This area would provide airspace for new Area Navigation Procedures at Gove County Airport, Quinter, KS.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order. FAA Order 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, is non-controversial, and unlikely to result in adverse or negative comments. 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. Given this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would 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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, 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

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, is amended as follows:

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

ANM WA E5 Quinter, KS

Gove County Airport, KS

(Lat. 39°02′19″ N, long. 100°14′02″ W)

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Gove County airport, Quinter, KS.

Issued in Seattle, Washington, on April 21, 2020.

Shawn M. Kozica,
Manager, Operations Support Group, Western Service Center.

[FR Doc. 2020–08956 Filed 4–27–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 740

[Docket No. 190524472–9472–01]

RIN 0694–AH65

Modification of License Exception Additional Permissive Reexports (APR)

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Proposed rule.

SUMMARY: In this rule, the Bureau of Industry and Security (BIS) proposes to amend the Export Administration Regulations (EAR) by modifying License Exception Additional Permissive Reexports (APR). Specifically, BIS is proposing to remove provisions which authorize reexports of certain national security-controlled items on the Commerce Control List (CCL) to gain better visibility into transactions of national security or foreign policy interest to the United States.

DATES: Comments must be received by BIS no later than June 29, 2020.

ADDRESSES: Comments on this rule may be submitted to the Federal rulemaking portal (www.regulations.gov). The regulations.gov ID for this rule is: BIS–2020–0010. All relevant comments (including any personally identifying information) will be made available for public inspection and copying.

FOR FURTHER INFORMATION CONTACT: Eileen Albanese, Director, Office of National Security and Technology Transfer Controls, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–0092 or Email: eileen.albanese@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

The Department of Commerce’s Bureau of Industry and Security (BIS) is proposing to revise part 740 of the Export Administration Regulations (EAR) (15 CFR, Subchapter C, parts 730–774), which provides information on license exceptions. An export license exception is an authorization allowing the export, re-export, or transfer (in-country), under stated conditions, of items subject to the EAR that would otherwise require a license. Because there are a number of circumstances under which a license exception may replace the need for a license, there are several types of license exceptions described in part 740.

With this rule, BIS is proposing to modify License Exception Additional Permissive Reexports (APR) (§ 740.16 of the EAR) which, among other things, authorizes certain reexports between and among certain countries. To advance the objectives discussed in the Administration’s December 2017 National Security Strategy as well as address the challenges discussed in the Administration’s January 2018 National Defense Strategy available at https://dod.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf, BIS proposes to remove a provision of License Exception APR due to variations in how the United States and its partners, including partners located in Country Group A:1, perceive the threat caused by the increasing integration of civilian and military technology development in countries of concern. A current listing of country groups can be found at https://www.bis.doc.gov/index.php/documents/regulation-docs/2255-supplement-no-1-to-part-740-country-groups-1/file.

Based on discussions with partner governments and U.S. companies, BIS has evidence of differences in licensing review standards for national-security controlled items destined to Country Group D:1, so that countries in Country Group A:1 or Hong Kong may approve the license for the reexport of a U.S.-origin item that would have been denied if exported directly from the United States.

Proposed Revision to License Exception APR (§740.16 Additional Permissive Reexports)

Currently, paragraph (a) of License Exception APR authorizes the reexport
of certain items from a country in
Country Group A:1 or Hong Kong to
certain destinations, provided that the
reexport is consistent with an export
authorization from the country of
reexport, and that the item is not subject
to reasons for control described in
§ 740.16(a)(2), which includes missile
technology and nuclear nonproliferation
controls. BIS is proposing to remove
countries in Country Group D:1 as a
category of eligible destination for
national security-controlled items under
paragraph (a) of License Exception APR
by amending § 740.16(a)(3). BIS is
considering this change because, as
described above, the Department
acknowledges there may be variations of
national security or foreign policy
concerns between other countries and
the United States. Even Wassenaar
participating states in Country Group
A:1 may have export authorization
policies that do not align with the
national security or foreign policy
interests of the U.S. government.
As such, BIS believes that reexports of
national security-controlled items
currently permitted under
§ 740.16(a)(3)(ii) should be reviewed by the
U.S. government before proceeding.
Removing the provision currently found in § 740.16(a)(3)(ii) and requiring a
reexport license for national security-
controlled items to Country Group D:1
will allow the U.S. government prior
review of these reexports to ensure that
the reexports are authorized consistent with U.S. policy.

Request for Comment

Overall, license exceptions can be of
significant benefit to exporters and
reexporters, although they can be
complex and may require detailed
analysis before use. BIS has historically
encouraged exporters and reexporters to
use license exceptions since they reflect
U.S. policy, reduce the burden for both
exporters/reexporters and BIS staff, and
reduce obstacles and costs that can
inhibit trade.

The main advantage of using a license
exception is that it provides relief from the
requirement to apply for a license. The
resources needed to apply for and
administer a BIS license include those
necessary to access the BIS electronic
systems, complete the application and
supporting documentation, and track
license use if the license covers multiple
transactions. Additionally, a licensing
requirement can have a significant
impact on the timing and predictability of
order fulfillment due to license
processing time, which involves
interagency review and can vary
according to the transaction.

Recordkeeping requirements for license
exceptions generally parallel those for
licenses.

BIS is requesting comment on how the
proposed change would impact
persons who currently use or plan to
use License Exception APR. Currently,
BIS does not have a way to readily
account for how many items are being
authorized for reexport or transfer (in-
country) under the provisions of License
Exception APR, so BIS is seeking
information as to the volume of
transactions affected by this proposed
change, how the proposed change would
affect the amount of time
necessary to complete such transactions in the future, and how the proposed
change would otherwise affect current
business. Please also see the Paperwork
Reduction Act section of the rulemaking
requirements for additional areas
available for comment.

