

incorporate the following novel or unusual design feature:

Side-stick controllers for pitch and roll control.

#### Discussion

These special conditions for the Gulfstream Model GVIII–G700 and GVIII–G800 series airplanes address the unique features of the side-stick controllers. The Model GVIII–G700 and GVIII–G800 series airplanes will incorporate side-stick controllers controlling a fly-by-wire (FBW) flight-control system. The FBW control laws are designed to provide conventional flying qualities such as positive static longitudinal and lateral stability as prescribed in part 25, subpart B. However, the pilot-control forces prescribed in the referenced regulations are not applicable for the side-stick controller design.

Because current FAA regulations do not specifically address the use of side-stick controllers for pitch and roll control, the unique features of the side stick therefore must be demonstrated, through flight and simulator tests, to have suitable handling and control characteristics when considering the following:

- The handling qualities tasks and requirements of the Gulfstream Model GVIII Special Conditions and other 14 CFR part 25 requirements for stability, control, and maneuverability, including the effects of turbulence.
- General ergonomics: Armrest comfort and support, local freedom of movement, displacement-angle suitability, and axis harmony.
- Inadvertent pilot input in turbulence.
- Inadvertent pitch and roll crosstalk from pilot inputs on the side-stick controller.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

#### Applicability

As discussed above, these special conditions are applicable to the Gulfstream Model GVIII–G700 and GVIII–G800 series airplanes. Should Gulfstream apply at a later date for a change to the type certificate to include another model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would apply to the other model as well.

#### Conclusion

This action affects only a certain novel or unusual design feature on Gulfstream Model GVIII–G700 and GVIII–G800 series airplanes. It is not a rule of general applicability.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

#### Authority Citation

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40113, 44701, 44702, and 44704.

#### The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Gulfstream Aerospace Corporation Model GVIII–G700 and GVIII–G800 series airplanes:

##### (a) Pilot Strength

In lieu of the control-force limits shown in § 25.143(d) for pitch and roll, and in lieu of the specific pitch-force requirements of §§ 25.143(i)(2), 25.145(b), 25.173(c), 25.175(b), and 25.175(d), the applicant must show that the temporary and maximum prolonged-force levels for the side-stick controllers are suitable for all expected operating conditions and configurations, whether normal or non-normal.

##### (b) Pilot-Control Authority

The electronic side-stick-controller coupling design must provide for corrective and/or overriding control inputs by either pilot with no unsafe characteristics. Annunciation of the controller status must be provided and must not be confusing to the flightcrew.

##### (c) Pilot Control

The applicant must show by flight tests that the use of side-stick controllers does not produce unsuitable pilot-in-the-loop control characteristics when considering precision path control and tasks, and turbulence. In addition, pitch and roll control force and displacement sensitivity must be compatible, so that normal pilot inputs on one control axis will not cause significant unintentional inputs (crossover) on the other.

Issued in Kansas City, Missouri, on January 19, 2024.

**Patrick R. Mullen,**

*Manager, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 93

#### Construction Related Relief Concerning Operations at Ronald Reagan Washington National Airport, John F. Kennedy International Airport, and LaGuardia Airport, and Newark Liberty International Airport, March 31, 2024, Through October 26, 2024

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation.

**ACTION:** Notification of limited waiver of the slot usage requirement.

**SUMMARY:** This action grants a limited, conditional waiver of the minimum slot usage requirements at Ronald Reagan Washington National Airport (DCA) due to runway construction and closures at the airport in 2024 and for impacted flights between DCA and slot-controlled airports John F. Kennedy International Airport (JFK) and LaGuardia Airport (LGA). In addition, the FAA will provide similar limited, conditional relief at Newark Liberty International Airport (EWR) under the FAA's Level 2 schedule facilitation process.

**DATES:** The usage waiver and policies in this notification are effective on January 22, 2024, and apply from March 31, 2024, through October 26, 2024.

**ADDRESSES:** Requests may be submitted by mail to the Slot Administration Office, System Operations Services, AJR–0, Room 300W, 800 Independence Avenue SW, Washington, DC 20591, or by email to: [7-awa-slotadmin@faa.gov](mailto:7-awa-slotadmin@faa.gov).

