fire. Airplane flight tests must be conducted to show compliance with these requirements, and the performance of the detectors must be shown in accordance with AC 25-9A, "Smoke Detection, Penetration, and Evacuation Tests and Related Flight Manual Emergency Procedures," or other means acceptable to the FAA.

3. Requirement for AFM procedures safety evaluation:

It shall be demonstrated by means of flight tests that, in the event of smoke/fire detection in the electrical/electronic equipment bays, the AFM procedures for shutting down any or all of the electrical/electronic equipment do not compromise the safe operation of the airplane.

In case a procedure requests only part of the equipment to be shut down, the remaining equipment shall be incorporated with safety features against fire propagation.

Issued in Renton, Washington, on October 4, 2016.

**Michael Kaszycki,**

*Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2016-25060 Filed 10-14-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No.: FAA-2015-0783; Amdt. No. 97-1338]

RIN 2120-AA65

#### Cancellation of Standard Instrument Approach Procedures as Part of the National Procedures Assessment (NPA) Initiative

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is issuing a final rule that removes certain redundant or underutilized ground-based nondirectional radio beacon (NDB) and VHF omnidirectional range (VOR) Standard Instrument Approach Procedures (SIAPs). On April 13, 2015, the FAA published a notice of proposed rulemaking to remove 736 SIAPs. This final rule addresses 125 of the 198 procedures for which comments were received.

**DATES:** This rule is effective at 0901 UTC on November 10, 2016.

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

**FOR FURTHER INFORMATION CONTACT:** Dana Mitchell, Aeronautical Information Services, AJV-5, Federal Aviation Administration, Air Traffic Organization, 1305 East-West Highway, Room 5257, Silver Spring, MD 20910; Telephone (301) 427-4897; Email [AMC-ATO-IFP-Cancellations@faa.gov](mailto:AMC-ATO-IFP-Cancellations@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Authority for This Rulemaking**

The FAA's authority to issue rules on 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, sovereignty and use of airspace, and Subpart iii, Section 44701, general requirements. Under these sections, the FAA is charged with prescribing regulations to regulate the safe and efficient use of the navigable airspace; to

govern the flight, navigation, protection, and identification of aircraft for the protection of persons and property on the ground, and for the efficient use of the navigable airspace (49 U.S.C. 40103(b)), and to promote safe flight of civil aircraft in air commerce by prescribing regulations and minimum standards for other practices, methods, and procedures necessary for safety in air commerce and national security (49 U.S.C. 44701(a)(5)). This action is within the scope of that authority.

SIAPs are promulgated by rulemaking procedures and are incorporated by reference into 14 CFR 97.20.

#### **Background**

On June 27, 2014, the FAA published criteria for determining whether to retain existing SIAPs (79 FR 36576). Removing identified ground-based NDB and VOR SIAPs is an integral part of right-sizing the quantity and type of procedures in the National Airspace System (NAS). As new technology facilitates the introduction of area navigation (RNAV) instrument approach procedures, the number of procedures available in the NAS has nearly doubled over the past decade. The complexity and cost of maintaining the existing ground based navigational infrastructure while expanding RNAV capability is not sustainable.

On April 13, 2015, the FAA published a notice of proposed rulemaking (NPRM) proposing to remove certain SIAPs (80 FR 19577). The NPRM included a list of 736 procedures that were identified for cancellation and the comment period closed on May 28, 2015. The FAA received comments on 198 of those procedures. Of those 198 procedures, 125 are being addressed in this final rule. The remaining 73 require additional evaluation and will be addressed in a subsequent **Federal Register** document.

It should be noted that NPA Instrument Flight Procedure (IFP) cancellation activities, and associated criteria, do not supersede similar activities being performed under the FAA's Very-High Frequency Omnidirectional Range Minimum Operational Network (VOR MON) Program (see 81 FR 48694 (July 26, 2016)). However, NPA IFP cancellation activities have been coordinated with the FAA office responsible for the VOR MON implementation program, as their input has been thoroughly considered.

