

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2018-0062; Airspace Docket No. 18-ASO-3]

RIN 2120-AA66

Amendment of Class D and Class E Airspace; Pensacola, FL, and Establishment of Class E Airspace; Milton, FL**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule, correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** on August 29, 2018, amending Class D airspace and Class E airspace extending upward from 700 feet above the surface, and establishing Class E surface airspace at Choctaw Naval Outlying Field (NOLF), Milton, FL. Additional text was inadvertently omitted from the NOTAM information of Class D airspace and Class E surface airspace for Choctaw NOLF.

DATES: Effective 0901 UTC, January 3, 2019. 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.

FOR FURTHER INFORMATION, CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:**History**

The FAA published a final rule in the **Federal Register** (83 FR 43968, August 29, 2018) for Doc. No. FAA-2018-0062, amending Class D airspace and Class E airspace extending upward from 700 feet or more above the surface, and establishing Class E surface airspace at Choctaw Naval Outlying Field (NOLF), Milton, FL. Subsequent to publication, the FAA found that the NOTAM information listed in the legal description of the airport in Class D airspace and Class E surface airspace omitted text. This action corrects the error.

Class D airspace and Class E airspace designations are published in paragraphs 5000 and 6002, respectively, of FAA Order 7400.11B dated August 3, 2017, and effective September 15, 2017, which was incorporated by reference in

14 CFR part 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Correction to Final Rule

■ Accordingly, pursuant to the authority delegated to me, in the **Federal Register** of August 29, 2018 (83 FR 43968) FR Doc. 2018-18644, the amendment of Class D Airspace and Class E Airspace; Pensacola, FL, and Establishment of Class E Airspace; Milton, FL is corrected as follows:

§ 71.1 [Amended]**ASO FL D Milton, FL [Corrected]**

■ On page 43970, column 1, line 10, insert the words “in advance” after the word “established”.

ASO FL E2 Milton, FL [Corrected]

■ On page 43970, column 1 line 30, insert the words “in advance” after the word “established”.

Issued in College Park, Georgia, on October 2, 2018.

Kenneth Brissenden,

Acting Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2018-21884 Filed 10-9-18; 8:45 am]

BILLING CODE 4910-13-P**DEPARTMENT OF STATE****22 CFR Part 5****[Public Notice 10513]**

RIN 1400-AE18

Organization**AGENCY:** State Department.**ACTION:** Final rule.

SUMMARY: The Department of State (the Department) updates and revises the rules that set forth its organization, rules of procedure, place at which the public may obtain forms, and its substantive rules of general applicability.

DATES: This rule is effective on November 9, 2018.

FOR FURTHER INFORMATION CONTACT: Alice Kottmyer, Attorney Adviser, Office of Management, Office of the Legal Adviser, (202) 647-2318, kottmyeram@state.gov.

SUPPLEMENTARY INFORMATION:**Why is the Department promulgating this rule?**

The Freedom of Information Act (5 U.S.C. 552(a)(1)) requires that agencies publish in the **Federal Register** certain information.¹ The Department provides this information in Part 5 of Title 22, Code of Federal Regulations. The Department last amended Part 5 in 1968; it is, therefore, obsolete. This rulemaking provides the necessary updates.

What are the substantive changes from the current Part 5?

The Authorities section and §§ 5.1 and 5.2 are updated to reflect current authorities. Section 5.2 contains a new provision that refers to the Department's practice of publishing certain delegations of authority in the **Federal Register**. Section 5.2 also contains a reference to the new § 5.5, which describes the Foreign Affairs Manual and Foreign Affairs Handbook.

Section 5.3, containing the bureau names, contact addresses, and websites of Department offices, is totally revised from the last amendment of this rule in 1968.

Section 5.4 provides a list of substantive rules of general applicability, and where the public can find them in 22 CFR. Provisions that were not listed in 1968 include: Part 22 (Schedule of Fees for Consular Services); Part 103 (Chemical Weapons Convention Regulations); Part 104 (International Trafficking in Persons); Part 141 *et seq.* (Civil Rights); Part 171 (Availability of Information and Records to the Public); Part 172 (Service of Process); Part 173 (Availability of Public

¹ (A) Descriptions of its central and field organization and the established places at which, the employees (and in the case of a uniformed service, the members) from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions; (B) Statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (C) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; (D) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and (E) Each amendment, revision, or repeal of the foregoing.