**FOR FURTHER INFORMATION CONTACT:** For questions concerning this notification contact: Al Meilus, Slot Administration and Capacity Analysis, FAA ATO System Operations Services, AJR–G5, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone 202–267–2822; email [al.meilus@faa.gov](mailto:al.meilus@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Metropolitan Washington Airports Authority (MWAA) plans airfield and runway construction at DCA beginning in April 2024 through October 2024. The main Runway 1–19 will be closed nightly from approximately April 15, 2024, through August 5, 2024,<sup>1</sup> from 11 p.m. to 5:59 a.m. Eastern Time on weekdays and

<sup>1</sup>Phase 4: RWY 1/19 closure—April 15, thru May 14, 2024 (2300–0600L). Phase 5: RWY 1/19 closure—May 15 thru Aug 5, 2024 (2300–0600L).

potentially on weekends depending on the construction project's progress. Runway 15–33 will have nightly closures<sup>2</sup> from approximately May 28, 2024, through June 14, 2024, from 10:30 p.m. to 5:29 a.m. Eastern Time, including the intersection with Runway 1–19. For the final phases 6 and 7 of DCA construction, Runway 15–33 will have nightly closures from approximately August 6, 2024, through October 12, 2024, from 8 p.m. to 5:59 a.m. Eastern Time. Associated taxiways will also be rehabilitated during the project.

The FAA limits the number of arrivals and departures at DCA through the implementation of the High Density Rule (HDR).<sup>3</sup> The HDR hourly limits at DCA are 37 air carrier slots, 11 commuter slots, and 12 reservations available for other operations.<sup>4</sup> The “Other” class of users is limited to unscheduled operations such as general aviation, charters, military, and non-passenger flights and is not intended for scheduled flights or other regularly conducted commercial operations. The FAA limits the number of arrivals and departures at JFK and LGA by FAA Order.<sup>5</sup>

At DCA, JFK, and LGA, each slot must be used a minimum of 80 percent of the time.<sup>6</sup> At DCA and LGA, the FAA will recall any slot not used at least 80 percent of the time over a two-month period.<sup>7</sup> At JFK, usage is calculated seasonally, slots not meeting the minimum usage requirement will not receive historic status for the following equivalent scheduling season.<sup>8</sup> The FAA may waive the 80 percent minimum usage requirement if a highly

unusual and unpredictable condition beyond the control of the slot-holding air carrier affects carrier operations for a period of five consecutive days or more at JFK and LGA and nine consecutive days or more at DCA.<sup>9</sup>

The FAA designated EWR a Level 2 airport under the Worldwide Slot Guidelines (WSG), now known as the Worldwide Airport Slot Guidelines (WASG). The FAA does not allocate slots, apply historic precedence, or impose minimum usage requirements at EWR. Level 2 schedule facilitation depends upon close and continuous discussions and voluntary agreement between airlines and the FAA to reduce congestion. At Level 2 airports, the FAA generally provides priority consideration for flights approved by the FAA and operated by the carrier in those approved times in the prior scheduling season when the FAA reviews proposed flights for facilitation in the next corresponding scheduling season. However, the FAA notes that the usual Level 2 processes include flexibility for the facilitator to prioritize planned flights, which are canceled in advance or on the day of the scheduled operation due to operational impacts that are beyond the control of the carrier.

#### Summary of Petitions Received

On December 22, 2023, Airlines for America (A4A) filed a petition on behalf of member and associate member airlines<sup>10</sup> requesting a limited waiver of the minimum slot usage rules at DCA due to the impending runway construction. The petition also sought either a limited waiver of the minimum slot usage requirements or schedule relief at LGA, EWR, and JFK for slots or movements for nonstop flights to and from DCA during specified hours. A4A states that “construction at DCA will impose conditions that will significantly impact operations and those conditions are beyond the control of the slot holders, thereby providing good cause for the requested waiver.”

A4A indicates “the nighttime closing of the main runway 1–19, which will significantly impact carriers that hold slots in the 2300 hour by forcing them to utilize runway 15–33 or not operate at all during those times.” A4A notes

that “for many carriers, the option to use runway 15–33 will have a significant negative impact because some aircraft such as the 737–900/ER/MAX are unable to use that runway” and “other aircraft will need to apply hefty payload penalties to operate on runway 15–33, for example some aircraft would need to reduce between 50 and 75 passengers on all but the shortest routes.”

A4A also requests relief for slot pairs associated with the 2300–0559 closure period, noting carriers may seek alleviation for the slot pairs affected by the closures, which may be outside the 2300–0600 hours and requests the FAA “work with carriers on an individual basis to determine their slot pairing needs and requests as carriers’ monthly schedules develop.”

