

Centers must ensure that the data is submitted to the SBA within the timeframe stipulated and that the data is accurate and complete.

(d) *Performance reports.* Performance reports must include the data specified in paragraphs (d)(1) and (2) of this section, along with any other information the SBDC feels may be relevant to a full appraisal of its performance.

(1) The quarterly and semiannual performance reports will address, in a brief narrative, the SBDC's major activities and objectives. The reports should include a discussion on the progress toward achieving those objectives.

(2) Final performance reports should include an overall summary of effort expended to deliver the core services described in the cooperative agreement for the full budget period. A discussion of performance measurements achieved and an explanation of those objectives or measurements not met should be included. Performance reports should be a summary of the activities, events or achievements by reportable category with an accompanying management analysis.

■ 37. Revise § 130.830 to read as follows:

**§ 130.830 Audits and investigations.**

See 2 CFR part 200, subpart F.

■ 38. Add § 130.840 to read as follows:

**§ 130.840 Closeout procedures.**

(a) *General.* The purpose of closeout procedures is to ensure that the program funds and property acquired or developed under the SBDC cooperative agreement are fully reconciled and transferred seamlessly between recipient organizations, SBDC service center organizations, or other Federal programs. The responsibility of conducting closeout procedures is vested with the recipient organization whose cooperative agreement is not being renewed. The procedures should be documented and accomplished in accordance with the applicable property standards and the provisions of this part.

(b) *Supplies and equipment.* Supplies and equipment acquired with funds under the cooperative agreement must be accounted for at closeout.

(c) *Intellectual property.* (1) In accordance with 2 CFR part 200, subpart D, intangible property and items subject to copyright that are purchased or developed under the cooperative agreement must be accounted for at closeout.

(2) Inventory and documentation of intellectual property must be collected

by the Lead Center for close out. In circumstances where SBA is not renewing the cooperative agreement, the recipient organization must provide an intellectual property inventory and the support documentation to the SBDC clearinghouse and to the District Office for disposition instructions.

(d) *Responsibilities—(1) Recipient organizations.* When an SBDC cooperative agreement is not being renewed, regardless of cause, the recipient organization will ensure the following steps are taken in their closeout process and perform the necessary inventories and reconciliations prior to submitting the final annual financial report.

(i) An inventory of the SBDC property must be compiled and evaluated. An asset evaluation final report accounting for the property, equipment, and the aggregate of usable supplies and materials must be provided to the Program Manager.

(ii) Program income balances must be reconciled, and unused program income transferred to the Lead Center from SBDC service center organization accounts.

(iii) Client counseling and training records, paper and electronic, must be compiled to facilitate an SBA program closeout review.

(iv) Financial records will be compiled to facilitate an SBA closeout financial examination.

(2) *Close out actions.* Recipient organizations that terminate SBDC service center organization agreements will perform the close out actions in paragraphs (d)(1)(i) through (iv) of this section to ensure the safeguard of program resources under the cooperative agreement.

(3) *SBA.* Upon receipt of the final financial report from a non-renewing recipient organization, the AA/SBDC will issue disposition instructions to the former recipient organization as described in paragraph (e) of this section.

(e) *Final disposition.* (1) The final financial status report from the recipient organization must include the information identified in the inventory process and identify any program income collected from the SBDC network.

(2) The AA/SBDC will issue written disposition instructions to the recipient organization providing:

(i) The name and address of the entity or agency to which property and program income must be transferred;

(ii) A date by which the transfer must be completed;

(iii) Actions to be taken regarding property and program income;

(iv) Actions to be taken regarding program records such as client and training files; and

(v) Authorization to incur costs for accomplishing the transfer. Such costs may, when authorized, be applied to residual program income or Federal or matching funds.

**Isabella Casillas Guzman,**  
*Administrator.*

[FR Doc. 2023–22164 Filed 11–6–23; 8:45 am]

**BILLING CODE 8026–09–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2023–1716; Project Identifier MCAI–2022–00168–Q; Amendment 39–22577; AD 2023–21–05]

RIN 2120–AA64

#### **Airworthiness Directives; Thales AVS France SAS Flight Management Computer Navigation Modules**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Thales AVS France SAS (Thales) flight management computer navigation modules (FMC2 NAVM) installed on, but not limited to, airplanes. This AD was prompted by reports that, due to software issues, certain FMC2 NAVM navigation modules provide erroneous data to the flight management computer, compromising safe flight of the airplane. This AD requires revising the existing aircraft flight manual (AFM) for your airplane and updating the navigation database. This AD also prohibits installing a database unless certain procedures were removed. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective December 12, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of December 12, 2023.

**ADDRESSES:**

*AD Docket:* You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2023–1716; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and

other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**Material Incorporated by Reference:**

- For service information identified in this final rule, contact Thales AVS France SAS, 75-77 Avenue Marcel Dassault, 33700 Merignac, France; phone: +33 7 86 33 59 20; email: [continued.airworthiness@thalesgroup.com](mailto:continued.airworthiness@thalesgroup.com).