Diplomacy Material in the United States); and Part 181 (Coordination, Reporting, and Publication of International Agreements).

Section 5.5 is new. It describes the Foreign Affairs Manual and the Foreign Affairs Handbook, which is a collection of directives that provide procedures and policies on matters relating to Department management and personnel.

Regulatory Findings

Administrative Procedure Act

This rule is a rule of agency organization, procedure, or practice. The Department publishes it as a final rule in accordance with 5 U.S.C. 553(b)(A).

Regulatory Flexibility Act/Executive Order 13272: Small Business

The Department certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1532, generally requires agencies to prepare a statement before proposing any rule that may result in an annual expenditure of \$100 million or more by State, local, or tribal governments, or by the private sector. This rule will not result in any such expenditure, nor will it significantly or uniquely affect small governments.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by 5 U.S.C. 804. The Department is aware of no monetary effect on the economy that would result from this rulemaking, nor will there be any increase in costs or prices; or any effect on competition, employment, investment, productivity, innovation, or the ability of United States-based companies to compete with foreign-based companies in domestic and import markets.

Executive Order 12866

The Department of State does not consider this rule to be a “significant regulatory action” under Executive Order 12866, section 3(f), Regulatory Planning and Review. The Department of State has reviewed this rule to ensure its consistency with the regulatory philosophy and principles set forth in Executive Order 12866. This rule deals with Department organization and procedures and will not impose any costs on the public. The Department has determined that the benefits of this

regulation, *i.e.*, ensuring compliance with FOIA and providing information and transparency to the public, outweigh any costs.

Executive Orders 12372 and 13132: Federalism

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. The rule will not have federalism implications warranting the application of Executive Orders 12372 and 13132.

Executive Order 12988: Civil Justice Reform

The Department has reviewed the regulation in light of sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

Executive Order 13563: Improving Regulation and Regulatory Review

The Department has considered this rule in light of Executive Order 13563, dated January 18, 2011, and affirms that this regulation is consistent with the guidance therein.

Executive Order 13771—Reducing Regulation and Controlling Regulatory Costs

This rule is not expected to be an E.O. 13771 regulatory action because this rule is not significant under E.O. 12866.

Paperwork Reduction Act

This rule does not impose new or revised information collection requirements under the provisions of the Paperwork Reduction Act, 44 U.S.C. chapter 35.

List of Subjects in 22 CFR Part 5

Organization and functions (Government agencies).

For the reasons set forth in the preamble, the Department of State revises 22 CFR part 5 to read as follows:

PART 5—ORGANIZATION

Sec.

- 5.1 Introduction.
- 5.2 Central and field organization.
- 5.3 Rules of procedure, description of forms available, or the places at which forms may be obtained.
- 5.4 Substantive rules of general applicability adopted as authorized by law.
- 5.5 The Foreign Affairs Manual and the Foreign Affairs Handbook.

Authority: 22 U.S.C. 2651a; 5 U.S.C. 552.

§ 5.1 Introduction.

This part provides information to the public as required by the Freedom of Information Act, 5 U.S.C. 552(a)(1).

§ 5.2 Central and field organization.

(a) The central organization of the Department of State is prescribed by the State Department Basic Authorities Act of 1956, as amended (Pub. L. 84–885), codified at 22 U.S.C. 2651 *et seq.* and the Foreign Affairs Manual (see § 5.5).

(b) As used in this part, the term “Department of State” includes all offices within the Department in Washington, its domestic field offices in the United States, all U.S. diplomatic and consular posts throughout the world, and U.S. missions to international organizations unless otherwise specified.

(c) Any person desiring information concerning a matter handled by the Department of State, or any person desiring to make a submittal or request in connection with such a matter, should communicate either orally or in writing with the appropriate office. If the office receiving the communication does not have jurisdiction to handle the matter, the communication, if written, will be forwarded to the proper office, or, if oral, the person will be advised how to proceed. When the submittal or request from a member of the public consists of a formal application for one of the documents, privileges, or other benefits provided for in the laws administered by the Department of State, or in the regulations implementing these laws, the member of the public should follow the instructions on the form as to preparation and place of submission.

