

### III. Matters of Regulatory Procedure

Under 5 U.S.C. 553(a)(2), rules relating to agency management or personnel are exempt from the notice and comment rulemaking requirements of the Administrative Procedure Act (APA). In addition, under 5 U.S.C. 553(b)(3)(A), notice and comment rulemaking requirements do not apply to rules concerning matters of agency organization, procedure, or practice. Given that the rule concerns matters of agency management or personnel, and organization, procedure, or practice, the notice and comment requirements of the APA do not apply here. Nor is a public hearing required under 45 U.S.C. 160a. Furthermore, under 5 U.S.C. 553(b)(3)(B), the NMB finds that good cause exists to waive the proposed rulemaking requirements under the APA because the notice and comment procedures would be contrary to the public interest. The Federal Aviation Administration Modernization and Reform Act of 2012 included a provision for the Government Accountability Office (GAO) to evaluate NMB programs and activities every 2 years. In its most recent evaluation, GAO recommended that the NMB implement internal controls to ensure that employee requests for outside employment comply with OGE Standards and federal law. For this reason, the NMB finds good cause to issue this regulation as an interim final rule with a provision for a 60 day public comment period. The NMB will review all comments received during the comment period and will consider any modifications that appear appropriate in adopting this rule as final, with the concurrence of OGE.

#### *Executive Order 12866*

This rule is not a significant rule for purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget.

#### *Regulatory Flexibility Act*

As required by the Regulatory Flexibility Act, the NMB certifies that these regulatory changes will not have a significant impact on small business entities. This rule will not have any significant impact on the quality of the human environment under the National Environmental Policy Act.

#### *Paperwork Reduction Act*

The NMB has determined that the Paperwork Reduction Act does not apply because this interim regulation does not contain any information collection requirements that require the approval of the Office of Management and Budget.

### List of Subjects in 5 CFR Part 10101

Conflicts of interests, Government employees.

Dated: October 18, 2018.

By direction of the Board.

**Mary Johnson,**

*General Counsel, National Mediation Board.*

**Emory A. Rounds, III,**

*Director, U.S. Office of Government Ethics.*

■ For the reasons set forth in the preamble, the National Mediation Board with the concurrence of the U.S. Office of Government Ethics, is amending title 5 of the Code of Federal Regulations by establishing chapter CI, consisting of part 10101, to read as follows:

#### **CHAPTER CI—NATIONAL MEDIATION BOARD**

#### **PART 10101—SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE NATIONAL MEDIATION BOARD**

Sec.

10101.101 General.

10101.102 Prior approval for outside employment.

**Authority:** 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); 44 Stat. 577, as amended; 45 U.S.C. 151, 160a; E.O. 12674, 54 FR 15159, 3 CFR, 189 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3CFR, 1990 Comp., p. 306; 5 CFR 2635.105, 2635.803.

#### **§ 10101.101 General.**

*Purpose.* In accordance with 5 CFR 2635.105, the regulations in this part apply all employees of the National Mediation Board (NMB) and supplement the Standards of Ethical Conduct for Employees of the Executive Branch at 5 CFR 2635.

#### **§ 10101.102 Prior approval for outside employment.**

(a) *General Requirement.* Before engaging in compensated or uncompensated outside employment, all National Mediation Board employees must obtain written approval from the Board or its designee.

(b) *Procedure for requesting approval.* (1) The approval by the Board or its designee shall be requested in writing in advance of engaging in outside employment.

(2) Upon a significant change in the nature of scope of the outside employment or in the employee's official position, the employee shall submit a revised request for approval within 30 calendar days.

(c) *Standard for approval.* (1) Approval shall be granted unless the Board or its designee determines that the outside employment is expected to

involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635.

(2) As part of the approval process, the Board or its designee shall provide the request to the Designated Agency Ethics Official (DAEO) in order for the employee to receive written ethics guidance. In the event, the DAEO is the Board's designee, the DAEO shall provide written ethics guidance upon receiving the request. This written ethics guidance shall be appended to the written approval.

