longerons for any crack, and do all applicable inspections and identified substeps and figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(k) Related Information

(1) For more information about this AD, contact Eric Lin, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6412; fax: 425–917–6590; email: eric.lin@faa.gov.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&Ds), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone: 562–797–1717; Internet: https://www.myboeingfleet.com. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on December 15, 2016.

Victor Wicklund,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2016–30807 Filed 12–30–16; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE
Office of the Secretary

15 CFR Part 4

[Docket No. 161103999–6999–01]
RIN 0605–AA46

Public Information, Freedom of Information Act and Privacy Act Regulations

AGENCY: Department of Commerce.

ACTION: Notice of proposed rulemaking.

SUMMARY: This rule proposes revisions to the Department of Commerce’s (Department) regulations under the Privacy Act. The Department has issued a notice of its intent to establish a new system of records entitled “COMMERCE/DEPARTMENT–27, Investigation and Threat Management Records,” which includes system exemptions from certain provisions of the Privacy Act. The Privacy Act regulations are being updated to make technical changes to the applicable exemptions as a result of the new system of records, COMMERCE/DEPARTMENT–27. The Privacy Act regulations are also being updated to reflect organization changes affecting the Department’s officials authorized to deny requests for records under the Freedom of Information Act, and
requests for records and for correction or amendment under the Privacy Act.

DATES: To be considered, written comments must be submitted on or before February 2, 2017. If no comments are received, the rule will become effective as proposed on the date of publication of a subsequent notice in the Federal Register.

ADDRESSES: You may submit comments, identified by Regulatory Information Number (RIN) 0605–AA46, by any of the following methods:
- Fax: (202) 482–0827. Include the RIN 0605–AA46 in the subject line.
- Mail: Dr. Michael J. Toland, Deputy Chief Freedom of Information Act Officer and Department Privacy Act Officer, Office of Privacy and Open Government, 1401 Constitution Ave. NW., Room 52010, Washington, DC 20230.

Instructions: All submissions received must include the agency name and docket number or RIN for this rulemaking. All comments received will be posted without change to regulations.gov, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Participation” heading of the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Dr. Michael J. Toland, Deputy Chief Freedom of Information Act Officer and Department Privacy Act Officer, Office of Privacy and Open Government, 1401 Constitution Ave. NW., Room 52010, Washington, DC 20230.

SUPPLEMENTARY INFORMATION: This rule proposes revisions to the Department’s regulations under the Privacy Act. In particular, the action will amend the Department’s Privacy Act regulations regarding application of exemptions to reflect a new Department wide systems of records notice published since the last time the regulations were updated. The Department has issued a notice of its intent to establish a new system of records entitled “COMMERCE/DEPARTMENT–27, Investigation and Threat Management Records,” which includes system exemptions from certain provisions of the Privacy Act. The revisions of the Privacy Act regulations in subpart B of part 4 incorporate changes to the language of the regulations in the following provisions: 5 U.S.C. 552a(j)(2), all information about an individual in the record which meets the criteria stated in 5 U.S.C. 552a(j)(2) are exempted from the notice, access and contest requirements of the agency regulations and from all parts of 5 U.S.C. 552a except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i). Pursuant to 5 U.S.C. 552a(k)(1), (k)(2) and (k)(5) on condition that the 5 U.S.C. 552a(j)(2) exemption is held to be invalid, all investigatory material in the record which meets the criteria stated in 5 U.S.C. 552a(k)(1), (k)(2) and (k)(5) are exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(j)(2), and (f)) of the agency regulations because of the necessity to exempt this information and material in order to accomplish the law enforcement function of the agency, to prevent disclosure of classified information as required by Executive Order 13526, to assure the protection of the President, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of information, and to avoid endangering these sources and law enforcement personnel.

Additionally, the revisions of the Privacy Act regulations in subpart B of part 4 incorporate changes to the language of the regulations in Appendix B (Officials Authorized To Deny Requests for Records Under the Freedom of Information Act, and Requests for Records and Requests for Correction or Amendment Under the Privacy Act). Specifically, this proposed action removes the reference to the “Office of Administrative Services: Director,” and replaces it with the “Office of Facilities and Environmental Quality: Director; Deputy Director,” under the Assistant Secretary for Administration (ASA). The Department’s ASA realigned the functions formerly under the “Office of Administrative Services” to existing administrative functions and aligned facility-related programs and operations under the “Office of Facilities and Environmental Quality.” The proposed actions better allocated responsibilities, aligned similar functions, improved internal controls and streamline reporting relationships. This proposed amendment updates the rules to implement that change. See Department Administrative Order 20–1, sections 1 and 4. This proposed action also adds a denning official the Deputy Chief FOIA Officer under the Office of Privacy and Open Government (OPOG). Previously, the Director of OPOG served as the Deputy Chief FOIA Officer, but now this position serves as the Department’s Chief FOIA Officer. This action also removes the reference to the “Bureau of Economic Analysis: Director,” and replaces it with the “Bureau of Economic Analysis: Freedom of Information Act Officer” under the Economics and Statistics Administration (ESA). Previously, the ESA FOIA Officer administered the FOIA program for the Bureau of Economic Analysis (BEA). This proposed action merely separates the administration of the BEA FOIA program from the ESA program, as well as designates a BEA FOIA Officer and aligns the BEA FOIA program with other FOIA programs in the Department.