#### **SIAPs Being Processed for Cancellation**

The following 8 SIAPs were proposed for cancellation in the NPRM: VOR/DME RWY 25, Alaska (GAL); VOR RWY 18, AL (DCU); VOR RWY 18, Illinois

(CMI); VOR/DME-D, TX (BPT); VOR-A, TX (BPT); VOR-B, TX (BPT); VOR-C, TX (BPT); NDB RWY 27, WY (CYS). In reviewing the procedures and comments, the FAA realized that these 8 procedures were already being processed for cancellation and were at various stages in that process. As such, the inclusion of these procedures in the

NPRM was in error as they were already subject to prior agency commitments. The FAA notes all of these procedures received comment concerning the use of airport as an alternate, IFR training need, or backup SIAP for ILS OR LOC SIAP. The FAA confirms that, with the exception of GAL VOR/DME RWY 25, for each of the above affected

procedures, the airports continue to maintain at least one other ground based procedure. In addition, there remain procedures available within a 20 nm radius of these airports for instrument flight training/proficiency. The procedures are listed below with the associated **Federal Register** citation announcing the cancellation.

State	Airport name	ID	Approach procedure
AK	EDWARD G PITKA SR	GAL	VOR/DME RWY 25 (81 FR 51339; August 4, 2016).
IL	UNIVERSITY OF ILLINOIS-WILLARD	CMI	VOR RWY 18 (81 FR 10081; February 29, 2016).
TX	JACK BROOKS RGNL	BPT	VOR/DME-D (81 FR 32639; May 24, 2016).
TX	JACK BROOKS RGNL	BPT	VOR-A (81 FR 32639; May 24, 2016).
TX	JACK BROOKS RGNL	BPT	VOR-B (81 FR 32639; May 24, 2016).
TX	JACK BROOKS RGNL	BPT	VOR-C (81 FR 32639; May 24, 2016).
WY	CHEYENNE RGNL/JERRY OLSON FIELD	CYS	NDB RWY 27 (81 FR 32639; May 24, 2016).
TX	BROWNSVILLE/SOUTH PADRE ISLAND INTL	BRO	VOR/DME RNAV OR GPS RWY 35 (81 FR 58390; August 25, 2016).

**Summary of Comments**  
**SIAPs Remaining in Effect**

Prior to the comment review process, because of the possibility of SIAP

inventory changes, all procedures were again reviewed for compliance with the initial cancellation criteria as stated in the notice of policy published June 27, 2014. The following 2 procedures did

not meet the stated criteria and, therefore, will remain in effect and are not included in this final rule; however the FAA may reevaluate these procedures at a later date.

State	Airport name	ID	Approach procedure
IA	FORT DODGE RGNL	FOD	VOR RWY 12.
PA	CARLISLE	N94	NDB-B.

The following 2 procedures have been requested by the FAA's Very-High Frequency Omni-Directional Range

Minimum Operational Network (VOR MON) Program to remain in effect and are not included in this final rule;

however the FAA may reevaluate these procedures at a later date.

State	Airport name	ID	Approach procedure
MI	GERALD R. FORD INTL	GRR	VOR RWY 17.
WI	BURLINGTON MUNI	BUU	VOR-A.

The following 18 procedures have been requested by the Department of

Defense to remain in effect and are not included in this final rule; however the

FAA may reevaluate these procedures at a later date.

State	Airport name	ID	Approach procedure
IL	ST LOUIS RGNL	ALN	VOR-A.
IL	UNIVERSITY OF ILLINOIS-WILLARD	CMI	VOR/DME RWY 14L.
IL	GREATER KANKAKEE	IKK	VOR RWY 04.
IL	ABRAHAM LINCOLN CAPITAL	SPI	VOR/DME RWY 04.
IL	ABRAHAM LINCOLN CAPITAL	SPI	VOR/DME RWY 22.
IL	ABRAHAM LINCOLN CAPITAL	SPI	VOR/DME RWY 31.
IN	FORT WAYNE INTL	FWA	VOR OR TACAN RWY 05.
IN	FORT WAYNE INTL	FWA	VOR OR TACAN RWY 14.
MO	ROSECRANS MEMORIAL	STJ	VOR OR TACAN RWY 17.
MO	ROSECRANS MEMORIAL	STJ	VOR/DME OR TACAN RWY 35.
TX	ALICE INTL	ALI	VOR-A.
TX	JACK BROOKS RGNL	BPT	VOR RWY 12.
TX	VALLEY INTL	HRL	VOR/DME RWY 17R.
TX	VALLEY INTL	HRL	VOR/DME RWY 35L.
TX	MC ALLEN MILLER INTL	MFE	VOR RWY 13.
TX	MC ALLEN MILLER INTL	MFE	VOR RWY 31.
TX	PORT ISABEL-CAMERON COUNTY	PIL	VOR-A.
MT	GREAT FALLS INTL	GTF	NDB RWY 34.