(d) *Definition of employment.* For purposes of this section, "employment" means any form of non-Federal employment or business relationship, compensated or uncompensated, involving the provision of personal services by the employee. It includes, but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher, or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service or civic organization, unless such activities are for compensation other than reimbursement of expenses; such activities involve the provision of professional services or advice; or the organization's activities are devoted substantially to matters relating to the employee's official duties as defined in 5 CFR 2635.807(a)(2)(i)(B) through (E).

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**BILLING CODE 7550–01–P**

## **FEDERAL LABOR RELATIONS AUTHORITY**

### **5 CFR Chapter XIV**

#### **Changes to Current Addresses and Geographic Jurisdictions**

**AGENCY:** Federal Labor Relations Authority.

**ACTION:** Final rule.

**SUMMARY:** This document amends regulations listing the current addresses and describing the geographic jurisdictions of the Federal Labor Relations Authority, General Counsel of the Federal Labor Relations Authority, and the Federal Service Impasses Panel. These changes reflect the closing of the Boston Regional Office and changes to the geographical jurisdictions of the

Washington, DC and Chicago Regional Directors.

**DATES:** Effective November 16, 2018.

**FOR FURTHER INFORMATION CONTACT:** William Tosick, Executive Director, Federal Labor Relations Authority, 1400 K St. NW, Washington, DC 20424, (202) 218-7791, [wtosick@flra.gov](mailto:wtosick@flra.gov).

**SUPPLEMENTARY INFORMATION:** Effective January 28, 1980, the Authority and the General Counsel published, at 45 FR 3482, January 17, 1980, final rules and regulations to govern the processing of cases by the Authority and the General Counsel under chapter 71 of title 5 of the United States Code. These rules and regulations are required by title VII of the Civil Service Reform Act of 1978 and are set forth in 5 CFR chapter XIV (2018).

After an examination of budgets, caseloads, rental costs, operating costs, and staffing, the Authority is closing its Boston Regional Office and reassigning its jurisdiction to the Washington, DC and Chicago Regional Directors, effective November 16, 2018. The Authority expects no adverse effect on the quality or efficiency of casehandling

as a result of the Boston Regional Office closure.

This amendment updates paragraphs (d) and (f) of Appendix A to 5 CFR chapter XIV to reflect the new organizational structure by removing the Boston Regional Office from the list of current addresses, telephone numbers, and fax numbers of the Authority's Regional Offices and by revising the geographical jurisdictions of the Federal Labor Relations Authority. As this rule pertains to agency organization, procedure, or practice, it is exempt from prior notice and public comment pursuant to 5 U.S.C. 553(b)(A). For this same reason, pursuant to 5 U.S.C. 553(d)(3), the Authority finds that good cause exists for not providing a more delayed effective date. This type of action is also exempt from review under Executive Orders 12866 (58 FR 51735, October 4, 1993), 13563 (76 FR 3821, January 21, 2011), and 13771 (82 FR 9339, February 3, 2017).

For additional information regarding case handling procedures following the Boston Regional Office closure, please go to [www.flra.gov](http://www.flra.gov).

The opinion of the Authority's majority and the dissenting opinion of

Member DuBester with respect to the closure of the Federal Labor Relations Authority's Boston and Dallas Regional Offices are published at Appendix A, 83 FR 46349, 46350-46368, September 13, 2018.

**List of Subjects in 5 CFR Chapter XIV**

Administrative practice and procedure.

**Chapter XIV—Federal Labor Relations Authority**

For the reasons set forth in the preamble and under the authority of 5 U.S.C. 7134, the Authority amends 5 CFR chapter XIV as follows:

- 1. Appendix A to 5 CFR chapter XIV is amended by removing paragraph (d)(1), redesignating paragraphs (d)(2) through (d)(6) as (d)(1) through (d)(5), and revising paragraph (f) to read as follows:

**Appendix A to 5 CFR Chapter XIV—Current Addresses and Geographic Jurisdictions**

\* \* \* \* \*

(f) The geographic jurisdictions of the Regional Directors of the Federal Labor Relations Authority are as follows:

State or other locality	Regional office
Alabama .....	Atlanta.
Alaska .....	San Francisco.
Arizona .....	Denver.
Arkansas .....	Atlanta.
California .....	San Francisco.
Colorado .....	Denver.
Connecticut .....	Washington, DC.
Delaware .....	Washington, DC.
District of Columbia .....	Washington, DC.
Florida .....	Atlanta.
Georgia .....	Atlanta.
Hawaii and all land and water areas west of the continents of North and South America (except coastal islands) to long. 90 degrees East.	San Francisco.
Idaho .....	San Francisco.
Illinois .....	Chicago.
Indiana .....	Chicago.
Iowa .....	Chicago.
Kansas .....	Denver.
Kentucky .....	Chicago.
Louisiana .....	Atlanta.
Maine .....	Washington, DC.
Maryland .....	Washington, DC.
Massachusetts .....	Washington, DC.
Michigan .....	Chicago.
Minnesota .....	Chicago.
Mississippi .....	Atlanta.
Missouri .....	Chicago.
Montana .....	Denver.
Nebraska .....	Denver.
Nevada .....	San Francisco.
New Hampshire .....	Washington, DC.
New Jersey .....	Washington, DC.
New Mexico .....	Denver.
New York .....	Washington, DC.
North Carolina .....	Atlanta.
North Dakota .....	Chicago.
Ohio .....	Chicago.
Oklahoma .....	Denver.
Oregon .....	San Francisco.

State or other locality	Regional office
Pennsylvania .....	Washington, DC.
Puerto Rico and coastal islands .....	Chicago.
Rhode Island .....	Washington, DC.
South Carolina .....	Atlanta.
South Dakota .....	Chicago.
Tennessee .....	Chicago.
Texas .....	Denver.
Utah .....	Denver.
Vermont .....	Washington, DC.
Virginia .....	Washington, DC.
Washington .....	San Francisco.
West Virginia .....	Washington, DC.
Wisconsin .....	Chicago.
Wyoming .....	Denver.
Virgin Islands .....	Atlanta.
Panama/limited FLRA jurisdiction .....	Atlanta.
All land and water areas east of the continents of North and South America to long. 90 degrees East, except the Virgin Islands, Panama/limited FLRA jurisdiction, Puerto Rico and coastal islands.	Washington, DC.

**Authority:** 5 U.S.C. 7134.

**Dated:** October 29, 2018.

For the Federal Labor Relations Authority.

**William Tosick,**

*Executive Director.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2018-0437; Airspace Docket No. 18-ASO-5]

RIN 2120-AA66

**Establishment and Modification of Area Navigation Routes, Florida Metroplex Project; Southeastern United States**

**Republication**

**Editorial Note:** Rule document 2018-18508 originally published on pages 43750 through 43756, in the issue of Tuesday, August 28, 2018. In that publication, on page 43755, under the heading “Q-81 TUNSL, FL TO HONID, GA [NEW]” make the following corrections: (1) In the second line, in the first column, remove “FIX”; and (2) in the same line, in the second column, “WP” should read “FIX”. The corrected document is published here in its entirety.

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes 16 high altitude area navigation (RNAV) routes (Q-routes), and modifies 7 existing Q-routes, in support of the Florida Metroplex Project. The routes were developed to improve the efficiency of the National Airspace System (NAS) and reduce dependency

on ground-based navigational systems that cause system inefficiencies due to their limitations. This action also makes minor corrections to the waypoint names and geographic coordinates of certain Q-routes.

**DATES:** Effective date 0901 UTC, November 8, 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/](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 <http://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:** Paul Gallant, 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 supports the air traffic service route structure in the southeastern United States to maintain the efficient flow of air traffic.

**History**

The FAA published a notice of proposed rulemaking in the **Federal Register** for Docket No. FAA-2018-0437 (83 FR 26612; June 8, 2018) to establish 16 high altitude area navigation (RNAV) routes (Q-routes), and modify 7 existing Q-routes in support of the Florida Metroplex Project. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. One comment was received.

Area navigation routes are published in paragraph 2006, 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 area navigation routes listed in this document will be subsequently published in the Order.

**Discussion of Comment**

The commenter did not present an objection to the proposal, but posed questions regarding the benefits of the stated reduction in air traffic control sector complexity; reduced pilot-to-air traffic controller communications; and