

to provisions of 5 U.S.C. 552a from which this rule exempts the system.

■ 4. Add new § 1701.22 to read as follows:

**§ 1701.22 ODNI systems of records subject to exemption.**

(a) ODNI systems of records subject to exemption:

(1) Manuscript, Presentation, and Resume Review Records (ODNI-01), 5 U.S.C. 552a(k)(1).

(2) Executive Secretary Action Management System Records (ODNI-02), 5 U.S.C. 552a(k)(1).

(3) Public Affairs Office Records (ODNI-03), 5 U.S.C. 552a(k)(1).

(4) Office of Legislative Affairs Records (ODNI-04), 5 U.S.C. 552a(k)(1).

(5) ODNI Guest Speaker Records (ODNI-05), 5 U.S.C. 552a(k)(1).

(6) Office of General Counsel Records (ODNI-06), 5 U.S.C. 552a(k)(1), (2), and (5).

(7) Intelligence Community Customer Registry (ODNI-09), 5 U.S.C. 552a(k)(1).

(8) Office of Intelligence Community Equal Employment Opportunity and Diversity Records (ODNI-10), 5 U.S.C. 552a(k)(1), (2), and (5).

(9) Office of Protocol Records (ODNI-11), 5 U.S.C. 552a(k)(1).

(10) Intelligence Community Security Clearance and Access Approval Repository (ODNI-12), 5 U.S.C. 552a(k)(1), (2), and (5).

(11) Security Clearance Reform Research and Oversight Records (ODNI-13), 5 U.S.C. 552a(k)(1), (2), and (5).

(12) Civil Liberties and Privacy Office Complaint Records (ODNI-14), 5 U.S.C. 552a(k)(1), (2), and (5).

(13) Mission Outreach and Collaboration Records (ODNI-15), 5 U.S.C. 552a(k)(1).

(14) ODNI Human Resource Records (ODNI-16), 5 U.S.C. 552a(k)(1).

(15) ODNI Personnel Security Records (ODNI-17), 5 U.S.C. 552a(k)(1), (2), and (5).

(16) ODNI Freedom of Information Act, Privacy Act, and Mandatory Declassification Review Request Records (ODNI-18), 5 U.S.C. 552a(k)(1), (2), and (5).

(17) ODNI Information Technology Systems Activity and Access Records (ODNI-19), 5 U.S.C. 552a(k)(1), (2), and (5).

(18) ODNI Security Clearance Reciprocity Hotline Records (ODNI-20), 5 U.S.C. 552a(k)(1) and (5).

(19) ODNI Information Technology Network Support, Administration and Analysis Records (ODNI-21), 5 U.S.C. 552a(k)(1).

(20) Insider Threat Program Records (ODNI-22), 5 U.S.C. 552a(k)(1), (2), and (5).

(b) ODNI/National Counterintelligence and Security Center (NCSC) systems of records:

(1) Damage Assessment Records (ODNI/NCIX-001), 5 U.S.C. 552a(k)(1) and (2).

(2) Counterintelligence Trends Analyses Records (ODNI/NCSC-002), 5 U.S.C. 552a(k)(1) and (2).

(3) Continuous Evaluation Records (ODNI/NCSC-003), 5 U.S.C. 552a(k)(1), (2), and (5).

(c) ODNI/National Counterterrorism Center (NCTC) systems of records:

(1) NCTC Access Authorization Records (ODNI/NCTC-002), 5 U.S.C. 552a(k)(1).

(2) NCTC Telephone Directory (ODNI/NCTC-003), 5 U.S.C. 552a(k)(1).

(3) NCTC Knowledge Repository (ODNI/NCTC-004), 5 U.S.C. 552a(k)(1) and (2).

(4) NCTC Current (ODNI/NCTC-005), 5 U.S.C. 552a(k)(1) and (2).

(5) NCTC Partnership Management Records (ODNI/NCTC-006), 5 U.S.C. 552a(k)(1).

(6) NCTC Tacit Knowledge Management Records (ODNI/NCTC-007), 5 U.S.C. 552a(k)(1).

(7) NCTC Terrorism Analysis Records (ODNI/NCTC-008), 5 U.S.C. 552a(k)(1) and (2).

(8) Terrorist Identities Records (ODNI/NCTC-009), 5 U.S.C. 552a(k)(1) and (2).

(d) ODNI/Office of the Intelligence Community Inspector General (ICIG) systems of records:

(1) OIG Human Resources Records (ODNI/OIG-001), 5 U.S.C. 552a(k)(1) and (5).

(2) OIG Experts Contact Records (ODNI/OIG-002), 5 U.S.C. 552a(k)(1) and (5).

(3) OIG Investigation and Interview Records (ODNI/OIG-003), 5 U.S.C. 552a(j)(2); (k)(1), (2), and (5).

Dated: June 12, 2019.

**Deirdre M. Walsh,**

*Chief Operating Officer, Office of the Director of National Intelligence.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

**[Docket Number USCG-2019-0526]**

**RIN 1625-AA00**

**Safety Zone; Corpus Christi Bay, Corpus Christi, TX**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for certain navigable waters of Corpus Christi Bay, Corpus Christi, TX. This safety zone is necessary to protect personnel, vessels, and the marine environment from potential hazards associated with firework displays. Entry of vessels or persons into this zone is prohibited unless authorized by the Captain of the Port Sector Corpus Christi or a designated representative.

