

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on December 13, 2019.

Rick Domingo,

Executive Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 30 January 2020

Klawock, AK, Klawock, RNAV (GPS) RWY 20, Orig
 Klawock, AK, Klawock, RNAV (GPS) Y RWY 2, Amdt 1
 Riverside, CA, Riverside Muni, RIVERSIDE ONE, Graphic DP
 Riverside, CA, Riverside Muni, Takeoff Minimums and Obstacle DP, Amdt 11
 Denver, CO, Colorado Air and Space Port, Takeoff Minimums and Obstacle DP, Amdt 3A
 Washington, DC, Ronald Reagan Washington National, Takeoff Minimums and Obstacle DP, Amdt 8B
 Georgetown, DE, Delaware Coastal, RNAV (GPS) RWY 22, Amdt 2D
 Jacksonville, FL, Cecil, ILS OR LOC RWY 36R, Amdt 4
 Jacksonville, FL, Cecil, VOR RWY 9R, Amdt 1A, CANCELLED
 Jacksonville, FL, Cecil, VOR RWY 27L, Orig
 Miami, FL, Miami Intl, LOC RWY 8L, Orig-C
 Atlanta, GA, Fulton County Airport—Brown Field, ILS OR LOC RWY 8, Amdt 18
 Atlanta, GA, Fulton County Airport—Brown Field, RNAV (GPS) Y RWY 8, Amdt 2
 Atlanta, GA, Fulton County Airport—Brown Field, RNAV (RNP) Z RWY 8, Amdt 2
 Tifton, GA, Henry Tift Myers, ILS OR LOC RWY 34, Amdt 3

Honolulu, HI, Daniel K Inouye Intl, ILS Y RWY 4R, Amdt 2
 Honolulu, HI, Daniel K Inouye Intl, ILS Z RWY 4R, Amdt 2
 Mc Call, ID, Mc Call Muni, RNAV (GPS) RWY 34, Amdt 1A
 Warsaw, IN, Warsaw Muni, Takeoff Minimums and Obstacle DP, Amdt 3
 Washington, KS, Washington County Veteran's Memorial, RNAV (GPS) RWY 35, Amdt 1A
 Washington, KS, Washington County Veteran's Memorial, Takeoff Minimums and Obstacle DP, Amdt 1
 Pittsfield, MA, Pittsfield Muni, LOC RWY 26, Amdt 10
 Pittsfield, MA, Pittsfield Muni, RNAV (GPS) RWY 26, Amdt 2
 Grand Rapids, MI, Gerald R Ford Intl, ILS OR LOC RWY 35, ILS RWY 35 (SA CAT I), ILS RWY 35 (SA CAT II), Amdt 2B
 Grand Rapids, MI, Gerald R Ford Intl, RNAV (GPS) RWY 8L, Amdt 1B
 New Bern, NC, Coastal Carolina Regional, ILS OR LOC RWY 4, Amdt 2
 Minot, ND, Minot Intl, RNAV (GPS) RWY 31, Amdt 1C
 Toledo, OH, Toledo Express, ILS Z OR LOC Z RWY 25, Amdt 9
 Perkasio, PA, Pennridge, Takeoff Minimums and Obstacle DP, Amdt 1
 Galveston, TX, Scholes Intl at Galveston, RNAV (GPS) RWY 18, Amdt 2B
 Houston, TX, George Bush Intercontinental/Houston, RNAV (GPS) RWY 15R, Amdt 2C
 Kerrville, TX, Kerrville Muni/Louis Schreiner Field, RNAV (GPS) RWY 12, Amdt 1B
 Kerrville, TX, Kerrville Muni/Louis Schreiner Field, RNAV (GPS) RWY 30, Orig-B
 San Angelo, TX, San Angelo Rgnl/Mathis Field, ILS Y OR LOC Y RWY 3, Amdt 22A
 Wheatland, WY, Phifer Airfield, SLATR ONE, Graphic DP
 Wheatland, WY, Phifer Airfield, Takeoff Minimums and Obstacle DP, Amdt 1
Rescinded: On November 29, 2019 (84 FR 65673), the FAA published an Amendment in Docket No. 31283, Amdt No. 3879, to Part 97 of the Federal Aviation Regulations under sections 97.37. The following entry for Shreveport, LA effective January 30, 2019, is hereby rescinded in its entirety:
 Shreveport, LA, Shreveport Downtown, Takeoff Minimums and Obstacle DP, Amdt 4

