

authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace extending upward from 700 feet above the earth at Hunt Field, Lander, WY, to support IFR operations at the airport.

### History

The FAA published a notice of proposed rulemaking in the **Federal Register** (84 FR 28438; June 19, 2019) for Docket No. FAA-2019-0390 to establish Class E airspace extending upward from 700 feet above the surface at Hunt Field, Lander, WY. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation 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 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11C 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 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace extending upward from 700 feet above the surface at Hunt Field, Lander, WY, within a 7-mile radius of Hunt Field, Lander, WY, from the point that the 309° radial intersects the 7-mile radius clockwise to the point that the 140° radial intersects the 7-mile radius and that airspace 2 miles each side of the 50° radial from the 7-mile radius to 8.2 miles from the airport.

### 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, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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, will 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 is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### Adoption of 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 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

### **ANM WY E5 Lander, WY [New]**

Hunt Field, WY

(Lat. 42°48'55" N, long. 108°43'43" W)

That airspace extending upward from 700' above the surface of the earth within a 7-mile radius of Hunt Field, from the point that the 309° radial intersects the 7-mile radius clockwise to the point that the 140° radial intersects the 7-mile radius and that airspace 2 miles each side of the 50° radial from the 7-mile radius to 8.2 miles from the airport.

Issued in Seattle, Washington.

**Byron Chew,**

*Acting Group Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2019-19249 Filed 9-5-19; 8:45 am]

**BILLING CODE 4910-13-P**

### **CONSUMER PRODUCT SAFETY COMMISSION**

#### **16 CFR Part 1229**

[Docket No. CPSC-2015-0028]

### **Revisions to Safety Standard for Infant Bouncer Seats**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Direct final rule.

**SUMMARY:** In September 2017, the U.S. Consumer Product Safety Commission (CPSC) published a consumer product safety standard for infant bouncer seats under section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA). The standard incorporated by reference the ASTM voluntary standard that was in effect for infant bouncer seats at the time, with modified requirements for warning labels. ASTM has since revised the voluntary standard for infant bouncer seats. The CPSIA provides a process for when a voluntary standards organization updates a standard that the Commission incorporated by reference in a section 104 rule. Consistent with that process, this direct final rule revises the mandatory standard for infant bouncer seats to incorporate by reference the updated version of the ASTM standard.

**DATES:** The rule is effective on December 14, 2019, unless CPSC receives a significant adverse comment by October 7, 2019. If CPSC receives such a comment, it will publish a notice in the **Federal Register**, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is

approved by the Director of the Federal Register as of December 14, 2019.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC–2015–0028, by any of the following methods:

**Electronic Submissions:** Submit electronic comments to the Federal eRulemaking Portal at: [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments provided on the website. To ensure timely processing of comments, please submit all electronic comments through [www.regulations.gov](http://www.regulations.gov), rather than by email to CPSC.

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

**Instructions:** All submissions must include the agency name and docket number for this notice. CPSC may post all comments, without change, including any personal identifiers, contact information, or other personal information provided, to: <http://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, submit such information by mail, hand delivery, or courier.

**Docket:** For access to the docket to read background documents or comments, go to: <http://www.regulations.gov>, and insert the docket number, CPSC–2015–0028, into the “Search” box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:** Keysha Walker, Compliance Officer, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–6820; email: [kwalker@cpsc.gov](mailto:kwalker@cpsc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Background and Statutory Authority**

Section 104 of the CPSIA requires the Commission to assess the effectiveness of voluntary standards for durable infant or toddler products and adopt mandatory standards for these products. 15 U.S.C. 2056a(b)(1). The mandatory standard must be “substantially the same as” the voluntary standard, or may be “more stringent than” the voluntary standard, if the Commission determines that more stringent requirements would further reduce the risk of injury associated with the product. *Id.*

Under this authority, the Commission adopted a mandatory rule for infant

bouncer seats in 16 CFR part 1229. The rule incorporated by reference ASTM F2167–17, *Standard Consumer Safety Specification for Infant Bouncer Seats*, with more stringent requirements for the content and placement of warning labels. 82 FR 43470 (Sep. 18, 2017). At the time the Commission published the final rule, ASTM F2167–17 was the current version of the voluntary standard. ASTM has since revised the voluntary standard, adopting ASTM F2167–19.<sup>1</sup>