**DATES:** This rule is effective from 9 p.m. until 10 p.m. on July 4, 2019.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2019-0526 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Lieutenant Commander Margaret Brown, Sector Corpus Christi Waterways Management Division, U.S. Coast Guard; telephone 361-939-5130, email [Margaret.A.Brown@uscg.mil](mailto:Margaret.A.Brown@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

**II. Background Information and Regulatory History**

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. We must establish this safety zone by July 4, 2019 and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of

this rule would be contrary to the public interest because immediate action is needed to provide for the safety of life on these navigable waters.

### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Sector Corpus Christi (COTP) has determined that potential hazards associated with the fireworks display occurring on July 4, 2019 will be a safety concern for anyone within a 1,000-foot radius of the fireworks display. This rule is necessary to protect personnel, vessels, and the marine environment before, during, and after the scheduled firework displays.

### IV. Discussion of the Rule

This rule establishes a safety zone from 9 p.m. until 10 p.m. on July 4, 2019. The safety zone will cover all navigable waters within 1,000 feet of the fireworks barge located in the approximate position 027°48'05.51" N, 097°23'13.89" W in Corpus Christi, TX. The duration of the zone is intended to protect personnel, vessels, and the marine environment before, during, and after the scheduled firework displays. No vessel or person will be permitted to enter the safety zones without obtaining permission from the COTP or a designated representative.

Entry into the safety zone is prohibited unless authorized by the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Corpus Christi. Persons or vessels desiring to enter or pass through the zones must request permission from the COTP or a designated representative on VHF-FM channel 16 or by telephone at 361-939-0450. If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative. The COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs) of the enforcement times and dates for the safety zones.

### V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

#### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and

benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, duration, and location of the safety zone. This rule will impact a small designated area of the Corpus Christi Bay for 1 hour during a time that vessel traffic is normally low. Moreover, the Coast Guard will issue BNMs via VHF-FM marine channel 16 about the zones and the rule allows vessels to seek permission to enter the zones.

#### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the temporary safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business

Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

#### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023-01 and Environmental

Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969(42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a temporary fixed safety zone around display barge located in Corpus Christi Bay at position 27°48'05.51" N, 097°23'13.89" W. It is categorically excluded from further review under paragraph L60(A), in Table 3–1 of U.S. Coast Guard Environmental Planning Implementing Procedures 5090.1. Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

**G. Protest Activities**

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

**List of Subjects in 33 CFR Part 165**

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

**PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5;

Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T08–0526 to read as follows:

**§ 165.T08–0526 Safety Zone; Corpus Christi Bay, Corpus Christi, TX.**

(a) *Location.* The following area is a temporary safety zone: All navigable waters of Corpus Christi Bay encompassing a 1000-foot radius around a fireworks display barge in the approximate position of 027°48'05.51" N, 097°23'13.89" W, in Corpus Christi, TX.

(b) *Effective period.* This section is effective from 9 p.m. until 10 p.m. on July 4, 2019.

(c) *Regulations.* (1) The general regulations in § 165.33 apply. Entry into these zones is prohibited unless authorized by the Captain of the Port Sector Corpus Christi (COTP) or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Corpus Christi.

(2) Persons or vessels desiring to enter or pass through the zones must request permission from the COTP or a designated representative on VHF–FM channel 16 or by telephone at 361–939–0450.

(3) If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative.

(d) *Information broadcasts.* The COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs) of the enforcement times and date for these safety zones.

Dated: June 20, 2019.

**E.J. Gaynor,**

*Captain, U.S. Coast Guard, Captain of the Port Sector Corpus Christi.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG–2019–0546]

**Safety Zones; Recurring Safety Zones in Captain of the Port Sault Sainte Marie Zone for Events Beginning in July 2019**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce established safety zones for maritime events starting in July, 2019 to provide for the safety of life on navigable waterways. Our regulation for safety zones within the Captain of the Port Sault Sainte Marie Zone identifies the regulated area for these safety zones. During the enforcement periods, vessels must stay out of the established safety zone and may only enter with permission from the designated representative of the Captain of the Port Sault Sainte Marie.

**DATES:** The regulations in 33 CFR 165.918 will be enforced for the safety zones identified in Table 1 of the **SUPPLEMENTARY INFORMATION** section below for the dates and times specified.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this publication, call or email LT Sean Murphy, Waterways Management, Coast Guard Sector Sault Sainte Marie, U.S. Coast Guard; telephone 906–635–3223, email *Sean.V.Murphy@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zones in 33 CFR 165.918 as per the time, dates, and locations in Table 1.

**TABLE 1**  
[Datum NAD 1983]

Event	Location	Event Date
(1) Festivals of Fireworks Celebration Fireworks; St. Ignace, MI.	All U.S. navigable waters of East Moran Bay within an approximate 350-foot radius from the fireworks launch site at the end of the Starline Mill Slip, centered in position: 45°52'24.62" N, 084°43'18.13" W.	July 4 and Saturday nights June 29 to August 31, 2019; 30 minutes before sunset and 30 minutes after the end of the fireworks display.
(2) Canada Day Celebration Fireworks; Sault Sainte Marie, MI.	All U.S. navigable waters of the St. Marys River within an approximate 600-foot radius from the fireworks launch site, centered approximately 160 yards north of the U.S. Army Corps of Engineers Soo Locks North East Pier, at position 46°30'20.40" N, 084°20'17.64" W.	July 1, 2019 from 10 p.m. to 11 p.m.