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1716.

**FOR FURTHER INFORMATION CONTACT:**

Nicholas Rediess, Aviation Safety Engineer, FAA, 1701 Columbia Avenue, College Park, GA 30337; phone: (781) 238-7159; email: [9-AVS-AIR-BACO-COS@faa.gov](mailto:9-AVS-AIR-BACO-COS@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Thales FMC2 NAVM, part number (P/N) C13084CA03, installed on, but not limited to, airplanes. The NPRM published in the **Federal Register** on August 24, 2023 (88 FR 57904). The NPRM was prompted by AD 2022-0024, dated February 4, 2022, issued by the European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union (referred to after this as the MCAI). The MCAI states that

Thales FMC2 NAVM, P/N C13084CA03, provides erroneous guidance for navigation procedures of the flight management system due to issues with the software. This condition, if not addressed, could compromise the safety margins of the airplane. To address the unsafe condition, the MCAI requires revising the AFM with operational instructions for the affected airborne navigation procedures of the AFM. The MCAI also requires updating the navigation database software, and prohibits installing a database for the Thales FMC2 NAVM, P/N C13084CA03, unless it does not include the procedures specified in section II of Thales Service Information Letter F9111-J70859DN-00, issued January 18, 2022 (Thales SIL F9111-J70859DN-00).

In the NPRM, the FAA proposed to require revising the existing AFM for your airplane and updating the navigation database. The FAA also proposed to prohibit installing a database unless certain procedures were not included. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1716.

**Discussion of Final Airworthiness Directive**

**Comments**

The FAA received no comments on the NPRM or on the determination of the costs.

**Conclusion**

These products have been approved by the aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this

State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. This AD is adopted as proposed in the NPRM.

**Related Service Information Under 1 CFR Part 51**

The FAA reviewed Thales SIL F9111-J70859DN-00. This service information specifies updating the Thales FMC2 NAVM, P/N C13084CA03, navigation database.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in **ADDRESSES**.

**Differences Between This AD and the MCAI**

The MCAI applies to all Thales FMC2 NAVMs, P/N C13084CA03, installed on, but not limited to Dassault (formerly Bréguet) Br.1150 Atlantique 2 (ATL2) maritime patrol airplanes, and this AD does not apply to those airplanes because those airplanes do not have an FAA type certificate. Currently, no airplanes on the U.S. registry incorporate the navigation equipment affected by this AD.

**Costs of Compliance**

There are currently no affected airplanes on the U.S. registry with a Thales FMC2 NAVM, P/N C13084CA03, installed. In the event a U.S.-registered airplane would have this equipment installed, the following is an estimate of the costs to comply with this AD.

**ESTIMATED COSTS**

| Action                                    | Labor cost                                 | Parts cost | Cost per product | Cost on U.S. operators |
|-------------------------------------------|--------------------------------------------|------------|------------------|------------------------|
| Revise AFM and update navigation database | 2 work-hours × \$85 per hour = \$170 ..... | \$0        | \$170            | \$0                    |

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under

that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2023–21–05 Thales AVS France SAS:**  
Amendment 39–22577; Docket No. FAA–2023–1716; Project Identifier MCAI–2022–00168–Q.

##### (a) Effective Date

This airworthiness directive (AD) is effective December 12, 2023.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to Thales AVS France SAS flight management computer navigation modules (FMC2 NAVM), part number (P/N) C13084CA03, installed on, but not limited to airplanes, certificated in any category.

##### (d) Subject

Joint Aircraft System Component (JASC) Code 3400, Navigation System.

#### (e) Unsafe Condition

This AD was prompted by reports that, due to software issues, certain FMC2 NAVM navigation modules provide erroneous data to the flight management computer, compromising safe flight of the airplane. This condition, if not addressed, could compromise the safety margins of the airplane and result in controlled flight into terrain.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Required Actions

(1) Within 30 days after the effective date of this AD, revise the Limitations Section of the existing airplane flight manual (AFM) for your airplane by adding the information in Table 1 to the introductory text of paragraph (g)(1) of this AD and Table 2 to the introductory text of paragraph (g)(1) of this AD.