Numerous comments mentioned the need for a VOR or NDB procedure as a “backup” in case a localizer-based procedure became unusable for any reason. The FAA determined that, in the case of an airport having a single

instrument approach procedure using a localizer NavAid, or multiple instrument approach procedures using a single localizer NavAid, that a VOR or NDB procedure would be retained at that airport in case the localizer NavAid

became unusable. Due to this determination, the following 25 procedures will remain in effect and are not included in this final rule; however, the FAA may reevaluate these procedures at a later date.

State	Airport name	ID	Approach procedure
AR	MENA INTERMOUNTAIN MUNI	MEZ	VOR/DME-A.
CA	ARCATA	ACV	VOR/DME RWY 14.
CA	EASTERN SIERRA RGNL	BIH	VOR OR GPS-A.
CA	BOB HOPE	BUR	VOR RWY 08.
CA	BRACKETT FIELD	POC	VOR OR GPS-A.
CA	SANTA MARIA PUB/CAPT G ALLAN HANCOCK FLD	SMX	VOR RWY 12.
GA	HEART OF GEORGIA RGNL	EZM	VOR/DME-A.
GA	THOMSON-MCDUFFIE COUNTY	HQU	VOR/DME-A.
IA	MASON CITY MUNI	MCW	VOR RWY 36.
IA	SPENCER MUNI	SPW	VOR/DME RWY 30.
IN	TERRE HAUTE INTL-HULMAN FIELD	HUF	VOR RWY 23.
KS	PHILIP BILLARD MUNI	TOP	VOR RWY 22.
MI	BISHOP INTL	FNT	VOR RWY 18.
MO	CAPE GIRARDEAU RGNL	CGI	VOR RWY 02.
MT	BOZEMAN YELLOWSTONE INTL	BZN	VOR RWY 12.
MT	YELLOWSTONE	WYS	NDB RWY 1.
NC	LINCOLN-TON-LINCOLN COUNTY RGNL	IPJ	NDB RWY 23.
NH	BOIRE FIELD	ASH	VOR-A.
NV	ELKO RGNL	EKO	VOR/DME-B.
OK	RICHARD LLOYD JONES JR	RVS	VOR/DME-A.
TX	MAJORS	GVT	VOR/DME RWY 17.
TX	NORTH TEXAS RGNL/PERRIN FIELD	GYI	VOR/DME-A.
VA	NEW RIVER VALLEY	PSK	VOR/DME RWY 06.
WA	SNOHOMISH COUNTY (PAINE FLD)	PAE	VOR/DME RWY 16R.
WI	CHIPPEWA VALLEY RGNL	EAU	VOR-A.

Numerous comments mentioned the need for a VOR and/or NDB procedures for IFR training and/or proficiency. To address that concern, each procedure that received a comment(s) pertaining to IFR training and/or proficiency was reviewed in the following manner: If

there was not a similar type (i.e., VOR, NDB) procedure at an airport within 20NM of the airport containing the procedure in question, the procedure in question would be retained. Based upon the method for reviewing comments pertaining to IFR training and/or

proficiency, the following 11 procedures will remain in effect and are not included in this final rule; however, the FAA may reevaluate these procedures at a later date.

State	Airport name	ID	Approach procedure
AK	SOLDOTNA	SXQ	NDB RWY 25.
AK	SOLDOTNA	SXQ	VOR/DME-A.
AK	TALKEETNA	TKA	VOR-A.
AZ	CHANDLER MUNI	CHD	NDB RWY 4R.
CA	CATALINA	AVX	VOR OR GPS-A.
IA	DUBUQUE RGNL	DBQ	VOR RWY 36.
KS	NEWTON-CITY-COUNTY	EWK	VOR/DME-A.
LA	RUSTON RGNL	RSN	VOR/DME-A.
SD	WATERTOWN RGNL	ATY	VOR OR TACAN RWY 17.
TX	WHARTON RGNL	ARM	VOR/DME-A.
VA	CULPEPER RGNL	CJR	NDB RWY 4.