Public Participation: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by the Department. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase “PERSONAL IDENTIFYING INFORMATION” in the first paragraph of your comment. You must also locate all the personal identifying information you do not want posted online in the first paragraph of your comment and identify what information you want redacted. If you want to submit confidential business information as part of your comment but do not want it to be posted online, you must include the phrase “CONFIDENTIAL BUSINESS INFORMATION” in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of the comment may not be posted on http://www.regulations.gov. Personal identifying information and confidential business information identified and located as set forth above will be placed in the agency’s public docket file, but not posted online. If you wish to inspect the agency’s public docket file in person by appointment, please see the FOR FURTHER INFORMATION CONTACT paragraph.

Classification
Regulatory Flexibility Act
The Chief Counsel for Regulation for the Department of Commerce has certified to the Chief Counsel for
Advocacy of the Small Business Administration that this rule will not have a significant economic impact on a substantial number of small entities. This final rule amends the Department’s Privacy Act regulations regarding applicable exemptions to reflect new Department wide systems of records notices published since the last time the regulations were updated. These amendments are administrative in nature and will not impose a financial or regulatory impact on anyone, including small entities. The applicable exemptions apply to information collected to establish identity, accountability, and audit control of electronic or other digital certificates of assigned personnel who require access to Department of Commerce electronic and physical assets. The information collected is provided on a voluntary basis, with no cost incurred by individuals.

Executive Order 12866
It has been determined that this notice is not significant for purposes of E.O. 12866.

Paperwork Reduction Act
This regulation does not contain a “collection of information” as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 15 CFR Part 4
Freedom of information, Privacy.

Michael J. Toland,
Department of Commerce, Deputy Chief FOIA Officer, Department Privacy Act Officer.

For the reasons stated in the preamble, the Department of Commerce proposes to amend 15 CFR part 4 as follows:

PART 4—DISCLOSURE OF GOVERNMENT INFORMATION

§ 4.33 General exemptions.

* * * * *

(5) Investigation and Threat Management Records—COMMERCE/DEPT–27. Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552a(b), (c)(1) and (2), (e)(3)(A) through (F), (e)(6), (7), (9), (10), and (11), and (l). These exemptions are necessary to ensure the proper functioning of the law enforcement activity of the agency, to prevent disclosure of classified information as required by Executive Order 13526, to assure the protection of the President, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of information, and to avoid endangering these sources and law enforcement personnel.

§ 4.34 Specific exemptions.

(a)(1) Certain systems of records under the Act that are maintained by the Department may occasionally contain material subject to 5 U.S.C. 552(a)(1), relating to national defense and foreign policy materials. The systems of records published in the Federal Register by the Department that are within this exemption are: COMMERCE/BIS–1, COMMERCE/ITA–2, COMMERCE/ITA–3, COMMERCE/NOAA–11, COMMERCE/PAT–TM–4, COMMERCE/DEPT–12, COMMERCE/DEPT–13, COMMERCE/DEPT–14, COMMERCE/DEPT–25, and COMMERCE/DEPT–27.

(b)(1) Exempt under 5 U.S.C. 552(a)(1). The systems of records exempt hereunder appear in paragraph (a) of this section. The claims for exemption of COMMERCE/DEPT–12, COMMERCE/BIS–1, COMMERCE/NOAA–5, COMMERCE/DEPT–25, and COMMERCE/DEPT–27 under this paragraph are subject to the condition that the general exemption claimed in § 4.33(b) is held to be invalid.

(b)(2)(i) * * * * *

(b)(4)(i) Exempt under 5 U.S.C. 552a(k)(5). The systems of records exempt hereunder appear in paragraph (a) of this section. The claims for exemption of COMMERCE/DEPT–12, COMMERCE/BIS–1, COMMERCE/NOAA–5, COMMERCE/DEPT–25, and COMMERCE/DEPT–27 under this paragraph are subject to the condition that the general exemption claimed in § 4.33(b) is held to be invalid.

