

In 1989, the FAA published in the **Federal Register** a rule to amend V-443 (54 FR 39166, September 25, 1989). The amendment inserted an intersection fix between the Aylmer, ON, Canada, VOR/DME and the Toronto, ON, Canada, VOR/DME NAVAIDs to adjust the arrival/departure routes to/from Toronto, ON, Canada, and alleviate the congestion and compression of air traffic in that area. As a result, the V-433 description was amended to reflect the route being realigned from the Aylmer, Ontario, Canada, VOR/DME, to an intersection fix defined by the Aylmer 051° and Toronto 210° radials, to the Toronto, ON, Canada, VOR/DME.

In November 2014, Canada removed the V-443 route segment from the Aylmer, ON, Canada, VOR/DME, to the Toronto, ON, Canada, VOR/DME, as part of their WTM airspace redesign program; however, corresponding action amending the FAA's V-443 legal description was not accomplished. This disconnect led to the charted depiction of V-443 being amended in the Instrument Flight Rules (IFR) low altitude enroute charts and the FAA National Airspace System Repository (NASR) database being updated, but the V-443 legal description published in FAA Order 7400.9, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR part 71, remaining unchanged.

Since the basis for establishing the V-443 route segment between the Aylmer, ON, Canada, VOR/DME to the Toronto, ON, Canada, VOR/DME no longer exists, the FAA is amending the route description in FAA Order 7400.9 and 14 CFR part 71.

VOR Federal airways are published in paragraph 2010 of FAA Order 7400.9Z dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document will be subsequently amended in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending Title 14 of the Code of Federal Regulations (14 CFR)

part 71 by removing the route segment of V-443 that extends from Aylmer, ON, Canada, to Toronto, ON, Canada. The remaining portion of V-443 is unchanged. This action responds to the route changes made by Canada as part of their WTM airspace redesign project. Canada has subsequently removed this route segment and it no longer exists on aeronautical charts. Therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

All radials in the route description below are unchanged and stated in True degrees.

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 Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this 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 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a. This airspace action consists of modifying an airway and it is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015 and effective September 15, 2015, is amended as follows:

Paragraph 2010(a) Domestic VOR Federal Airways.

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V-443 [Amended]

From INT Newcomerstown, OH, 099° and Bellaire, OH, 044° radials; Newcomerstown; Tiverton, OH; Dryer, OH; INT Dryer 049° and Aylmer, ON, Canada, 205° radials; to Aylmer. The airspace within Canada is excluded.

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Issued in Washington, DC, on January 7, 2016.

Gary A. Norek,

Manager, Airspace Policy Group.

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DEPARTMENT OF STATE

22 CFR Part 171

[Public Notice: 9405]

RIN 1400-AD86

Privacy Act; STATE-09, Records Maintained by the Office of Civil Rights

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Department of State is issuing a final rule to amend its Privacy Act regulation exempting portions of a system of records from certain provisions of the Privacy Act of 1974. Certain portions of the Records Maintained by the Office of Civil Rights, STATE-09, contain investigatory material for law enforcement purposes, and testing or examination material.

DATES: This final rule is effective January 20, 2016.

FOR FURTHER INFORMATION CONTACT: John Hackett, Director; Office of Information Programs and Services, A/GIS/IPS; Department of State, SA-2; 515 22nd Street NW., Washington, DC 20522-8001, or at Privacy@state.gov.

SUPPLEMENTARY INFORMATION: The system, Records Maintained by the Office of Civil Rights, designated as STATE-09, supports the Office of Civil Rights, Department of State, in the investigation, processing, and resolution of informal and formal complaints of discrimination filed against the Department in accordance with 29 CFR part 1614 and the Department's internal procedures for addressing Equal Employment Opportunity (EEO) complaints; in the investigation, processing, and resolution of complaints of discrimination under 42 U.S.C. 2000d; and complaints under 20 U.S.C. 1681, 29 U.S.C. 794 and 794d, 42 U.S.C. 6101, 29 U.S.C. 621, and 36 CFR chapter XI.

For additional background, see the notice of proposed rulemaking and the system of records notice published on July 14, 2015 (80 FR 40951 and 80 FR 41137, respectively). The Department received no public comment on these documents.

List of Subjects in 22 CFR Part 171

Privacy.

For the reasons stated in the preamble, 22 CFR part 171 is amended as follows:

PART 171—[AMENDED]

■ 1. The authority citation for part 171 continues to read as follows:

Authority: 5 U.S.C. 552, 552a; 22 U.S.C. 2651a; Public Law 95-521, 92 Stat. 1824, as amended; E.O. 13526, 75 FR 707; E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

§ 171.36 [Amended]

■ 2. Section 171.36 is amended by adding an entry, in alphabetical order, for "Records Maintained by the Office of Civil Rights, STATE-09" to the lists in paragraphs (b)(5) and (6).

Joyce A. Barr,

Assistant Secretary for Administration, U.S. Department of State.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2015-1121]

RIN 1625-AA00

Safety Zone; Upper Mississippi River and Illinois River, MO and IL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing emergency temporary safety zones for all waters of the Upper Mississippi River (UMR) between miles 109.9 and 185.5 and all waters of the Illinois River (ILR) between miles 0 and 128.9. The emergency safety zones are needed to protect persons, property, and infrastructure from potential damage and safety hazards associated with high waters. Entry of vessels or persons into these zones is prohibited unless specifically authorized by the Captain of the Port (COTP). Deviation from the safety zones may be requested and will be considered on a case-by-case basis as specifically authorized by the Captain of the Port (COTP) or a designated representative.

DATES: This rule is effective without actual notice from January 20, 2016 until 11:59 p.m. on January 22, 2016. For the purposes of enforcement, actual notice will be used from 3:00 p.m. on December 28, 2015 until January 20, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2015-1121 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 LCDR Sean Peterson, Chief of Prevention, U.S. Coast Guard; telephone 314-269-2332, email Sean.M.Peterson@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

BNM Broadcast Notice to Mariners
CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
E.O. Executive order
FR Federal Register
ILR Illinois River
NPRM Notice of proposed rulemaking
Pub. L. Public Law
§ Section
UMR Upper Mississippi River
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)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because of the increased safety risks caused by high waters on the UMR and ILR. On December 28, 2015, the Coast Guard determined that immediate action is necessary to establish emergency safety zones to protect life and property from the hazards associated with and resulting from high waters. It is impracticable to publish an NPRM because we must establish these safety zones by December 28, 2015. Broadcast Notices to Mariners (BNM) and information sharing with waterway users will update mariners of the closures and enforcement times during this emergency situation.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Providing 30 days notice would be contrary to public interest because immediate action is needed to protect life and property from the hazards associated with and resulting from high waters.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Upper Mississippi River determined that potential hazards associated with and resulting from high waters and related recovery efforts are present in the area. These hazards require additional safety measures in the form of safety zones extending from mile 109.9 to 185.5 on the UMR and mile 0 to 128.9 on the ILR to protect those operating in the area and for the Coast Guard to maintain navigational safety.

IV. Discussion of the Rule

The Coast Guard is establishing two temporary emergency safety zones prohibiting access to the UMR between miles 109.9 and 185.5 and the ILR between miles 0 and 128.9, extending the entire widths of the rivers beginning at 3:00 p.m. on December 28, 2015, through 11:59 p.m. on January 22, 2016 or until waters recede and conditions allow for safe navigation, whichever occurs earlier. Deviation from the emergency safety zones may be requested and will be considered on a case-by-case basis as specifically authorized by the COTP or a designated representative. Deviation requests will