The following instrument flight procedures received comments that were not substantive enough to warrant retention in the National Airspace System IFP inventory. Some comments were general in nature, expressing opposition to the cost of equipping their aircraft with GPS equipment, while

others expressed opposition to the decommissioning of NavAids, which is unrelated to this final rule. Numerous comments pertained to the cancellation of multiple procedures at each airport, but those comments became insubstantial once another procedure at the same airport was retained, as in the

instances mentioned previously in this final rule. Cancellation of the following 59 procedures is in accordance with the criteria stated in the notice of policy published June 27, 2014, as well as the criteria established for the provision for IFR training/proficiency as stated earlier in this final rule.

State	Airport name	ID	Approach procedure
AK	BETHEL	BET	VOR/DME RWY 19R.
AR	SPRINGDALE MUNI	ASG	VOR RWY 18.

State	Airport name	ID	Approach procedure
AR	MEMORIAL FIELD	HOT	VOR Y RWY 05.
CA	ARCATA	ACV	VOR/DME RWY 01.
CA	EASTERN SIERRA RGNL	BIH	VOR/DME OR GPS-B.
CA	BRAWLEY MUNI	BWC	VOR/DME-A.
CA	LOS BANOS MUNI	LSN	VOR/DME RWY 14.
GA	FULTON COUNTY AIRPORT-BROWN FIELD	FTY	NDB RWY 8.
GA	GWINNETT COUNTY-BRISCOE FIELD	LZU	NDB RWY 25.
GA	BARROW COUNTY	WDR	VOR/DME-A.
IA	THE EASTERN IOWA	CID	VOR RWY 27.
IA	THE EASTERN IOWA	CID	VOR/DME RWY 09.
IA	MASON CITY MUNI	MCW	VOR/DME RWY 18.
IA	SPENCER MUNI	SPW	VOR/DME RWY 12.
ID	BOISE AIR TERMINAL/GOWEN FLD	BOI	VOR/DME RWY 10R.
ID	BURLEY MUNI	BYI	VOR/DME-B.
ID	POCATELLO RGNL	PIH	VOR/DME RWY 21.
IL	AURORA MUNI	ARR	VOR RWY 15.
IL	AURORA MUNI	ARR	VOR RWY 33.
IL	MOUNT VERNON	MVN	VOR RWY 23.
IN	EVANSVILLE RGNL	EVV	NDB RWY 22.
IN	MARION MUNI	MZZ	VOR RWY 22.
IN	MARION MUNI	MZZ	VOR RWY 4.
IN	KOKOMO MUNI	OKK	VOR RWY 23.
IN	INDIANAPOLIS EXECUTIVE	TYQ	VOR/DME RWY 36.
LA	BATON ROUGE METROPOLITAN-RYAN FIELD	BTR	NDB RWY 31.
LA	BATON ROUGE METROPOLITAN-RYAN FIELD	BTR	VOR/DME RWY 22R.
LA	RUSTON RGNL	RSN	NDB RWY 36.
ME	AUGUSTA STATE	AUG	VOR/DME RWY 08.
ME	AUGUSTA STATE	AUG	VOR/DME RWY 17.
MI	JACKSON COUNTY-REYNOLDS FIELD	JXN	VOR/DME RWY 24.
MO	CAPE GIRARDEAU RGNL	CGI	VOR RWY 10.
MO	MACON-FOWER MEMORIAL	K89	VOR/DME RWY 20.
MO	SPIRIT OF ST LOUIS	SUS	NDB RWY 26L.
MO	SPIRIT OF ST LOUIS	SUS	NDB RWY 8R.
MT	BERT MOONEY	BTM	VOR/DME OR GPS-A.
MT	BOZEMAN YELLOWSTONE INTL	BZN	VOR/DME RWY 12.
MT	MISSION FIELD	LVM	VOR-A.
MT	SIDNEY-RICHLAND MUNI	SDY	NDB RWY 1.
NC	ELIZABETH CITY CG AIR STATION/RGNL	ECG	VOR/DME RWY 10.
NE	WAYNE MUNI/STAN MORRIS FLD	LCG	NDB RWY 23.
NE	NORFOLK RGNL/KARL STEFAN MEMORIAL FLD	OFK	VOR RWY 01.
NH	BOIRE FIELD	ASH	NDB RWY 14.
NV	ELKO RGNL	EKO	VOR-A.
NY	CHAUTAUQUA COUNTY/DUNKIRK	DKK	VOR RWY 06.
OK	RICHARD LLOYD JONES JR	RVS	VOR RWY 1L.
TX	NORTH TEXAS RGNL/PERRIN FIELD	GYI	NDB RWY 17L.
TX	DRAUGHON-MILLER CENTRAL TEXAS RGNL	TPL	VOR RWY 15.
VA	DANVILLE RGNL	DAN	VOR RWY 02.
VA	NEW RIVER VALLEY	PSK	VOR-A.
VA	ROANOKE RGNL/WOODRUM FIELD	ROA	VOR RWY 34, formerly VOR/NDB RWY 34.
WA	SNOHOMISH COUNTY (PAINE FLD)	PAE	VOR RWY 16R.
WI	DANE COUNTY RGNL-TRUAX FIELD	MSN	VOR/DME OR TACAN RWY 14.
WI	DANE COUNTY RGNL-TRUAX FIELD	MSN	VOR/DME OR TACAN RWY 32.
WI	DANE COUNTY RGNL-TRUAX FIELD	MSN	VOR/DME OR TACAN RWY 18.
WV	GREENBRIER VALLEY	LWB	VOR RWY 04.
WY	CASPER/NATRONA COUNTY INTL	CPR	VOR/DME RWY 03.
WY	EVANSTON-UINTA COUNTY BURNS FIELD	EVW	VOR/DME RWY 23.
WY	GILLETTE-CAMPBELL COUNTY	GCC	VOR/DME RWY 34.