The CPSIA specifies the process for when a voluntary standards organization revises a standard that the Commission incorporated by reference in a section 104 rule. First, the voluntary standards organization must notify the Commission of the revision. Once the Commission receives this notification, the statute further provides that “the revised voluntary standard shall be considered to be a consumer product safety standard issued by the Commission under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), effective 180 days after the date on which the organization notifies the Commission (or such later date specified by the Commission in the **Federal Register**) unless, within 90 days after receiving that notice, the Commission notifies the organization that it has determined that the proposed revision does not improve the safety of the consumer product covered by the standard and that the Commission is retaining the existing consumer product safety standard.” 15 U.S.C. 2056a(b)(4)(B).

ASTM notified the Commission on June 17, 2019 that it had updated the infant bouncer seat standard. As this preamble discusses, the revised standard includes additional warning label content and placement requirements that are consistent with those in 16 CFR part 1229. Accordingly, the Commission is not determining that “the proposed revision does not improve the safety of the consumer product” and is not specifying a later effective date than that provided in the statute. Therefore, under the CPSIA, ASTM F2167–19 will become the mandatory standard for infant bouncer seats effective December 14, 2019, 180 days after CPSC received ASTM’s notice.

##### **B. Revised ASTM Standard**

The ASTM standard for infant bouncer seats includes performance requirements and test methods, as well as requirements for warning labels and

instructional literature, to address hazards to children associated with infant bouncer seats.

ASTM F2167–19 includes revised requirements for the content and visibility of on-product warning labels. It also includes editorial revisions that do not alter the substantive requirements or affect safety. As described below, the revisions in ASTM F2167–19 make the standard consistent with the more stringent requirements that the Commission included in 16 CFR part 1229. For this reason, the Commission concludes that the revised standard maintains the level of safety that the existing regulation provides. Because the Commission declines to determine that the revision “does not improve the safety” of infant bouncer seats, the revised ASTM standard will become the new CPSC standard.

The following are the revised portions of the ASTM standard, as well as a description of how they compare with the existing requirements in 16 CFR part 1229.

##### *1. Visibility of Warning Labels*

Section 7.11.3.1 in ASTM F2167–19 provides requirements for the visibility of warnings when an occupant is in the infant bouncer seat. It requires testers to place a CAMI dummy in the product, with restraints engaged, and verify whether the required warnings are unobscured by the dummy, and are visible above an imaginary horizontal line that crosses the torso of the dummy. The standard also provides a figure demonstrating this requirement. In addition, it includes a note stating that the warning placement requirement only applies to portions of the warning that are in English.

These requirements, and the accompanying figure, are consistent with the more stringent requirements that the Commission included in 16 CFR part 1229. The only difference is that 16 CFR part 1229 does not include the note that the visibility requirements only apply to the English portion of warning labels. CPSC staff is satisfied with this change because the warnings are only required to be in English (section 8.4.1).

Section 8.4.3 in the previous version of the standard, ASTM F2167–17, required that warnings be “conspicuous and permanent”; ASTM F2167–19 adds to that requirement that warnings also “comply with placement location where specified.” Although 16 CFR part 1229 does not include this additional language, it is consistent with CPSC’s regulation, which includes warning label visibility requirements.

<sup>1</sup> ASTM approved ASTM F2167–19 on May 1, 2019, and published it in June 2019.

## 2. Warning Label Content

Sections 8.5.1.1 and 8.5.2.1 in ASTM F2167–19 differ from the 2017 version of the ASTM standard by requiring an additional phrase in the warning statements that labels must address regarding fall hazards (8.5.1.1) and suffocation hazards (8.5.2.1). The previous standard, ASTM F2167–17, required as one part of these statements a warning to “ALWAYS use restraints. Adjust to fit snugly.” Under the revised standard, this portion of the warnings must indicate: “ALWAYS use restraints and adjust to fit snugly, even if baby falls asleep.” This revised wording is the same as the wording that 16 CFR part 1229 requires.

