

Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface.

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ACE NE E5 Neligh, NE [New]

Antelope County Airport, NE
(Lat. 42°06'44" N., long. 98°02'23" W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of Antelope County Airport and within 3.3 miles either side of the 193° bearing from the airport extending from the 7.7-mile radius to 10.2 miles south of the airport, and within 2.2 miles either side of the 013° bearing from the airport extending from the 7.7-mile radius to 10.1 miles north of the airport.

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Issued in Fort Worth, Texas, on August 25, 2009.

Ronnie L. Uhlenhaker,

*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-2008-1114; Airspace
Docket No. 08-AGL-17]

RIN 2120-AA66

Establishment of Low Altitude Area Navigation Route (T-Route); Rockford, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a low altitude Area Navigation (RNAV) route, designated T-265, in the Chicago/Rockford International Airport, IL, terminal area. This route allows for more effective utilization of airspace and enhances the management of aircraft operations in the Chicago/Rockford International Airport, IL, terminal area west of Chicago, IL.

DATES: *Effective Date:* 0901 UTC, October 22, 2009. 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 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace and Rules Group, Office of System Operations

Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

On Wednesday, December 24, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish low altitude area navigation route T-265 (73 FR 79035). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. Two comments were received in response to the NPRM.

Discussion of Comments

One commenter suggested the FAA establish a similar T-route between Portland, OR, and Seattle, WA. The commenter based his discussion on the icing conditions pilots experience while flying in that area during the winter months, as they comply with published minimum en-route altitudes between the cities. The comment received provided no substantive information relative to the proposed T-265 RNAV route and falls outside the scope of this rulemaking action. However, the commenter's remarks will be shared with the FAA Western Service Area for their consideration in future airway actions, as appropriate.

The second commenter opposed the proposed route, stating it was too far west of Chicago to be very helpful to general aviation aircraft. The commenter further stated general aviation needed T-routes to help skirt by or through controlled airspace to save air-miles.

T-265 was proposed to establish an RNAV route to efficiently manage transient air traffic through the Chicago/Rockford International Airport approach control airspace and remain clear of the Chicago Class B high density airspace area. As a practical matter, the Chicago/Rockford approach control air traffic controllers cannot route air traffic across the northwest corner of the Chicago Class B as this would impact the JANESVILLE FIVE instrument approach procedure into Chicago O'Hare International Airport. Further complicating use of this airspace are the planned actions underway to establish a system of arrival and departure instrument procedures to and from the west into Chicago O'Hare, the second busiest airport in the national airspace system. As a result of the high volume of air traffic operations and the existing and planned instrument procedures supporting Chicago O'Hare International Airport arrivals and departures, transient instrument flight rules aircraft

traveling north or south around the Chicago Class B high density airspace area have to file either east of Chicago over Lake Michigan or west of Chicago through the Chicago/Rockford International Airport approach control airspace. For aircraft opting to fly west of Chicago, the proposed T-265 route is the same route of flight currently being issued by Chicago/Rockford approach control air traffic controllers to re-route airborne aircraft through their controlled airspace around the Chicago Class B airspace area.

The FAA has determined that establishing T-265 will maximize the efficient use of airspace west of Chicago, and save flying miles for general aviation pilots transiting around the Chicago Class B airspace area.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing route T-265 in the Chicago/Rockford International Airport, IL, terminal area. The route is intended to be used by GNSS-equipped aircraft that are capable of filing flight plane equipment code "/G." The route will be depicted in blue on the appropriate IFR en route low altitude charts. The FAA is taking this action to enhance safety and to facilitate the flexible and efficient use of the navigable airspace for en route IFR operations transitioning through the Chicago/Rockford International terminal airspace area west of Chicago, IL.

Low altitude RNAV routes are published in paragraph 6011 of FAA Order 7400.9S signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The low altitude RNAV routes listed in this document will be published subsequently in the Order.

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. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 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.