### The Amendment

SIAPs and associated supporting data adopted or removed by the FAA are documented on FAA Forms 8260-3, 8260-4, and 8260-5, which are incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97. The FAA has determined that the 59 procedures listed above should be removed consistent with FAA policy on maintaining instrument approach procedures in the NAS.

### Conclusion

The FAA has determined that this final rule 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Additional Information**

*A. Availability of Rulemaking Documents*

An electronic copy of rulemaking documents may be obtained from the Internet by—

1. Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);
2. Visiting the FAA’s Regulations and Policies Web page at [http://www.faa.gov/regulations\\_policies](http://www.faa.gov/regulations_policies) or
3. Accessing the Government Publishing Office’s Web page at <http://www.gpo.gov/fdsys/>.

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. Persons requesting additional information must identify the docket or amendment number of this rulemaking.

All documents the FAA considered in developing this rule, including technical reports, may be accessed from the Internet through the Federal eRulemaking Portal referenced in item (1) above.

*B. Comments Submitted to the Docket*

Comments received may be viewed by going to <http://www.regulations.gov> and following the online instructions to search the docket number for this action. Anyone is able to search the electronic form of all comments received into any of the FAA’s dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

*C. Small Business Regulatory Enforcement Fairness Act*

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document, may contact its local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit [http://www.faa.gov/regulations\\_policies/rulemaking/sbre\\_act/](http://www.faa.gov/regulations_policies/rulemaking/sbre_act/).

**List of Subjects in 14 CFR Part 97**

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on October 4, 2016.

**John S. Duncan,**  
*Director, Flight Standards Service.*

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

- 1. The authority citation for part 97 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, and 44721–44722.

- 2. Part 97 is amended by removing the specified procedures as follows:

State	Airport name	ID	Approach procedure
AK	BETHEL	BET	VOR/DME RWY 19R.
AR	SPRINGDALE MUNI	ASG	VOR RWY 18.
AR	MEMORIAL FIELD	HOT	VOR Y RWY 05.
CA	ARCATA	ACV	VOR/DME RWY 01.
CA	EASTERN SIERRA RGNL	BIH	VOR/DME OR GPS–B.
CA	BRAWLEY MUNI	BWC	VOR/DME–A.
CA	LOS BANOS MUNI	LSN	VOR/DME RWY 14.
GA	FULTON COUNTY AIRPORT–BROWN FIELD	FTY	NDB RWY 8.
GA	GWINNETT COUNTY–BRISCOE FIELD	LZU	NDB RWY 25.
GA	BARROW COUNTY	WDR	VOR/DME–A.
IA	THE EASTERN IOWA	CID	VOR RWY 27.
IA	THE EASTERN IOWA	CID	VOR/DME RWY 09.
IA	MASON CITY MUNI	MCW	VOR/DME RWY 18.
IA	SPENCER MUNI	SPW	VOR/DME RWY 12.
ID	BOISE AIR TERMINAL/GOWEN FLD	BOI	VOR/DME RWY 10R.
ID	BURLEY MUNI	BYI	VOR/DME–B.
ID	POCATELLO RGNL	PIH	VOR/DME RWY 21.
IL	AURORA MUNI	ARR	VOR RWY 15.
IL	AURORA MUNI	ARR	VOR RWY 33.
IL	MOUNT VERNON	MVN	VOR RWY 23.
IN	EVANSVILLE RGNL	EVV	NDB RWY 22.
IN	MARION MUNI	MZZ	VOR RWY 22.
IN	MARION MUNI	MZZ	VOR RWY 4.
IN	KOKOMO MUNI	OKK	VOR RWY 23.
IN	INDIANAPOLIS EXECUTIVE	TYQ	VOR/DME RWY 36.
LA	BATON ROUGE METROPOLITAN–RYAN FIELD	BTR	NDB RWY 31.
LA	BATON ROUGE METROPOLITAN–RYAN FIELD	BTR	VOR/DME RWY 22R.
LA	RUSTON RGNL	RSN	NDB RWY 36.
ME	AUGUSTA STATE	AUG	VOR/DME RWY 08.
ME	AUGUSTA STATE	AUG	VOR/DME RWY 17.
MI	JACKSON COUNTY–REYNOLDS FIELD	JXN	VOR/DME RWY 24.
MO	CAPE GIRARDEAU RGNL	CGI	VOR RWY 10.
MO	MACON–FOWER MEMORIAL	K89	VOR/DME RWY 20.
MO	SPIRIT OF ST LOUIS	SUS	NDB RWY 26L.
MO	SPIRIT OF ST LOUIS	SUS	NDB RWY 8R.
MT	BERT MOONEY	BTM	VOR/DME OR GPS–A.
MT	BOZEMAN YELLOWSTONE INTL	BZN	VOR/DME RWY 12.
MT	MISSION FIELD	LVM	VOR–A.
MT	SIDNEY–RICHLAND MUNI	SDY	NDB RWY 1.

State	Airport name	ID	Approach procedure
NC	ELIZABETH CITY CG AIR STATION/RGNL	ECG	VOR/DME RWY 10.
NE	WAYNE MUNI/STAN MORRIS FLD	LCG	NDB RWY 23.
NE	NORFOLK RGNL/KARL STEFAN MEMORIAL FLD	OFK	VOR RWY 01.
NH	BOIRE FIELD	ASH	NDB RWY 14.
NV	ELKO RGNL	EKO	VOR-A.
NY	CHAUTAUQUA COUNTY/DUNKIRK	DKK	VOR RWY 06.
OK	RICHARD LLOYD JONES JR	RVS	VOR RWY 1L.
TX	NORTH TEXAS RGNL/PERRIN FIELD	GYI	NDB RWY 17L.
TX	DRAUGHON-MILLER CENTRAL TEXAS RGNL	TPL	VOR RWY 15.
VA	DANVILLE RGNL	DAN	VOR RWY 02.
VA	NEW RIVER VALLEY	PSK	VOR-A.
VA	ROANOKE RGNL/WOODRUM FIELD	ROA	VOR/NDB RWY 34, VOR RWY 34.
WA	SNOHOMISH COUNTY (PAINE FLD)	PAE	VOR RWY 16R.
WI	DANE COUNTY RGNL-TRUAX FIELD	MSN	VOR/DME OR TACAN RWY 14.
WI	DANE COUNTY RGNL-TRUAX FIELD	MSN	VOR/DME OR TACAN RWY 32.
WI	DANE COUNTY RGNL-TRUAX FIELD	MSN	VOR/DME OR TACAN RWY 18.
WV	GREENBRIER VALLEY	LWB	VOR RWY 04.
WY	CASPER/NATRONA COUNTY INTL	CPR	VOR/DME RWY 03.
WY	EVANSTON-UINTA COUNTY BURNS FIELD	EVW	VOR/DME RWY 23.
WY	GILLETTE-CAMPBELL COUNTY	GCC	VOR/DME RWY 34.