TABLE 1 TO THE INTRODUCTORY TEXT OF PARAGRAPH (g)(1)—LIMITATIONS TO OPERATE THE FLIGHT MANAGEMENT SYSTEM (FMS) OF THE AIRPLANE  
[Formulated as instructions to the Flight Crew]

| Limitation No. | Limitation/instruction                                                                                                                                                                                                                                                                   |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 .....        | For Procedure Turn, Tear Drop trajectory, specified turn direction or arc to fix leg in published navigation procedure, disengage FMS Navigation mode and engage Track mode with the expected Track target.                                                                              |
| 2 .....        | When coupled to the AFCS, do not perform a Direct To while established in Turn.                                                                                                                                                                                                          |
| 3 .....        | Do not revise the flight plan until GO AROUND safe altitude (as per Standard Operating Procedure) has been reached.                                                                                                                                                                      |
| 4 .....        | Initialize the flight plan with at least an intermediate waypoint between departure and destination.                                                                                                                                                                                     |
| 5 .....        | Before flying a procedure (including associated missed approach) that requires to fly over a waypoint, check that the fly-over flag is displayed on MCDU FPLN page beside the constrained fix, as expected in the published chart. If the fly-over is missing, it shall be set manually. |
| 6 .....        | Do not use Vertical Step function.                                                                                                                                                                                                                                                       |
| 7 .....        | Do not activate the data save command.                                                                                                                                                                                                                                                   |
| 8 .....        | Do not use Offset function.                                                                                                                                                                                                                                                              |

TABLE 2 TO THE INTRODUCTORY TEXT OF PARAGRAPH (g)(1)—FMS USER MANUAL LIMITATIONS

| Limitation No. | FMS user manual limitations                                                                                                                                                                                                               |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 .....        | Operate the FMS respecting the limitations.                                                                                                                                                                                               |
| 2 .....        | Only operate the FMS of the airplane with a specifically trained crew, as defined in the FMS User Manual, for awareness and training on the mitigation means to recover from the issue “straight leg bypassing following arc to fix leg.” |

(i) Inserting a copy of this AD into the Limitations Section of the existing AFM for your airplane satisfies the requirement of the introductory text of paragraph (g)(1) of this AD.

(ii) The actions required by the introductory text of paragraph (g)(1) of this AD may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(2) Within 30 days after the effective date of this AD, update the database for your Thales FMC2 NAVM, P/N C13084CA03, with a database that does not contain the procedures specified in section II of Thales Service Information Letter F9111–J70859DN–00, issued January 18, 2022 (Thales SIL F9111–J70859DN–00).

(3) As of the effective date of this AD, do not install a database for your Thales FMC2 NAVM, P/N C13084CA03, unless it does not include the procedures specified in section II of Thales SIL F9111–J70859DN–00.

#### (h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, East Certification Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification branch, send it to the attention of the person identified in paragraph (i)(2) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager

of the local Flight Standards District Office/certificate holding district office.

#### (i) Additional Information

(1) Refer to European Union Aviation Safety Agency (EASA) AD 2022-0024, dated February 4, 2022, for related information. This EASA AD may be found in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1716.

(2) For more information about this AD, contact Nicholas Rediess, Aviation Safety Engineer, FAA, 1701 Columbia Avenue, College Park, GA 30337; phone: (781) 238-7159; email: [9-AVS-AIR-BACO-COS@faa.gov](mailto:9-AVS-AIR-BACO-COS@faa.gov).

#### (j) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Thales Service Information Letter F9111-J70859DN-00, issued January 18, 2022.

**Note 1 to paragraph (j)(2)(i):** The footer on pages 2 through 32 of Thales Service Information Letter F9111-J70859DN-00, issued January 18, 2022, contains the text "Reference: 0026-F9111-J70859DN-00."

(ii) [Reserved]

(3) For service information identified in this AD, contact Thales AVS France SAS, 75-77 Avenue Marcel Dassault, 33700 Merignac, France; phone: +33 7 86 33 59 20; email: [continued.airworthiness@thalesgroup.com](mailto:continued.airworthiness@thalesgroup.com).

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](https://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

Issued on October 25, 2023.

**Ross Landes,**

*Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023-24564 Filed 11-6-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2023-1780; Aerospace Docket No. 23-ASO-35]

RIN 2120-AA66

#### Revocation of Class D and Class E Airspace; Milton, FL

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

**ACTION:** Final rule.

**SUMMARY:** This action removes Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface for Choctaw NOLF, Milton, FL.

**DATES:** Effective 0901 UTC, January 25, 2024. 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 JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at [www.regulations.gov](https://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours a day, 365 days a year.

FAA Order JO 7400.11H, Airspace Designations, Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

#### FOR FURTHER INFORMATION CONTACT:

John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-6364.

#### 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 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 removes Class D and Class E airspace in Milton, FL. The FAA determined that this update is necessary to support operations in the area due to the closing of the air traffic control tower and cancellation of all instrument approaches.

#### History

The FAA published a notice of proposed rulemaking for Docket No. FAA 2023-1780 in the **Federal Register** (88 FR 60910; September 6, 2023), removing Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface for Choctaw NOLF, Milton, FL, as the air traffic control tower has closed, and all instrument approaches canceled. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

#### Incorporation by Reference

Class D and Class E airspace designations are published in Paragraphs 5000, 6002, and 6005, respectively, of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next FAA Order JO 7400.11 update.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### The Rule

This action amends 14 CFR part 71 by removing Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface for Choctaw NOLF, Milton, FL, due to the closing of the air traffic control tower, and cancellation of all instrument approaches. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

#### Regulatory Notices and Analyses

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. 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 minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when