Export Control Reform Act of 2018

On August 13, 2018, the President
signed into law the John S. McCain
National Defense Authorization Act for Fiscal Year 2019, which included the
Export Control Reform Act of 2018
provides the legal basis for BIS's
principal authorities and serves as the
authority under which BIS issues this
rule. As set forth in § 1768 of ECRA, all
degressions, rules, regulations, orders,
determinations, licenses, or other forms
of administrative action that have been
made, issued, conducted, or allowed to
become effective under the Export
Administration Act of 1979 (previously,
50 U.S.C. 4601 et seq.) (as in effect prior to
August 13, 2018 and as continued in
effect pursuant to the International
Emergency Economic Powers Act (50
U.S.C. 1701 et seq.)); the Export
Administration Regulations, and are in
effect as of August 13, 2018, shall
continue in effect according to their
terms until modified, superseded, set
aside, or revoked under the authority of
ECRA.

Rulemaking Requirements

1. Executive Orders 13563 and 12866
direct agencies to assess all costs and
benefits of available regulatory
alternatives and, if regulation is
necessary, to select regulatory
approaches that maximize net benefits
(including potential economic,
environmental, public health and safety
effects, distributive impacts, and
equity). Executive Order 13563
emphasizes the importance of
quantifying both costs and benefits,
of reducing costs, of harmonizing rules,
and of policy. This proposed rule has been designated a
"significant regulatory action," although
not economically significant, under
section 3(f) of Executive Order 12866.

2. This proposed rule is not subject to
the requirements of Executive Order
13771 because it is issued with respect
to a national security function of the
United States. As described in this rule
and consistent with the
Administration’s National Security
Strategy and National Defense Strategy,
modification of the license exception
described herein would enhance the
national security of the United States by
reducing the risk that exports, reexports,
and transfers (in-country) of items
subject to the EAR could take place
contrary to U.S. national security or
foreign policy interests. This proposed
rule would allow the United States
government to review transactions
involving items and destinations of
national security concern prior to their
completion to mitigate this risk. The
cost-benefit analysis required pursuant
to Executive Orders 13563 and 12866
indicates that this rule is intended to
improve national security as its primary
direct benefit. Accordingly, this rule
meets the requirements set forth in the
April 5, 2017, OMB guidance
implementing Executive Order 13771,
regarding what constitutes a regulation
issued “with respect to a national
security function of the United States”
and it is, therefore, exempt from the
requirements of Executive Order 13771.

3. Notwithstanding any other
provision of law, no person is required
to respond to nor be subject to a penalty
for failure to comply with a collection
of information, subject to the
requirements of the Paperwork
Reduction Act of 1995 (44 U.S.C. 3501
et seq.) (PRA), unless that collection of
information displays a currently valid
Office of Management and Budget
(OMB) Control Number. This regulation
involves collections previously
approved by OMB under control
number 0694–0088, Simplified Network
Application Processing System, which
includes, among other things, license
applications and carries a burden
estimate of 43.8 minutes for a manual or
electronic submission.

BIS is not able to estimate the increase
in total burden hours associated with
the PRA and OMB control number
0694–0088 as a result of this rule
because, prior to publication of this
proposed rule, BIS did not have a way
to readily account for how many items
were being authorized for reexport or
transfer (in-country) under provisions of License Exception APR. BIS encourages
public comments from reexporters to
assist the agency in developing
estimates for the impact on burden
hours if the changes included in this
controlled for export to Country Group A:1.
* * * * *

Matthew S. Borman,
Deputy Assistant Secretary for Export Administration.

[FR Doc. 2020–07239 Filed 4–27–20; 8:45 am]

BILLING CODE 3510–33–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52


Air Plan Approval; KY: Jefferson County Performance Tests

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve changes to the Jefferson County portion of the Kentucky State Implementation Plan (SIP), submitted by the Commonwealth of Kentucky, through the Energy and Environment Cabinet (Cabinet), Division of Air Quality (DAQ), through a letter dated September 5, 2019. The changes were submitted by the Cabinet on behalf of the Louisville Metro Air Pollution Control District (District, also referred to herein as Jefferson County). The SIP revision includes changes to Jefferson County regulations regarding performance tests.

DATES: Comments must be received on or before May 28, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–OAR–2020–0156 at www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy information about CBI or multimedia submissions, and general guidance on making effective comments, please visit www2.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT: D. Brad Akers, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. Mr. Akers can be reached via electronic mail at akers.brad@epa.gov or via telephone at (404) 562–9089.

SUPPLEMENTARY INFORMATION:

I. What action is EPA proposing?

EPA is proposing to approve changes to the Jefferson County portion of the Kentucky SIP that were provided to EPA through DAQ via a letter dated September 5, 2019.1 EPA is proposing to approve the changes to Jefferson County’s Regulation 1.04, Performance Tests.2 The September 5, 2019, SIP revision first makes minor changes to Regulation 1.04 that do not alter the meaning of the regulation such as clarifying changes to its notification requirements under the SIP. In addition, other changes strengthen the SIP by adding a specific reporting requirement to communicate results from any required performance testing. The SIP revision updates the current SIP–approved version of Regulation 1.04 (Version 6) to Version 7. The changes to this rule and EPA’s rationale for proposing approval are described in more detail in Section II of this notice of proposed rulemaking.

II. EPA’s Analysis of the Commonwealth’s Submittal

As mentioned in Section I of this proposed action, the September 5, 2019, SIP revision that EPA is proposing to approve makes changes to Jefferson County Air Quality Regulations at Regulation 1.04, Performance Tests. The