(d) From time to time, the Secretary of State will, to the extent authorized by law, delegate statutory or other authorities to subordinate officers, as authorized by 22 U.S.C. 2651a(a)(4). The Department will generally publish such delegations of authority in the **Federal Register**.

§ 5.3 Rules of procedure, description of forms available, or the places at which forms may be obtained.

Rules of procedure regarding the following listed matters may be consulted under the corresponding regulations referenced in § 5.4, or obtained upon application to the offices listed below. Forms pertaining to the following listed matters, and instructions relating thereto may also be obtained at the offices indicated in the following table 1 to § 5.3:

TABLE 1 TO § 5.3

Subject matter	Office	Address
Access to Information and Records	Bureau of Administration	Office of Information Programs and Services (IPS), U.S. Department of State, State Annex 2 (SA-2), 515 22nd Street NW, Washington, DC, Suite 8100, 20522-0208, Fax: (202) 261-8579, URL: FOIA.state.gov . For passport records and records of the Office of the Inspector General, please see 22 CFR 171.4(a).
Appointment of Foreign Service Officers.	Board of Examiners for the Foreign Service.	Board of Examiners for the Foreign Service, Department of State, SA-1, H-518, 2401 E Street NW, Washington, DC 20522.
Authentications	Office of Authentications	U.S. Department of State, 600 19th Street NW, Washington, DC 20006.
Civil Rights	Office of Civil Rights	Office of Civil Rights (S/OCR), 2201 C Street NW, Suite 7428, Washington, DC 20520.
Forms	https://eforms.state.gov .
International educational and cultural exchange programs.	Bureau of Educational and Cultural Affairs.	For ECA-funded programs, Department of State, 2200 C Street NW, Washington, DC 20522-0500, ECA.state.gov ; phone (202) 632-6445. For the Exchange Visitor Program, Department of State, SA-4E, Room E-B001-2201 C Street NW, Washington, DC 20520. Jexchanges@state.gov ; phone (202) 632-6445.
International Traffic in Arms Regulations.	Directorate of Defense Trade Controls.	U.S. Department of State, Directorate of Defense Trade Controls, 2401 E Street NW, SA-1, Room H1200, Washington, DC 20037.
U.S. Passports	Passport Services	https://travel.state.gov/ , National Passport Information Center, 877-487-2778, 888-874-7793 (TDD/TTY), 8:00 am to 10:00 pm ET Monday-Friday, 10:00 am to 3:00 pm ET Saturday (excluding federal holidays), NPIC@state.gov . https://www.state.gov/r/pa/ei/rls/dos/99484.htm .
Organizational chart	https://www.state.gov/r/pa/ei/rls/dos/99484.htm .
Procurements and assistance, domestic/international acquisition and federal assistance policy.	Office of the Procurement Executive.	U.S. Department of State, A/OPE (SA-15, Suite 1060), Washington, DC 20522, FAX 703-875-6155.
Protection and welfare of U.S. citizens, intercountry adoption, international child abduction, and other consular services abroad.	Overseas Citizen Services	https://travel.state.gov/ , 888-407-4747 (from U.S. and Canada), +1 202-501-4444 (from Overseas).
Treaties and international agreements.	Office of the Assistant Legal Adviser for Treaty Affairs.	https://www.state.gov/s/l/treaty/ .
Visa issuance	Office of Visa Services	https://travel.state.gov/ , National Visa Center—Public Inquiries, 603-334-0700 (immigrant visas only), 603-334-0888 (nonimmigrant visas only), 7:00 a.m.—12:00 a.m. ET Monday-Friday (excluding federal holidays), https://secureforms.travel.state.gov/ask-nvc.php .

§ 5.4 Substantive rules of general applicability adopted as authorized by law.

(a) The regulations of the Department of State required to be published under the provisions of the Administrative Procedure Act are found in the Code of Federal Regulations (generally in title 22) and in the **Federal Register**. Any person desiring information with respect to a particular procedure should examine the pertinent regulation cited in paragraph (b) of this section.