§ 4.33 Amendment Under the Privacy Act

4. Amend Appendix B to Part 4 by revising the entries for “ASSISTANT SECRETARY FOR ADMINISTRATION” and “ECONOMICS AND STATISTICS ADMINISTRATION” to read as follows:

Appendix B to Part 4—Officials Authorized To Deny Requests for Records Under the Freedom of Information Act, and Requests for Records and Requests for Correction or Amendment Under the Privacy Act

* * * * *

Assistant Secretary for Administration
Office of Civil Rights: Director
Office of Budget: Director
Office of Privacy and Open Government: Director; Deputy Chief FOIA Officer; Departmental Freedom of Information Officer
Office of Program Evaluation and Risk Management: Director
Office of Financial Management: Director
Office of Human Resources Management: Director; Deputy Director
Office of Facilities and Environmental Quality: Director; Deputy Director
Office of Security: Director
Office of Acquisition Management: Director
Office of Acquisition Services: Director
Office of Small and Disadvantaged Business Utilization: Director

* * * * *

Economics and Statistics Administration
Office of Administration: Director
Bureau of Economic Analysis: Freedom of Information Act Officer
CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1015

Procedures for Disclosure or Production of Information Under the Freedom of Information Act; Amendments

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Consumer Product Safety Commission (Commission, CPSC, or we) is issuing this notice of proposed rulemaking (NPR) to update its Freedom of Information Act (FOIA) rule. We are proposing to revise the rule to conform to the amendments of the FOIA Improvement Act of 2016 (the 2016 FOIA) to the FOIA. The Commission also proposes to update the rule to reflect changes in Commission procedures, update Commission contact information, including current methods of submitting requests for records to the Commission, revise employee titles, and make various technical changes and corrections. This NPR seeks comments on the proposed changes to the rule.

DATES: Submit comments by March 20, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2016–0030, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at https://www.regulations.gov/. Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through: https://www.regulations.gov/. The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written comments by mail/hand delivery/courier to: Office of the Secretariat, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this proposed rulemaking. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: https://www.regulations.gov/. Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted by mail/hand delivery/courier.

Docket: For access to the docket to read background documents or comments received, go to: https://www.regulations.gov/, and insert the docket number, CPSC–2016–0030, into the “Search” box, and follow the prompts.


SUPPLEMENTAL INFORMATION: The Commission is proposing to amend the agency’s procedures for disclosure or production of information under the Freedom of Information Act. 16 CFR part 1015.

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I. Background Information

On June 30, 2016, the President signed into law the 2016 FOIA, Public Law 114–185 (2016). The 2016 FOIA amends the Freedom of Information Act, 5 U.S.C. 552, requiring an agency to review its FOIA regulations and issue regulations on procedures for the disclosure of records under the new amendments. Specifically, the 2016 FOIA requires: Certain records be available for public inspection in an electronic format; agencies to make available for public inspection in an electronic format records that have been requested three or more times; that an agency not withhold information under FOIA unless the agency reasonably foresees that disclosure would harm an interest protected by a FOIA Exemption or disclosure is prohibited by law; extending the number of days for an administrative appeal of an adverse determination from 30 to 90 days; limiting the FOIA Exemption for records created 25 years or more before the date on which the records were requested; the assessment of fees be limited in certain circumstances; and requesters be notified of available dispute resolution services from the FOIA Public Liaison of the agency or the Office of Government Information Services.

The Commission proposes amendments to its regulations implementing the 2016 FOIA, 16 CFR part 1015, to incorporate these new statutory requirements. The proposed amendments would revise the Commission’s FOIA regulations to comply with the FOIA, as amended by the 2016 FOIA, and would update Commission procedures, contact information, and methods of submitting requests for records to the Commission, in addition to other conformance and technical revisions. Updating Commission procedures and Commission contact information would provide clarity for requesters seeking records from the Commission.

II. Section-by-Section Analysis of the Proposed Revision of the Procedures for Disclosure or Production of Information Under the Freedom of Information Act

Subpart A—Production or Disclosure Under 5 U.S.C. 552(a)

Proposed Changes to § 1015.1 (Purpose and Scope)

Initially, we would update § 1015.1(a) to add the Children’s Gasoline Burn Prevention Act, the Virginia Graeme Baker Pool and Spa Safety Act, and the Child Nicotine Poisoning Prevention Act to the scope of statutes for which records must be maintained in connection with the Commission’s responsibilities and functions under those acts because they were enacted after the last revision to the regulation in 1997.

The proposal also would revise § 1015.1(b) to reflect new FOIA 5 U.S.C. 552(a)(8)(A), requiring agencies to analyze under a foreseeable harm standard the withholding of information permitted by the exemptions set forth in 5 U.S.C. 552(b). The proposal would allow information to be withheld pursuant to the exemptions, only if the Commission reasonably foresees that disclosure would harm an interest protected by a specific FOIA exemption, or if disclosure is otherwise prohibited by law. This proposal, consistent with the 2016 FOIA, would not require disclosure of information otherwise prohibited from disclosure by law, or otherwise exempted from disclosure...