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 740 and 746

[Docket No. 160915848-6952-01]

RIN 0694-AH12

#### Cuba: Revisions to License Exceptions

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

**ACTION:** Final rule.

**SUMMARY:** This rule amends a license exception to allow cargo aboard aircraft to transit Cuba when that cargo is bound for destinations other than Cuba. This rule also authorizes export and reexport of certain items sold directly to individuals in Cuba under a license exception. Finally, this rule revises the lists of ineligible Cuban officials for purposes of certain license exceptions. BIS is publishing this rule to further implement the administration's policy of increasing engagement and commerce that benefits the Cuban people.

**DATES:** Effective: October 17, 2016.

**FOR FURTHER INFORMATION CONTACT:** Foreign Policy Division, Bureau of Industry and Security, Phone: (202) 482-4252.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 17, 2014, the President announced a new approach in U.S. policy toward Cuba. This approach recognized that increased engagement and commerce benefits the American

and Cuban people, and sought to make the lives of ordinary Cubans easier and more prosperous. In furtherance of that policy, and in coordination with the Department of the Treasury's Office of Foreign Assets Control (OFAC), the Bureau of Industry and Security published five rules amending the Export Administration Regulation (EAR) between January 16, 2015, and March 16, 2016 (*see* 80 FR 2286, 80 FR 43314, 80 FR 56898, 81 FR 4580, and 81 FR 13972). Collectively these rules established License Exception Support for the Cuban People (SCP) (§ 740.21 of the EAR) and revised existing license exceptions and licensing policy in the EAR for Cuba.

Today, BIS is taking this action in coordination with OFAC, which is amending the Cuban Assets Control Regulations (CACR) (31 CFR part 515).

This rule continues the President's policy of increasing engagement and commerce between the United States and Cuba by making cargo transiting Cuba via aircraft on temporary sojourn eligible for License Exception Aircraft, Vessels and Spacecraft (AVS) (§ 740.15 of the EAR), placing it on par with such cargo aboard vessels on temporary sojourn to Cuba. This rule also makes a non-substantive clarifying edit in describing the limits that apply to the transiting cargo. Previously, one of those limits read: "The cargo . . . does not enter the Cuban economy. . . ." This rule revises that limit to read: "The cargo . . . is not removed from the aircraft or vessel for use in Cuba. . . ." BIS believes that the latter more clearly expresses the underlying concept, *i.e.*, that the cargo must truly be in transit to be eligible for this license exception. This final rule continues to apply the other limits of License Exception AVS

(that the cargo must not be transferred to another vessel and must leave with the same vessel when it departs) to aircraft as well as vessels without any substantive change.

In furtherance of the President's policy to support the Cuban people, this rule also makes exports or reexports of eligible items sold directly to eligible individuals in Cuba for their personal use or their immediate family's personal use eligible for License Exception SCP. To be eligible, the items must be designated as EAR99 or controlled on the Commerce Control List (CCL) (Supplement No. 1 to Part 774 of the EAR) only for anti-terrorism reasons. Additionally, the purchasers and end users must not be members of the Council of Ministers, flag officers of the Revolutionary Armed Forces, or members of the Politburo. This amendment to License Exception SCP facilitates direct sales to individuals in Cuba by online retailers and others that sell eligible consumer products directly to end users. This new provision of License Exception SCP complements existing authorizations in the EAR. License Exception SCP already authorizes the export or reexport to Cuba of certain items for use by the Cuban private sector. There is an existing case-by-case licensing policy for the export or reexport to Cuba of items that would meet the needs of the Cuban people, including items for wholesale and retail distribution for domestic consumption by the Cuban people. Additionally, certain donations to the Cuban people have been authorized pursuant to License Exceptions Gift Parcels and Humanitarian Donations (GFT) (§ 740.12 of the EAR), Consumer Communications