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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Chapter I

Temporary Extension of Applicability of Regulations Governing Conduct on Federal Property

AGENCY: Office of the Secretary, Department of Homeland Security (DHS).

ACTION: Notification of temporary extension of the applicability of regulations.

SUMMARY: This document announces that the Secretary of Homeland Security, pursuant to the Homeland Security Act of 2002, has temporarily extended the applicability of certain regulations governing conduct on federal property to a certain area within the United States Border Patrol's El Centro Sector allowing for their enforcement. This temporary administrative extension enables DHS to protect and secure federal property at or near the project area for replacement border barrier near the city of Calexico, California, including but not limited to, project sites, staging areas, access roads, and buildings temporarily erected to support construction activities, and to carry out DHS's statutory obligations to protect and secure the nation's borders. The project area for border barrier replacement is situated within a geographic area that starts at the Calexico West Port of Entry, and extends approximately three miles west along the southern U.S. border.

DATES: Pursuant to 40 U.S.C. 1315(d), the extension began on May 20, 2018 and will continue for the duration of the construction activities related to the border barrier replacement project near the city of Calexico, California.

FOR FURTHER INFORMATION CONTACT: Joshua A. Vayer, Division Director, Protective Operations Division, Federal

Protective Service, *joshua.s.vayer@hq.dhs.gov*.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to section 1706 of the Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135 (Nov. 25, 2002), as codified at 40 U.S.C. 1315, the Secretary of Homeland Security is responsible for protecting the buildings, grounds, and property owned, occupied, or secured by the federal government (including any agency, instrumentality, or wholly owned or mixed ownership corporation thereof) and the persons on the property. To carry out this mandate, the Department is authorized to enforce the applicable federal regulations for the protection of persons and property set forth in 41 CFR part 102-74, subpart C.¹ These regulations govern conduct on federal property and set forth the relevant criminal penalties. Although these regulations apply to all property under the authority of the General Services Administration and to all person entering in or on such property,² the Secretary of Homeland Security is authorized pursuant to 40 U.S.C. 1315(d)(2)(A) to extend the applicability of these regulations to any property owned or occupied by the federal government and to enforce them.

Temporary Administrative Extension of Applicability of Regulations Governing Conduct on Federal Property to Certain Areas in the Vicinity of the Border Near the City of Calexico

DHS is replacing existing border fence with bollard wall near the city of Calexico in the United States Border Patrol's El Centro Sector pursuant to several statutory and executive directives.³ In order to protect and

¹ Although these regulations were issued prior to the Homeland Security Act, per section 1512 of the Act, these regulations remain the relevant regulations for purposes of the protection and administration of property owned or occupied by the federal government.

² See 41 CFR 102-74.365.

³ The statutory and executive directives relating to the construction of the border wall replacement fencing include, but are not limited to, section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109-13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), the Secure Fence Act of 2006, Public Law 109-367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), and the Department of

secure the property at or near the border barrier replacement project area, including, but not limited to, project sites, staging areas, access roads, and buildings temporarily erected to support construction activities, I temporarily extended the applicability, allowing the enforcement, of regulations governing the conduct of individuals on federal property to areas in or around the border barrier replacement project area, pursuant to 40 U.S.C. 1315(d)(2)(A). The project area for border barrier replacement wall and fence replacement is situated within a geographic area that starts at the Calexico West Port of Entry, and extends to approximately three miles west along the southern U.S. border. Specifically, I temporarily extended the applicability, allowing the enforcement, of the regulations in 41 CFR part 102-74, subpart C, for the protection and administration of property owned or occupied by the Federal Government and persons on the property at or near the border barrier replacement project area near the city of Calexico, California.

The regulations in 41 CFR part 102-74, subpart C, will remain applicable and enforceable at these locations for the duration of the construction related to the border barrier replacement near the city of Calexico, California.

Kirstjen M. Nielsen,

Secretary of Homeland Security.

[FR Doc. 2018-13725 Filed 6-26-18; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2017-1144; Airspace Docket No. 16-AGL-30]

RIN 2120-AA66

Modification of Air Traffic Service (ATS) Routes in the Vicinity of Richmond, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

Homeland Security Appropriations Act, 2008, Public Law 110-161, Div. E, Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007) (8 U.S.C. 1103 note); Section 2 of the Secure Fence Act of 2006, Public Law 109-367, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note); and E.O. 13767.

ACTION: Final rule, correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** of May 29, 2018, that amends five VHF omnidirectional range (VOR) Federal airways (V-12, V-214, V340, V-467, and V517) and one low altitude area navigation (RNAV) route (T-213). This action removes V-467 as the FAA inadvertently listed the route as being amended when, in fact, it already has been removed in a previous rulemaking.

DATES: Effective date 0901 UTC September 13, 2018. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

The FAA published a final rule in the **Federal Register** (83 FR 24403; May 29, 2018) for Docket No. FAA-2017-1144 amending VOR Federal airways V-12, V-214, V-340, V-467, and V-517, and low altitude RNAV route T-213. Subsequent to publication, the FAA identified that one VOR Federal airway, V-467, already has been removed in a previous rulemaking (83 FR 13404; March 29, 2018). This action removes reference to V-467 in the preamble and the regulatory text.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, Modification of Air Traffic Service (ATS) Routes in the Vicinity of Richmond, IN, published in the **Federal Register** of May 29, 2018 (83 FR 24403), FR Doc. 2018-11327, is corrected as follows:

§ 71.1 [Amended]

- On page 24403, column 1, line 15; column 2, line 32; and column 3, line 11, remove the text “V-467.” On page 24403, column 3, lines 49 thru 56, remove the text that reads “V-467: V-467 extends between the Richmond, IN, VORTAC and the Detroit, MI, VOR/DME. This rule removes the airway segment between the Richmond, IN, VORTAC and the Waterville, OH, VOR/DME. The unaffected portion of the existing airway remains as charted.”
- On page 22404, column 3, lines 39 and 40, under Paragraph 6010(a)

Domestic VOR Federal Airways, remove the text that reads:

“**V-467 [Amended]**

From Waterville, OH; to Detroit, MI.”

Issued in Washington, DC, on June 20, 2018.

Rodger A. Dean Jr.,

Manager, Airspace Policy Group.

[FR Doc. 2018-13739 Filed 6-26-18; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2018-0222; Airspace Docket No. 18-AGL-2]

RIN 2120-AA66

Modification of Air Traffic Service (ATS) Route in the Vicinity of Newberry, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies VHF Omnidirectional Range (VOR) Federal airway V-316 in the vicinity of Newberry, MI. The FAA is taking this action due to the planned decommissioning of the Newberry, MI, VOR/Distance Measuring Equipment (VOR/DME) navigation aid (NAVAID), which provides navigation guidance for portions of the above route. The Newberry VOR/DME is a non-federal NAVAID owned by the State of Michigan that is planned to be decommissioned in September 2018.

DATES: Effective date 0901 UTC, September 13, 2018. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to [https://](https://www.archives.gov/federal-register/cfr/ibr-locations.html)

www.archives.gov/federal-register/cfr/ibr-locations.html.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT:

Colby Abbott, Airspace Policy Group, Office of Airspace Services, 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 modifies the route structure in the National Airspace System as necessary to preserve the safe and efficient flow of air traffic.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** for Docket No. FAA-2018-0222 (83 FR 12885; March 26, 2018) to amend VOR Federal airway V-316 due to the planned decommissioning of the Newberry, MI, VOR/DME. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.11B dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document would be subsequently published in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas,