

operators of small UAS, as defined in 14 CFR 1.1, to pay a significantly reduced civil penalty or serve a significantly reduced certificate suspension period, as applicable, in exchange for quickly resolving the matter and paying the reduced civil penalty or submitting to the reduced suspension period. As an exercise of its prosecutorial discretion, the FAA will determine the locations and times for which the DETER Program will apply to otherwise eligible UAS operations. The program will initially focus on select locations during periods in which a high volume of UAS operations are expected. Operations in locations and times not covered by the DETER Program are subject to the FAA's regular legal enforcement action process.

Under the new DETER Program, the FAA will send a Violation Notice to eligible UAS operators. The Violation Notice will be issued to the UAS operator via Federal Express and email, if known. The FAA will use the following email address to send the notice: UASNotice@faa.gov.

The Violation Notice will state the EIR Number, Investigator Name, Date of Issuance, Date and Time of Offense, Place of Offense, 14 CFR Offenses Violated,¹ and Identifying Information for the UAS operator. The Violation Notice will provide the UAS operator with the option to elect to continue pursuant to the FAA's DETER Program or to continue under the FAA's regular legal enforcement action process. The Violation Notice will state the civil penalty amount or certificate suspension period proposed and any corrective actions that the UAS operator is required to complete. The Violation Notice will have an instructions page explaining the program, the two options available to the UAS operators, and what each option entails. The Violation Notice will provide an email address for UAS operators to contact if they elect to participate in the DETER Program. The Violation Notice will explain that if any of the information provided is fraudulent or false, then the UAS operator will be subject to the FAA's regular legal enforcement action process for making a fraudulent or false statement to the FAA, the offer to participate in the DETER Program will be rescinded, and the FAA will take any other appropriate enforcement action. If the case involves a certificated airman, the Violation Notice will also provide the timely written notification required

¹ The Violation Notice will not list all possible 14 CFR offenses violated. If the UAS operator elects to proceed with the regular legal enforcement action process, additional regulatory violations may be alleged as part of that action.

by the Pilots Bill of Rights, Public Law 11–152, as amended by Public Law 118–63, enacted May 16, 2024 (codified at 49 U.S.C. 44703 note).

If the UAS operator elects not to proceed with the DETER Program, the FAA will pursue regular legal enforcement action as described in the Background section.

If the UAS operator elects to proceed with the DETER Program, they will be required to return the signed form and take the applicable action, which may be to pay the civil penalty at www.pay.gov, to surrender their airman certificate and serve the suspension, or to complete the corrective action, all within 10 days of its issuance. The UAS operator must attach proof of payment of the civil penalty and proof of completion of the corrective actions required, if any. If the UAS operator is a certificated airman, they must also surrender their remote pilot certificate to the address provided in the Violation Notice. By signing the Violation Notice, the UAS operator certifies under penalty of perjury that they paid the proposed civil penalty amount, surrendered their certificate, and completed the required corrective action, as applicable. If the UAS operator elects to participate in the DETER Program, the Violation Notice will constitute a finding of violation and will be considered a violation history. By participating in the DETER Program, UAS operators waive all rights to appeal or otherwise seek review of the Violation Notice. They also agree (1) not to initiate any litigation under any regulatory or statutory provision, including, but not limited to, the Equal Access to Justice Act, to collect any fees or costs they may have incurred arising from the matter, (2) not to seek review of the validity or amount of the debt owed by them to the United States of America, and (3) to waive any potential causes of action against the FAA, its employees, and agents, past and present, whether in their official or personal capacities, arising out of the matter. If the UAS operator elects to participate in the DETER Program and fails to return the signed Violation Notice or to take the appropriate action—whether to pay the amount due, surrender their airman certificate, or complete the required corrective action—within 10 days of the issuance of the Violation Notice, the FAA may proceed with the regular legal enforcement action process.

Generally, the DETER Program may be used to address operational violations. The DETER Program will only be available to individuals who are first-time violators of UAS provisions, and a UAS operator can only participate in the

DETER Program once. The DETER Program will not be used in cases involving the following categories of violations:

- Alcohol or drug-related offenses;
- Weaponized drones;
- Operations involving criminal activity unrelated to regulatory violations (e.g., the carriage of narcotics, assault, photographing sensitive military installations, harassment);
- Operations involving a Temporary Flight Restriction (TFR) issued under Part 91.141;
- UAS operations involving particularly egregious conduct; or
- UAS operations demonstrating a lack of qualifications to hold a remote pilot certificate.

The DETER Program is expected to streamline the enforcement process to allow for a quicker resolution of UAS operational violations, thus providing stronger deterrence against UAS-related violations and enhancing aviation safety and security.

The FAA retains prosecutorial discretion to determine that a specific alleged violation is not eligible to participate in this program and nothing in this policy or notice will require the FAA to offer the DETER Program to in such a case.

Issued in Washington, DC, on April 15, 2026

William McKenna,
Chief Counsel.