[FR Doc. 2019–27529 Filed 12–20–19; 8:45 am]

BILLING CODE 4910–13–P

NATIONAL LABOR RELATIONS BOARD**29 CFR Part 102****Rule Exempting an Amended System of Records From Certain Provisions of the Privacy Act**

AGENCY: National Labor Relations Board.

ACTION: Final rule; correction.

SUMMARY: On February 24, 2017, the National Labor Relations Board published in the **Federal Register** a comprehensive amendment of its procedural regulations that revised a section in its entirety, but inadvertently failed to include two paragraphs. This document corrects those regulations to include the paragraphs that were inadvertently repealed.

DATES: Effective February 21, 2020.

FOR FURTHER INFORMATION CONTACT: Prem Aburvasamy, Senior Agency Official for Privacy, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570–0001, (202) 273–3733, privacy@nlrb.gov.

SUPPLEMENTARY INFORMATION: On November 21, 2016, the National Labor Relations Board amended one of its systems of records, NLRB–17, Personnel Security Records, in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. Pursuant to subsections (k)(1), (2), (3), (5), (6), and (7) of the Privacy Act, the Board included within Section 102.119, additional paragraphs (o) and (p), exempting portions of the amended system of records (NLRB–17) from subsections (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) of the Privacy Act. This amendment was published in the **Federal Register** on November 21, 2016. Three months later, on February 24, 2017, the National Labor Relations Board published in the **Federal Register** a comprehensive amendment of its procedural regulations that replaced § 102.119 in its entirety. In the comprehensive amendment, the Board inadvertently failed to include § 102.119, paragraphs (o) and (p). This document corrects the regulations that were published February 24, 2017, to include the paragraphs that were inadvertently repealed.

List of Subjects in 29 CFR Part 102

Privacy, Reporting and Recordkeeping Requirements.

Accordingly, 29 CFR part 102 is corrected by making the following amendments:

PART 102—RULES AND REGULATIONS, SERIES 8

■ 1. The authority citation for part 102 continues to read as follows:

Authority: Sections 1, 6, National Labor Relations Act (29 U.S.C. 151, 156). Section 102.117 also issued under section 552(a)(4)(A) of the Freedom of Information Act, as amended (5 U.S.C. 552(a)(4)(A)), and Section 102.117a also issued under section 552a(j) and (k) of the Privacy Act of 1974 (5 U.S.C. 552a(j) and (k)). Sections 102.143 through 102.155 also issued under section 504(c)(1) of the Equal Access to Justice Act, as amended (5 U.S.C. 504(c)(1)).

Subpart K—Records and Information

■ 2. In § 102.119, paragraphs (o) and (p) are added to read as follows:

§ 102.119 Privacy Act Regulations: notification as to whether a system of records contains records pertaining to requesting individuals; requests for access to records, amendment of requests; fees for document duplication; files and records exempted from certain Privacy Act requirements.

* * * * *

(o) Pursuant to 5 U.S.C. 552a(k)(1), (2), (3), (5), (6), and (7) of the Privacy Act, the system of records maintained by the NLRB containing Personnel Security Records shall be exempted from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) insofar as the system may contain:

- (1) Records properly classified pursuant to an Executive Order, within the meaning of section 552(b)(1);
- (2) Investigatory material compiled for law enforcement purposes other than material within the scope of 5 U.S.C. 552a(j)(2);
- (3) Information maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18 of the U.S. Code;
- (4) Investigatory material compiled solely for the purpose of determining suitability, eligibility or qualifications for Federal civilian employment and Federal contact or access to classified information;
- (5) Testing and examination materials used for a personnel investigation for employment or promotion in the Federal service;
- (6) Evaluation materials, compiled during the course of a personnel investigation, that are used solely to determine potential for promotion in the armed services.