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 establishes a low altitude Area Navigation route (T-Route) at Rockford, IL.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a, 311b, and 311k. 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.

List of Subjects in 14 CFR Part 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(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 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

Paragraph 6011 United States Area Navigation Routes.

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T-265 KELS, IL to VEENA, WI [New]

KELS, IL WP

(Lat. 41°26'20" N., long. 88°59'29" W.)
SIMMN, IL WP
(Lat. 41°58'50" N., long. 88°52'42" W.)
BULLZ, IL WP
(Lat. 42°27'27" N., long. 88°46'17" W.)
VEENA, WI WP
(Lat. 42°42'18" N., long. 88°18'14" W.)
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Issued in Washington, DC, on September 1, 2009.

Ellen Crum,

Acting Manager, Airspace and Rules Group.

[FR Doc. E9–21432 Filed 9–4–09; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 736, 740 and 746

[Docket No. 090414648–9652–01]

RIN 0694–AE60

Cuba: Revisions to Gift Parcel and Baggage Restrictions, Creation of License Exception for Donated Consumer Communications Devices and Expansion of Licensing Policy Regarding Telecommunications

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

ACTION: Final rule.

SUMMARY: This rule revises two existing License Exceptions concerning exports and reexports of gift parcels to Cuba and of personal baggage taken by individuals leaving the United States for travel to Cuba. It also creates a new License Exception authorizing the export and reexport to Cuba of certain donated consumer communications devices, including certain computers and software, mobile phones, and satellite receivers. Finally, this rule revises the scope of existing licensing policy regarding certain telecommunications links including satellite radio and satellite television services. These actions are among those directed by the President on April 13, 2009 to enhance the free flow of information to and from Cuba and to promote contacts between Americans and their relatives who reside in Cuba as a means of encouraging positive change in Cuba and are consistent with the ongoing support the United States has provided to individuals and nongovernmental organizations that support democracy-building efforts in Cuba. These actions do not suspend or terminate the United States embargo of Cuba.

DATES: *Effective Date:* This rule is effective September 3, 2009.

ADDRESSES: Although there is no comment period for this final rule, BIS welcomes any comments from the public on the amendments made by this rule. Comments may be submitted by e-mail directly to BIS at publiccomments@bis.doc.gov (please refer to RIN 0694–AE60 in the subject line); or by delivery to Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, Room H2705, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230. Comments on the information collection contained in this rule should also be sent to Jasmeet Seehra, Office of Management and Budget (OMB), by e-mail to jseehra@omb.eop.gov, or by fax to (202) 395–7285. Refer to RIN 0694–AE60 in all comments.

FOR FURTHER INFORMATION CONTACT:

Anthony Christino, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance at (202) 482–4252.

SUPPLEMENTARY INFORMATION:

Background

The United States maintains a comprehensive embargo on trade with Cuba. Pursuant to that embargo, all items that are subject to the Export Administration Regulations (EAR) require a license for export or reexport to Cuba unless authorized by a License Exception. BIS administers export and reexport restrictions on Cuba consistent with the goals of the embargo and with relevant legislation, including the Cuban Liberty and Democratic Solidarity Act of 1996 (LIBERTAD). Accordingly, BIS may issue specific or general authorizations for limited types of transactions that support the goals of United States policy while the embargo remains in effect.

On April 13, 2009, the President directed the Secretary of the Treasury and the Secretary of Commerce, in consultation with the Secretary of State, to take certain actions to enhance the free flow of information to and from Cuba and to promote contacts between Americans and their relatives who reside in Cuba as a means of encouraging positive change in Cuba. In doing so, the President noted the United States policy of promoting democracy and human rights in Cuba and stated that “measures that decrease dependency of the Cuban people on the Castro regime and that promote contact between Cuban-Americans and their relatives in Cuba are means to encourage positive change in Cuba.” The policy of promoting human rights and democracy in Cuba has long been reflected in legislation. LIBERTAD’s