In addition, A4A requests relief for slot usage associated with several operations between DCA and JFK, EWR, or LGA. Specifically, A4A requests the FAA grant slot usage or schedule alleviation to “departure slots between 2100 and 2200 used for nonstop service to DCA, as such flights typically arrive at DCA in the 2300 hour” and “for any DCA departure slots between 0500 and 0659 used for nonstop service to those slot-controlled or schedule facilitated New York airports.”

#### FAA Analysis and Decision

The FAA has determined the DCA airport construction and runway closures warrant limited, conditional relief from the minimum slot usage requirements because the impacts to operations in certain hours are beyond the carriers’ control and will exist for several months. The closures from 2300–0559 Eastern Time are expected to impact operations as described by A4A.

DCA is a high-demand airport, and carriers have indicated they plan to operate flights if feasible. There are typically 15 to 16 arrivals in the 2300 hour with the corresponding aircraft used for departures in the morning hours with additional potential for a few cancellations in the late evening hours and the corresponding departures. The FAA is not limiting the relief to certain hours in order to provide some degree of flexibility to carriers to allow them to balance schedules and slot pairs. However, the FAA may require carriers to justify how returned slots are impacted by the runway closure if returned slots are not during or adjacent to the runway closure periods.

The FAA will work individually with carriers on retiming and schedule adjustment options; however, the FAA will not retime air carrier operations into hours that are currently at the air

<sup>2</sup>Phase 5: RWY 15/33 is closed (0000–0530L Sun–Fri & 2230–0530L Sat) 5/28–6/14/24 [Intersection surface course].

<sup>3</sup>33 FR 17896 (Dec. 3, 1968). The FAA codified the rules for operating at high-density traffic airports in 14 CFR part 93, subpart K. The HDR requires carriers to hold a reservation, known as a “slot,” for each takeoff or landing under instrument flight rules at the high-density traffic airports. Currently, only operations at DCA are limited by the HDR.

<sup>4</sup>14 CFR 93.123.

<sup>5</sup>Operating Limitations at John F. Kennedy International Airport, 73 FR 3510 (Jan. 18, 2008), as amended, and most recently extended by 87 FR 65161 (Oct. 28, 2022). Operating Limitations at New York LaGuardia Airport, 71 FR 77854 (Dec. 27, 2006), as amended, and most recently extended by 87 FR 65159 (Oct. 28, 2022).

<sup>6</sup>Operating Limitations at John F. Kennedy International Airport, 87 FR 65161 at 65162 (Oct. 28, 2022); Operating Limitations at New York LaGuardia Airport, 87 FR 65159 at 65160 (Oct. 28, 2022); 14 CFR 93.227(a).

<sup>7</sup>Operating Limitations at New York LaGuardia Airport, 87 FR 65159 at 65160 (Oct. 28, 2022); 14 CFR 93.227(a).

<sup>8</sup>Operating Limitations at John F. Kennedy International Airport, 87 FR 65161 at 65162 (Oct. 28, 2022).

<sup>9</sup>Operating Limitations at John F. Kennedy International Airport, 87 FR 65161 at 65163 (Oct. 28, 2022); Operating Limitations at New York LaGuardia Airport, 87 FR 65159 at 65160 (Oct. 28, 2022); 14 CFR 93.227(j).

<sup>10</sup>A4A’s members are Alaska Airlines, Inc.; American Airlines Group, Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; FedEx Corp.; Hawaiian Airlines; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

carrier slot limit. The FAA notes that carriers at DCA regularly engage in swapping slots for retiming purposes or in temporary leasing of slots and those options remain available for carriers to manage slot holdings at the airport.

In addition, the FAA is extending a limited, conditional waiver from minimum usage requirements at JFK and LGA and providing similar relief at EWR under the Level 2 process for departure slots or approved schedules between 2100 and 2200 used for nonstop service to DCA, as well as slots or approved schedules associated with a DCA departure between 0500 and 0659 used for nonstop service to those slot-controlled or schedule facilitated New York City area airports. Carriers may also choose to use those slots at JFK and LGA or the approved runway times at EWR for operations to other markets than DCA.

The FAA will treat as used the specific slots impacted by the construction for the period from March 31, 2024, through October 26, 2024. This provides some time before and after the currently planned runway closure dates to accommodate potential changes to the construction schedule and provides carriers that may need some relief on either side of the current anticipated construction dates to phase in or phase out current operations. The relief is subject to the following conditions:

1. The specific slots must be returned to the FAA at least four weeks prior to the date of the FAA-approved operation, by submission to [7-awa-slotadmin@faa.gov](mailto:7-awa-slotadmin@faa.gov).