(b) The following paragraphs (b)(1) through (18) are citations to regulations within the scope of this section:

- (1) Appointment of Foreign Service Officers. 22 CFR part 11 *et seq.*
- (2) Schedule of Fees for Consular Services. 22 CFR part 22.
- (3) Claims and Stolen Property. 22 CFR part 31 *et seq.*
- (4) Issuance of Visas. 22 CFR parts 41-42 *et seq.*
- (5) Nationality and Passports. 22 CFR part 50 *et seq.*

(6) International Educational and Cultural Exchanges. 22 CFR part 62 *et seq.*

(7) Protection and Welfare of Americans Abroad. 22 CFR part 71 *et seq.*

(8) Other Consular Services Abroad. 22 CFR part 92 *et seq.*

(9) Chemical Weapons Convention Regulations. 22 CFR part 103.

(10) International Trafficking in Persons. 22 CFR part 104.

(11) International Traffic in Arms Regulations. 22 CFR part 121 *et seq.*

(12) Certificates of Authentication. 22 CFR part 131 *et seq.*

(13) Civil Rights, including implementation of Sections 504 and 508 of the Rehabilitation Act of 1973. 22 CFR part 141 *et seq.*

(14) Department of State Acquisition Regulation. 48 CFR chapter 6.

(15) Availability of Information and Records to the Public. 22 CFR part 171.

(16) Service of Process. 22 CFR part 172.

(17) Availability of Public Diplomacy Program Material in the United States. 22 CFR part 173.

(18) Coordination, Reporting, and Publication of International Agreements. 22 CFR part 181.

(c) The regulations listed in paragraph (b) of this section are supplemented from time to time by amendments appearing initially in the **Federal Register**.

§ 5.5. The Foreign Affairs Manual and the Foreign Affairs Handbook.

The Department articulates official guidance, including procedures and policies, on matters relating to Department management and personnel in the Foreign Affairs Manual (FAM) and the Foreign Affairs Handbook (FAH) series. Some of these directives are promulgated pursuant to statute, such as the Secretary of State's authority to prescribe regulations for the Foreign Service as provided in Section 206 of the Foreign Service Act of 1980, as amended, 22 U.S.C. 3926. The FAMs

and FAHs that are publicly available are located on the Department's public website, at <https://fam.state.gov/>.

Dated: September 26, 2018.

Alicia A. Frechette,

Executive Director, Office of the Legal Adviser and Bureau of Legislative Affairs, Department of State.

[FR Doc. 2018-22011 Filed 10-9-18; 8:45 am]

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PRESIDIO TRUST

36 CFR Parts 1007, 1008, 1009 and 1011

RIN 3212-AA08; 3212-AA09; 3212-AA10; 3212-AA11

Freedom of Information Act; Privacy Act; Federal Tort Claims Act; Debt Collection Regulations

AGENCY: Presidio Trust.

ACTION: Final rule.

SUMMARY: This final rule revises Presidio Trust (Trust) regulations addressing requests under the Freedom of Information Act (FOIA), requests under the Privacy Act, administrative claims under the Federal Tort Claims Act (FTCA), and Debt Collection. The Trust is revising these regulations to update, clarify and streamline the language of several procedural provisions, and to incorporate amendments pursuant to the OPEN Government Act of 2007, the FOIA Improvement Act of 2016, and the Digital Accountability and Transparency Act of 2014.

DATES: These final rules are effective November 15, 2018.

FOR FURTHER INFORMATION CONTACT: Steve Carp, Legal Analyst, (415) 561-5300, scarp@presidiotrust.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 104(j) of the Presidio Trust Act (16 U.S.C. 460bb appendix) authorizes the Trust to prescribe regulations governing the manner in which it conducts its business and exercises its powers. This final rule revises the Trust's administrative regulations at 36 CFR part 1007 (FOIA), part 1008 (Privacy Act), part 1009 (FTCA), and part 1011 (Debt Collection), as described below. In addition, the Trust has made minor ministerial changes and corrected typographical errors to these parts of its regulations.