## 3. Editorial Revisions

ASTM F2167–19 also includes editorial revisions that do not affect the substantive requirements in the standard, or safety. These changes are discussed below.

Section 1.7 states a precautionary caveat about the safety concerns the standard addresses. In the previous version of the statement, the caveat instructed users to “establish appropriate safety and health practices”; ASTM F2167–19 revises this to instruct users to “establish appropriate safety, health, and environmental practices.”

Section 8.4.6.2 of ASTM F2167–19 corrects a previously omitted word by adding “preceded” to the requirement that warning statements be preceded by bullet points.

Sections 8.5.3, 9.2.1, and 9.2.2 revise the figure numbers referenced because the addition of the warning placement figure described above resulted in renumbering other figures in the standard.

## C. Direct Final Rule Process

In this notice, the Commission is updating the version of the ASTM standard incorporated by reference in 16 CFR part 1229 to reflect the revised standard that takes effect by operation of law under the CPSIA. The Commission is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA; 5 U.S.C. 551–559) generally requires agencies to provide notice of a rule and an opportunity for interested parties to comment on it, the APA provides an exception to this when an agency “for good cause finds” that notice and comment is “impracticable, unnecessary, or contrary to the public interest.” *Id.* 553(b), (c).

When the Commission updates a reference to an ASTM standard that the Commission has incorporated by reference into a rule under section 104

of the CPSIA, notice and the opportunity to comment is unnecessary. This is because, under the terms of the CPSIA, such an update automatically becomes CPSC’s mandatory standard, unless the Commission takes action to prevent it. 15 U.S.C. 2056a(b)(4)(B). With respect to ASTM F2167–19, the Commission is not taking action to prevent it from becoming the new mandatory standard. Therefore, the revised ASTM standard will become CPSC’s standard by operation of law. Moreover, the revised infant bouncer seats standard aligns with the Commission’s existing mandatory standard, effectively maintaining the same requirements. Public comments would not influence the substantive changes to the standard or the effect of the revised standard under section 104 of the CPSIA. Therefore, notice and comment are unnecessary.

The purpose of this direct final rule is to update the edition of the standard the regulation references, so that it accurately reflects the standard in effect under the statute. The Administrative Conference of the United States (ACUS) recommends that agencies use direct final rulemaking when the “unnecessary” prong of the good cause exemption in the APA applies. 60 FR 43108, 43111 (Aug. 18, 1995). With a direct final rule, the rule takes effect on the stated effective date, unless the agency receives an adverse comment within a specified time. This allows the agency to expedite noncontroversial rules, while still allowing for public comment. *Id.* at 43111. A direct final rule is appropriate here because the Commission believes this rule is noncontroversial and will not elicit significant adverse comments.

Unless CPSC receives a significant adverse comment within 30 days of this notice, the rule will become effective on December 14, 2019. Consistent with ACUS’s recommendation, the Commission considers a significant adverse comment to be “one where the commenter explains why the rule would be inappropriate, including challenges to the rule’s underlying premise or approach, or would be ineffective or unacceptable without change.” *Id.* at 43111.

If the Commission receives a significant adverse comment, it will publish a notice withdrawing this direct final rule before the effective date. Depending on the comment and other relevant considerations, the Commission may address the adverse comment in a subsequent direct final rule, or publish a notice of proposed rulemaking, providing an opportunity for public comments.

## D. Incorporation by Reference

Section 1229.2 of the direct final rule incorporates by reference ASTM F2167–19. The Office of the Federal Register (OFR) has regulations regarding incorporation by reference. 1 CFR part 51. These regulations require the preamble to a final rule to summarize the material and discuss the ways in which the material the agency incorporates by reference is reasonably available to interested parties, and how interested parties can obtain the material. 1 CFR 51.5(b).

In accordance with the OFR regulations, *B. Revised ASTM Standard* of this preamble summarizes the major provisions of the ASTM F2167–19 standard that the Commission incorporates by reference into 16 CFR part 1229. Interested parties may obtain a copy of ASTM F2167–19 from ASTM, through its website (<http://www.astm.org>), or by mail from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959. Alternatively, interested parties may inspect a copy of the standard at CPSC’s Division of the Secretariat.