2. Slots newly allocated after December 15, 2023, for initial use before October 26, 2024, are not eligible for relief.

3. Slots authorized at DCA by Department of Transportation or FAA exemptions are not eligible for relief.

4. At JFK, LGA, and EWR only departure slots or approved schedules between 2100 and 2200 used for nonstop service to DCA and slots or approved schedules associated with a DCA departure between 0500 and 0659 used for nonstop service to those slot-controlled or schedule facilitated New York City area airport are eligible for relief.

Issued in Washington, DC, on January 22, 2024.

**Marc A. Nichols,**  
Chief Counsel.

**Alyce Hood-Fleming,**  
Vice President, System Operations Services.  
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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 734 and 746

[Docket No. 240119-0019]

RIN 0694-AJ48

#### Implementation of Additional Sanctions Against Russia and Belarus Under the Export Administration Regulations (EAR) and Refinements to Existing Controls

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

**ACTION:** Final rule.

**SUMMARY:** In response to the Russian Federation's (Russia's) ongoing aggression against Ukraine and Belarus's complicity in the invasion, the Department of Commerce is strengthening its existing sanctions under the Export Administration Regulations (EAR) against Russia and Belarus, including by expanding the scope of the EAR's Russian and Belarusian Industry Sector Sanctions and making certain changes to the licensing requirements that apply to the occupied Crimea region of Ukraine as well. Additionally, this rule revises recent restrictions targeting Iran's supply of Unmanned Aerial Vehicles to Russia. This rule also refines certain existing export controls on Russia and Belarus. The Department of Commerce is taking these actions to enhance the effectiveness of its controls on these countries and to better align them with those implemented by U.S. allies and partners.

**DATES:** This rule is effective on January 23, 2024.

**FOR FURTHER INFORMATION CONTACT:** For general questions on this final rule, contact Eileen Albanese, Director, Office of National Security and Technology Transfer Controls, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482-0092, Fax: (202) 482-482-3355, Email: [rpd2@bis.doc.gov](mailto:rpd2@bis.doc.gov). For emails, include "Russia, Belarus, and Iran December 2023 export control measures" in the subject line.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In response to Russia's February 2022 further invasion of Ukraine, BIS imposed extensive sanctions on Russia under the Export Administration Regulations (15 CFR parts 730 through 774) (EAR) as part of the final rule "Implementation of Sanctions Against Russia Under the Export Administration Regulations (EAR)" (the Russia

Sanctions Rule) (87 FR 12226, March 3, 2022). To address Belarus's complicity in the invasion, BIS imposed similar sanctions on Belarus under the EAR in a final rule, "Implementation of Sanctions Against Belarus" ("Belarus Sanctions Rule") (87 FR 13048, March 6, 2022). During the last two years, BIS has published a number of additional final rules strengthening the export controls on Russia and Belarus, including measures undertaken in coordination with U.S. allies and partners.

Most recently, BIS strengthened its existing sanctions under the EAR against Russia and Belarus, including by expanding the scope of the EAR's Russian and Belarusian Industry Sector Sanctions and by expanding the foreign direct product rule that already applied to Russia and Belarus to apply as well to the Crimea region of Ukraine, which has been occupied by Russia since 2014 (88 FR 33422, May 22, 2023). Additionally, that rule revised restrictions implemented in a February 2023 rule, "Export Control Measures Under the Export Administration Regulations (EAR) to Address Iranian Unmanned Aerial Vehicles (UAVs) and Their Use by the Russian Federation," targeting Iran's supply of Unmanned Aerial Vehicles (UAVs) to Russia and refined existing export controls on Russia and Belarus (Iran UAV rule) (88 FR 12150, February 27, 2023). The Department of Commerce took these actions to enhance the effectiveness of its controls on these countries and to better align them with those implemented by U.S. allies and partners.

Taken together, these actions under the EAR reflect the U.S. Government's position that Russia's invasion of Ukraine and Belarus's complicity in the invasion, flagrantly violate international law, are contrary to U.S. national security and foreign policy interests, and undermine global order, peace, and security.

The export control measures in this final rule build upon the policy objectives set forth in the earlier rules referenced above. The adoption of these measures, undertaken in part to better align U.S. controls with the stringent measures implemented by partners and allies, will enhance the effectiveness of the multilateral sanctions on Russia by further limiting Russia's access to items that enable its military capabilities and to sources of revenue that could support those capabilities. Additionally, the new or expanded controls specified in this rule target Belarus as part of the U.S. response to the country's complicity in