[FR Doc. 2026–07585 Filed 4–15–26; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2026–1256; Airspace Docket No. 26–AEA–3]

RIN 2120–AA66

Amendment of Class D and Class E2 Airspace Over Wilmington, DE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D and Class E2 airspace at New Castle Airport, Wilmington, DE. This action increases the lateral dimensions of the Wilmington, DE Class D and Class E2 airspace, which are overlays, by adding a 2-mile wide, 0.2-mile long extension to the existing 4.2-mile radius, along the 008° bearing from the New Castle Airport, to support instrument flight rules (IFR) operations. This action also

updates language in the airspace legal description to comply with current FAA directives.

DATES: Effective 0901 UTC, July 9, 2026. 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 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. An electronic copy of this document may also be downloaded from www.federalregister.gov.

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, as well as subsequent amendments, can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; Telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-5589.

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 Class D and Class E2 airspace in Wilmington, DE.

History

The FAA published an NPRM for Docket No. FAA-2026-1256 in the **Federal Register** (91 FR 7186; February 17, 2026), proposing to amend Class D and Class E2 airspace above

Wilmington, DE. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received that summarized the proposal, identified perceived advantages and disadvantages, and concluded with a statement of support.

Incorporation by Reference

Class D and Class E2 airspace designations are published in paragraphs 5000 and 6002 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 latest version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by modifying both the Class D airspace and Class E2 airspace for New Castle Airport, Wilmington, DE. Controlled airspace is necessary for the safety and management of IFR operations in the area for existing instrument approach procedures. A review of the preexisting airspace revealed a need for a modification to the lateral dimensions. This action adds an arrival extension to the north to encompass IFR operations on the RNAV RWY 19 approach to Newcastle Airport. Prior to this final rule, the 1,000 ft. above ground level (AGL) point on the arrival was outside the basic radius of the Class D/E2 (3.72 NM from the arrival runway threshold), so a .2 NM extension was required.

Specifically, this action increases the lateral dimensions of the Wilmington, DE Class D airspace, serving New Castle Airport, from a 4.2-mile radius of the airport to a 4.2-mile radius of the airport, and within 1 mile each side of the 008° bearing from the airport extending from the 4.2-mile radius to 4.4 miles north of the airport.

This action also increases the lateral dimensions of the Wilmington, DE Class E2 airspace, serving New Castle Airport, from a 4.2-mile radius of the airport to a 4.2-mile radius of the airport, and within 1 mile each side of the 008° bearing from the airport extending from the 4.2-mile radius to 4.4 miles north of the airport.

This action also updates the language in both the Class D and Class E2

airspace legal descriptions for Wilmington, DE by changing "Notice to Air Missions" to "Notice to Airmen." This change brings the airspace legal descriptions into compliance with current FAA directives.

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 Order 2100.6B, "Rulemaking and Guidance Procedure" (March 10, 2025); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed 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 1050.1G, "FAA National Environmental Policy Act Implementing Procedures" paragraph B-2.5(a). This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

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 JO 7400.11K,

Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AEA DE D Wilmington, DE [Amended]

New Castle Airport, DE

(Lat. 39°40'43" N, long. 75°36'24" W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.2-mile radius of the New Castle Airport, and within 1 mile each side of the 008° bearing from the airport extending from the 4.2-mile radius to 4.4 miles north of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

AEA DE E2 Wilmington, DE [Amended]

New Castle Airport, DE

(Lat. 39°40'43" N, long. 75°36'24" W)

That airspace extending upward from the surface within a 4.2-mile radius of the New Castle Airport, and within 1 mile each side of the 008° bearing from the airport extending from the 4.2-mile radius to 4.4 miles north of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Issued in College Park, Georgia, on April 15, 2026.

Patrick Young,

Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2026-07518 Filed 4-16-26; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2026-1816; Airspace Docket No. 26-ASO-3]

RIN 2120-AA66

Amendment of Class E5 Airspace Over Elizabeth City, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E5 airspace over Elizabeth City, NC. This

action adds Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of Sentara Albemarle Medical Center Heliport. This addition of airspace is necessary because of new instrument approach procedures that have been developed for the heliport.

DATES: Effective 0901 UTC, July 9, 2026. 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 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. An electronic copy of this document may also be downloaded from www.federalregister.gov.

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, as well as subsequent amendments, can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; Telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-5589.

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 Class E5 airspace in Elizabeth City, NC.

History

The FAA published an NPRM for Docket No. FAA-2026-1816 in the **Federal Register** (91 FR 9210; February 25, 2026), proposing to amend Class E5 airspace above Elizabeth City, NC. 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 E5 airspace designations are published in paragraph 6005 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 latest version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by modifying Class E5 airspace over Elizabeth City, NC. Controlled airspace is necessary for the safety and management of IFR operations in the area for new and existing instrument approach procedures. This action adds Class E5 airspace extending upward from 700 feet above the surface within a 6-mile radius of Sentara Albemarle Medical Center Heliport to the pre-existing Elizabeth City, NC Class E5 airspace. The addition of this airspace is necessary because of new instrument approach procedures that have been developed for the heliport.

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 Order 2100.6B, "Rulemaking and Guidance Procedure" (March 10, 2025); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, does not have a significant economic impact on a