## E. Certification

The Consumer Product Safety Act (CPSA; 15 U.S.C. 2051–2089) requires manufacturers of products that are subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, to certify that the product complies with all applicable CPSC requirements. 15 U.S.C. 2063(a). For children’s products, the manufacturer must base this certification on tests of a sufficient number of samples by a third party conformity assessment body accredited by CPSC to test according to the applicable requirements. *Id.* 2063(a)(2). These testing and certification requirements apply to products for which the Commission issues rules under CPSIA section 104, because they are consumer product safety standards. *See id.* 2056a(b).

Because infant bouncer seats are children’s products, a CPSC-accepted third party conformity assessment body must test samples of these products. These products also must comply with all other applicable CPSC requirements, such as the lead content requirements in section 101 of the CPSIA,<sup>2</sup> the phthalates prohibitions in section 108 of the CPSIA,<sup>3</sup> the tracking label requirements in section 14(a)(5) of the

<sup>2</sup> 15 U.S.C. 1278a.

<sup>3</sup> 15 U.S.C. 2057c.

CPSA,<sup>4</sup> and the consumer registration form requirements in section 104(d) of the CPSIA.<sup>5</sup>

#### F. Notice of Requirements

As discussed above, an accredited third party conformity assessment body must test children's products that are subject to a children's product safety rule for compliance with the applicable rule. 15 U.S.C. 2063(a)(2). The Commission must publish a notice of requirements (NOR) for third party conformity assessment bodies to obtain accreditation to assess conformity with a children's product safety rule. *Id.* 2063(a)(3)(A).

As the CPSA requires, the Commission published an NOR for accreditation of third party conformity assessment bodies for testing infant bouncer seats. 15 U.S.C. 2063(a)(3)(B)(vi); 82 FR 43470 (Sep. 18, 2017). The NOR provided the criteria and process for CPSC to accept accreditation of third party conformity assessment bodies for testing infant bouncer seats to 16 CFR part 1229. The NOR is listed in the Commission's rule, "Requirements Pertaining to Third Party Conformity Assessment Bodies" in 16 CFR part 1112.

The revised provisions regarding on-product warning labels in ASTM F2167–19 are consistent with the existing requirements in 16 CFR part 1229. Accordingly, the revisions do not create a significant change in the way that third party conformity assessment bodies test these products for compliance with the infant bouncer seats standard. Laboratories will begin testing to the new standard when ASTM F2167–19 goes into effect, and the existing accreditations that the Commission has accepted for testing to this standard will cover testing to the revised standard. Therefore, the existing NOR for this standard will remain in place, and CPSC-accepted third party conformity assessment bodies will need to update the scope of their accreditations to reflect the revised standard in the normal course of renewing their accreditations.

#### G. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA; 5 U.S.C. 601–612) requires agencies to consider the potential economic impact of a proposed and final rule on small entities, including small businesses, and prepare regulatory flexibility analyses. 5 U.S.C. 603, 604. The RFA applies when an agency is required to publish notice of a rulemaking. *Id.* As discussed in C.

*Direct Final Rules Process* of this preamble, the Commission has determined that notice and the opportunity to comment are unnecessary for this rule, and therefore, the Commission is not required to publish notice of this rulemaking because it falls under the good cause exception in the APA. *Id.* 553(b). Accordingly, the RFA does not apply to this rulemaking. Nevertheless, we note that this rule will have minimal economic impacts because it incorporates by reference a standard that is consistent with the existing mandatory requirements.

#### H. Paperwork Reduction Act

The current mandatory standard for infant bouncer seats includes requirements for labeling and instructional literature that constitute a "collection of information," as defined in the Paperwork Reduction Act (PRA; 44 U.S.C. 3501–3521). The revised mandatory standard does not substantively alter these requirements. The Commission took the steps required by the PRA for information collections when it adopted 16 CFR part 1229, including obtaining approval and a control number. Because the information collection is unchanged, the revision does not affect the information collection requirements or approval related to the standard.