(p) The Privacy Act exemptions contained in paragraph (o) of this section are justified for the following reasons:

(1)(i) 5 U.S.C. 552a(c)(3) requires an agency to make the accounting of each disclosure of records available to the individual named in the record at his/her request. These accountings must state the date, nature, and purpose of each disclosure of a record and the name and address of the recipient. 5 U.S.C. 552a(d) requires an agency to permit an individual to gain access to records pertaining to him/her, to request amendment to such records, to request a review of an agency decision not to amend such records, and to contest the information contained in such records.

(ii) Personnel investigations may contain properly classified information which pertains to national defense and foreign policy obtained from another Federal agency. Application of exemption 5 U.S.C. 552a(k)(1) is necessary to preclude an individual's access to and amendment of such classified information under 5 U.S.C. 552a(d).

(iii) Personnel investigations may contain investigatory material compiled for law enforcement purposes other than material within the scope of 5 U.S.C. 552a(j)(2). Application of exemption 5 U.S.C. 552a(k)(2) is necessary to preclude an individual's access to or amendment of such records under 5 U.S.C. 552a(c)(3) and (d).

(iv) Personnel investigations may also contain information obtained from another Federal agency that relates to providing protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056. Application of exemption 5 U.S.C. 552a(k)(3) is necessary to preclude an individual's access to and amendment of such records under 5 U.S.C. 552a(d).

(v) Exemption 5 U.S.C. 552a(k)(5) is claimed with respect to the requirements of 5 U.S.C. 552a(c)(3) and (d) because this system contains investigatory material compiled solely for determining suitability, eligibility, and qualifications for Federal employment. To the extent that the disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, the applicability of exemption 5 U.S.C. 552a(k)(5) will be required to honor promises of confidentiality should an individual request access to or amendment of the record, or access to the accounting of disclosures of the record. Similarly, personnel investigations may contain evaluation material used to determine potential for

promotion in the armed services. Application of exemption 5 U.S.C. 552a(k)(7) is necessary to the extent that the disclosure of data would compromise the anonymity of a source under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Both of these exemptions are necessary to safeguard the integrity of background investigations by minimizing the threat of harm to confidential sources, witnesses, and law enforcement personnel. Additionally, these exemptions reduce the risks of improper influencing of sources, the destruction of evidence, and the fabrication of testimony.

(vi) All information in this system that meets the criteria articulated in exemption 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to and amendment of records by an individual. This exemption is claimed because portions of this system relate to testing or examining materials used solely to determine individual qualifications for appointment or promotion to the Federal service. Access to or amendment to this information by an individual would compromise the objectivity and fairness of the testing or examining process.

(2) 5 U.S.C. 552a(e)(1) requires an agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required by statute or by executive order of the President. This requirement could foreclose investigators from acquiring or receiving information the relevance and necessity of which is not readily apparent and could only be ascertained after a complete review and evaluation of all the evidence. This system of records is exempt from this requirement because in the course of personnel background investigations, the accuracy of information obtained or introduced occasionally may be unclear, or the information may not be strictly relevant or necessary to favorably or unfavorably adjudicate a specific investigation at a specific point in time. However, in the interests of protecting the public trust and national security, it is appropriate to retain all information that may aid in establishing patterns in such areas as criminal conduct, alcohol and drug use, financial dishonesty, allegiance, foreign preference or influence, and psychological conditions, that are relevant to future personnel security or suitability determinations.

(3) 5 U.S.C. 552a(e)(4)(G) and (H) require an agency to publish a **Federal Register** notice concerning its procedures for notifying an individual, at his/her request, if the system of records contains a record pertaining to him/her, how to gain access to such a record and how to contest its content. Since this system of records is being exempted from subsection (f) of the Privacy Act, concerning agency rules, and subsection (d) of the Privacy Act, concerning access to records, these requirements are inapplicable to the extent that this system of records will be exempt from subsections (f) and (d) of the Privacy Act. Although the system would be exempt from these requirements, the NLRB has published information concerning its notification, access, and contest procedures because, under certain circumstances, it may be appropriate for a subject to have access to a portion of that individual's records in this system of records.

