

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2021–0160; Airspace  
Docket No. 21–ACE–7]

RIN 2120–AA66

**Amendment of Class E Airspace; Sac City, IA**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class E airspace extending upward from 700 feet above the surface at Sac City Municipal Airport, Sac City, IA. This action is the result of an airspace review caused by the decommissioning of the Sac City non-directional beacon (NDB).

**DATES:** Effective 0901 UTC, December 2, 2021. 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://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 7400.11E at NARA, email [fr.inspection@nara.gov](mailto:inspection@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5857.

**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 amends the Class E airspace extending upward from 700 feet above the surface at Sac City Municipal Airport, Sac City, IA, to support instrument flight rule operations at this airport.

**History**

The FAA published a notice of proposed rulemaking in the **Federal Register** (86 FR 14556; March 17, 2021) for Docket No. FAA–2021–0160 to amend the Class E airspace extending upward from 700 feet above the surface at Sac City Municipal Airport, Sac City, IA. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

This amendment to 14 CFR part 71 amends the Class E airspace extending upward from 700 feet above the surface at Sac City Municipal Airport, Sac City, IA, and removes the Sac City NDB and associated extension from the airspace legal description.

This action is the result of airspace reviews caused by the decommissioning of the Sac City NDB, which provided navigation information for the instrument procedures these airports.

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 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. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5–6.5.a. 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.

**Lists 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(f), 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

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

\* \* \* \* \*

**ACE IA E5 Sac City, IA [Amended]**

Sac City Municipal Airport, IA  
(Lat. 42°22'45" N, long. 94°58'47" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Sac City Municipal Airport.

Issued in Fort Worth, Texas, on September 1, 2021.

**Martin A. Skinner,**

*Manager, Operations Support Group, ATO  
Central Service Center.*

[FR Doc. 2021-19277 Filed 9-7-21; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF THE INTERIOR****25 CFR Part 1187**

**[212A2100DD/AAKC001030/  
A0A501010.999900]**

**RIN 1076-AF63**

**Indian Business Incubators Program**

**AGENCY:** Office of the Assistant Secretary, Indian Affairs, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Office of Indian Economic Development (OIED) is finalizing a new regulation to implement the Native American Business Incubators Program Act. The Indian Business Incubators Program (IBIP), also known as the Native American Business Incubators Program, is a program in which OIED provides competitive grants to eligible applicants to establish and operate business incubators that serve Tribal reservation communities. These regulations establish who is eligible for the program, how to apply, how OIED will evaluate applications and make awards, and how OIED will administer the program.

**DATES:** This rule is effective on September 8, 2021.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Appel, Office of Regulatory Affairs & Collaborative Action, Bureau of Indian Affairs, telephone (202) 273-4680, [elizabeth.appel@bia.gov](mailto:elizabeth.appel@bia.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Statutory Authority
- II. Need for This Rulemaking
- III. Overview of Rule
- IV. Responses to Comments
  - A. Comments on Subpart A (General Provisions and Eligibility)
    1. Objective of IBIP
    2. Eligibility
  - B. Comments on Subpart B (Applying for a Grant)
  - C. Comments on Subpart C (Evaluation of Grant Applications)
    1. Evaluation Criteria
    2. Physical Location of Incubator

- D. Comments on Subpart D (Grant Awards)
- E. Comments on Subpart E (Grant Terms and Conditions)
  1. Renewals
  2. Use of Grant Funds
  3. Waiver of Requirement for Non-Federal Contribution
  4. Minimum Requirements Awardees Must Meet
  5. Reports
- F. Comments on Subpart F (Grant Administration)
  1. Evaluation of Grantee Performance
  2. Coordination With Other Federal Agencies
  3. Funding
- G. Miscellaneous Comments

- V. Procedural Requirements
  - A. Regulatory Planning and Review (E.O. 12866, 13563, and 13771)
  - B. Regulatory Flexibility Act
  - C. Small Business Regulatory Enforcement and Fairness Act
  - D. Unfunded Mandates Reform Act of 1995
  - E. Takings (E.O. 12630)
  - F. Federalism (E.O. 13132)
  - G. Civil Justice Reform (E.O. 12988)
  - H. Paperwork Reduction Act
  - I. National Environmental Policy Act (NEPA)
  - J. Consultation With Indian Tribes (E.O. 13175)
  - K. Energy Effects (E.O. 13211)
  - L. Determination To Issue Final Rule With Immediate Effective Date

**I. Statutory Authority**

OIED is issuing this rule under the authority of the Native American Business Incubators Program Act, Public Law 116-174.

**II. Need for This Rulemaking**

On October 20, 2020, Congress enacted the Native American Business Incubators Program Act, Public Law 116-174, codified at 25 U.S.C. 5801 *et seq.* In the Act, Congress established the Native American Business Incubators Program and required the Secretary of the Interior to promulgate regulations to implement the program. *See* 25 U.S.C. 5804.

Congress found that the Native American Business Incubators Program is necessary because, in addition to the challenges all entrepreneurs face when transforming ideas into profitable business enterprises, entrepreneurs face an additional set of challenges that requires special knowledge when they want to provide products and services in Tribal reservation communities. Congress further found that the business incubator model is suited to accelerating entrepreneurship (and ultimately, economic development) in Tribal reservation communities. Business incubators help start-up and early-stage businesses by offering the business owners a range of services, such as: Mentorships, networking, technical

assistance, and access to investors. Through these services, incubators promote collaboration to address challenges and provide individually tailored services to overcome the obstacles that are unique to each participating business.

**III. Overview of Rule**

This rule establishes the IBIP in accordance with the Native American Business Incubators Program Act. This regulation names the program IBIP, rather than the Native American Business Incubators Program, to avoid use of the acronym “NABIP,” which would likely cause confusion due to its similarity to at least one other grant program acronym related to Native American businesses.

Through the IBIP, OIED will provide competitive grants to eligible applicants to establish and operate business incubators that serve entrepreneurs (start-up and early-stage businesses) who will provide products or services to Tribal reservation communities. A business incubator is an organization that assists entrepreneurs in becoming viable businesses by providing advice and services to entrepreneurs to navigate obstacles in transforming their innovative ideas into operational businesses. Examples of services that a business incubator may provide are workspace and facilities, advice on how to access capital, business education, counseling, and networking and mentorship opportunities. Indian Affairs does not currently have any regulations in place that provide for a grant program for Indian business incubators. The rule being finalized today will provide the framework for operation of the grant program so that there is certainty as to who is eligible for a grant, how eligible applicants can apply for a grant, how OIED will evaluate, award, and administer the grants, and what terms and conditions will apply to the grants. This rule will enable OIED to provide grants that will stimulate economic development in reservation communities.

The rule consists of six subparts, each of which is described below.

- Subpart A—General Provisions and Eligibility: Defines terms defined in the statute consistent with the statutory definitions, replacing citations with restatements of the provisions cited where appropriate, and adds a new term for “IBIP” in lieu of “Native American Business Incubator Program (NABIP)” to avoid confusion because the acronym “NABIP” is similar to other grant programs. This subpart also describes who is eligible to receive an IBIP grant, to include the following entities that