Revisions to 36 CFR Part 1007 (Requests Under the FOIA)

The Trust adopted FOIA regulations effective January 29, 1999. The OPEN

Government Act of 2007 (OPEN Act), among other things, provided a statutory definition of a "representative of the news media" on September 14, 2007. The FOIA Improvement Act of 2016 (FOIA Act) amended the FOIA on June 30, 2016. The Trust's final rule conforms its regulations to the definition of a "representative of the news media" in the OPEN Act and conforms its regulations to the FOIA Act, as well as to the Department of Justice's revised FOIA regulations. Specifically, this rule revises § 1007.1 (Purpose and scope) by adding references to the text of FOIA and the Trust's Privacy Act regulations; § 1007.2 (Records available) by adopting a policy of presumption of openness and the "foreseeable harm" standard; § 1007.3 (Requests for records) by providing a requester an opportunity to consult with the Trust's FOIA Officer to perfect a request and adding procedures to verify the requester's identity; § 1007.4 (Preliminary processing of requests) by specifying the date used for searching, adding consultation and referral procedures for requests of records of other departments and agencies, clarifying that consultation with submitters of commercial or financial information includes consultation with entities that are not individuals, and adding procedures to notify submitters and requesters of actions taken with respect to requests containing commercial or financial information; § 1007.5 (Action on initial requests) by specifying decisions that constitute adverse determinations of requests, adding procedures for notifying requesters of dispute resolution services, and adding types of requests that would qualify for expedited processing; § 1007.6 (Time limits for processing initial requests) by adding procedures for a requester to modify a request when an extension of time is necessary to respond to a request, and adding procedures for notifying requesters of dispute resolution services; § 1007.7 (Appeals) by changing the time period for requesters to file an administrative appeal from 20 working days to 90 calendar days and requiring an appeal of an adverse determination before seeking a court order; § 1007.8 (Action on appeals) by adding procedures for notifying requesters of dispute resolution services; and § 1007.9 (Fees) by adding definitions for the terms "direct costs" and "review" and modifying the definition for "representative of the news media."

This rule also revises § 1007.9 to update the fees charged by the Trust for processing FOIA requests. The Trust

previously published its fees on December 2, 1998 in its Interim Compendium. Under this final rule, the Trust's Executive Director will set fees for processing these requests and will publish the fees on the Trust's website instead of the Interim Compendium. With these changes, the fees previously listed in § 1007.9 of the Interim Compendium will no longer be effective.

Revisions to 36 CFR Part 1008 (Requests Under the Privacy Act)

The Trust adopted Privacy Act regulations effective January 29, 1999. There has been little statutory change to the Privacy Act of 1974 since the Trust adopted its Privacy Act regulations. However, this rule conforms its regulations to guidance issued by the Department of Justice and the Office of Management and Budget. Specifically, this rule revises § 1008.2 (Definitions) by changing the definition of "individual"; § 1008.9 (Disclosure of records) by adding procedures for notice of court-ordered and emergency disclosures; and §§ 1008.11 (Request for notification of existence of records: Submission), 1008.14 (Requests for access to records: Submission), and 1008.19 (Petitions for amendment: Submission and form) by adding procedures to verify the requester's identity.

This rule also revises § 1008.15 (Requests for access to records: Initial decision) to update the fees charged by the Trust for processing Privacy Act requests. The Trust previously published its fees on December 2, 1998 in its Interim Compendium. Under this final rule, the Trust's Executive Director will set fees for processing these requests and will publish the fees on the Trust's website instead of the Interim Compendium. With these changes, the fees previously listed in § 1008.15 of the Interim Compendium will no longer be effective.

Revisions to 36 CFR Part 1009 (Administrative Claims Under the FTCA)

The Trust adopted FTCA regulations effective January 29, 1999. This final rule revises § 1009.4 (Payment of claims) by adding procedures the Trust uses to pay FTCA claims from its proceeds or revenues.

Revisions to 36 CFR Part 1011 (Debt Collection)

The Trust adopted debt collection regulations effective January 12, 2006. The Digital Accountability and Transparency Act of 2014 amended federal debt collection law to require