(4) 5 U.S.C. 552a(e)(4)(I) requires an agency to publish a **Federal Register** notice concerning the categories of sources of records in the system of records. Exemption from this provision is necessary to protect the confidentiality of the sources of information, to protect the privacy and physical safety of confidential sources and witnesses, and to avoid the disclosure of investigative techniques and procedures. Although the system will be exempt from this requirement, the agency has published source information in the accompanying notice in broad generic terms.

(5) 5 U.S.C. 552a(f) requires an agency to promulgate rules which shall establish procedures whereby an individual can be notified in response to a request if any system of records named by the individual contains a record pertaining to that individual. The application of this provision could compromise the progress of an investigation concerning the suitability, eligibility, and fitness for service of applicants for Federal employment and impede a prompt assessment of the appropriate access to the Agency's facilities. Although this system would be exempt from the requirements of subsection (f) of the Privacy Act, the Agency has promulgated rules which establish agency procedures because, under certain circumstances, it could be appropriate for an individual to have access to all or a portion of that individual's records in this system of records.

Dated: December 9, 2019.

Roxanne L. Rothschild,
Executive Secretary.

[FR Doc. 2019-26820 Filed 12-20-19; 8:45 am]

BILLING CODE 7545-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2019-0545]

RIN 1625-AA09

Drawbridge Operation Regulation; Niantic River, Niantic, CT

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is modifying the operating schedule that governs the S156 Bridge across the Niantic River, mile 0.1 at Niantic, CT. The bridge owner, the Connecticut Department of Transportation, submitted a request to allow six hours notice for night time transits during the months of November and April due to infrequent bridge openings. This final rule will approve the request and align the regulations for the S156 Bridge with other Connecticut Department of Transportation Bridges.

DATES: This rule is effective January 22, 2020.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>. Type USCG-2019-0545 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Jeffrey Stieb, First Coast Guard District Bridge Management Specialist; telephone 617-223-8364, email Jeffrey.D.Stieb@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
CT DOT Connecticut Department of Transportation
DHS Department of Homeland Security
FR Federal Register
OMB Office of Management and Budget
NPRM Notice of Proposed Rulemaking (Advance, Supplemental)
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

On August 20, 2019, the Coast Guard published a notice of proposed

rulemaking entitled "Drawbridge Operation Regulation; Niantic River, Niantic, CT" in the **Federal Register** (84 FR 43093). In the NPRM, incorrect clearances for the bridge were provided. The correct clearances are provided below in Section III. No comments were received in response to the NPRM and no comments were made concerning the more constrictive clearances in the NPRM.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority of 33 U.S.C. 499. The S156 Bridge at mile 0.1 over the Niantic River at Niantic, Connecticut, has a vertical clearance of 32 feet at mean high water and 34 feet at mean low water. Vertical clearance is unlimited when the draw is open. Horizontal clearance is approximately 100 feet. Waterway users include recreational and small commercial vessels.

The existing regulation, 33 CFR 117.215(b), requires that from December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six hours notice is given. CT DOT requested that the start of the winter schedule begin one month sooner and end one month later than presently allowed by the regulation. This rule change will align the winter operation and staffing of the three CT DOT drawbridges located in the same operational area by extending the range of months during which six hours notice is required to include November and April. This rule change will allow for more efficient and economic operation of the bridge while meeting the reasonable needs of navigation.

The bridge logs show that during the last three years only three requests to open occurred between 8 p.m. and 4 a.m. in November and no request to open were received between 8 p.m. and 4 a.m. in April. None of the requests were from commercial vessels. CT DOT and the Coast Guard conducted outreach to stakeholders with no objections received.

IV. Discussion of Comments, Changes and the Final Rule

The Coast Guard provided 60 days for comment and no comments were received. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

The final rule provides that from November 1 through April 30, between the hours of 8:00 p.m. and 4:00 a.m., the draw shall open on signal if at least six hours notice is given. It is our opinion that the proposed rule meets the reasonable needs of marine traffic.