#### I. The Congressional Review Act

The Congressional Review Act (CRA; 5 U.S.C. 801–808) states that, before a rule may take effect, the agency issuing the rule must submit the rule, and certain related information, to each House of Congress and the Comptroller General. 5 U.S.C. 801(a)(1). The submission must indicate whether the rule is a "major rule." The CRA states that the Office of Information and Regulatory Affairs (OIRA) determines whether a rule qualifies as a "major rule."

Pursuant to the CRA, OIRA designated this rule as not a "major rule," as defined in 5 U.S.C. 804(2). In addition, to comply with the CRA, the Office of the General Counsel will submit the required information to each House of Congress and the Comptroller General.

#### J. Environmental Considerations

CPSC's regulations list categories of agency actions that "normally have little or no potential for affecting the human environment." 16 CFR 1021.5(c). Such actions qualify as "categorical exclusions" under the National Environmental Policy Act (42 U.S.C. 4321–4370m–12), which do not require

an environmental assessment or environmental impact statement. One categorical exclusion listed in CPSC's regulations is for rules or safety standards that "provide design or performance requirements for products." 16 CFR 1021.5(c)(1). This rule falls within the categorical exclusion, so no environmental assessment or environmental impact statement is required.

#### K. Preemption

Under the CPSA, no state or political subdivision of a state may establish or continue in effect a requirement dealing with the same risk of injury as a Federal consumer product safety standard under the CPSA unless the state requirement is identical to the Federal standard. 15 U.S.C. 2075(a). However, states or political subdivisions of states may apply to CPSC for an exemption, allowing them to establish or continue such a requirement if the state requirement "provides a significantly higher degree of protection from [the] risk of injury" and "does not unduly burden interstate commerce." *Id.* 2075(c).

Section 104 of the CPSIA refers to the rules issued under that section as "consumer product safety standards," and states that a revised standard "is considered a consumer product safety standard issued by the Commission under section 9" of the CPSA. 15 U.S.C. 2056a(b)(1), (b)(4)(B). Accordingly, consumer product safety standards that the Commission creates or revises under CPSIA section 104 preempt state and local requirements in accordance with the preemption provisions in the CPSA.

#### L. Effective Date

When a voluntary standards organization revises a standard that the Commission adopted as a mandatory standard under section 104 of the CPSIA, the revised standard automatically becomes the new mandatory standard effective 180 days after the Commission receives notification. 15 U.S.C. 2056a(b)(4)(B). The Commission may prevent this automatic effective date by either publishing notice of a later effective date, or rejecting the revision. *Id.* The Commission is taking neither of those actions with respect to the standard on infant bouncer seats. The Commission believes that the statutory effective date is reasonable because the revised standard is consistent with the existing mandatory standard. Therefore, ASTM F2167–19 automatically will take effect as the new mandatory standard on December 14, 2019, 180 days after the

<sup>4</sup> 15 U.S.C. 2063(a)(5).

<sup>5</sup> 15 U.S.C. 2056a(d).

Commission received notice of the revision on June 17, 2019.

As a direct final rule, unless the Commission receives a significant adverse comment within 30 days of this notice and publishes a notice withdrawing this rule by the effective date, the rule will become effective on December 14, 2019.

#### List of Subjects in 16 CFR Part 1229

Consumer protection, Imports, Incorporation by reference, Infants and children, Labeling, Law enforcement, Toys.

For the reasons discussed in the preamble, the Commission amends 16 CFR part 1229 as follows:

#### PART 1229—SAFETY STANDARD FOR INFANT BOUNCER SEATS

- 1. The authority citation for part 1229 continues to read as follows:

**Authority:** Sec. 104, Public Law 110–314, 122 Stat. 3016 (15 U.S.C. 2056a).

- 2. Revise § 1229.2 to read as follows:

#### § 1229.2 Requirements for infant bouncer seats.

Each infant bouncer seat must comply with all applicable provisions of ASTM F2167–19, *Standard Consumer Safety Specification for Infant Bouncer Seats*, approved May 1, 2019. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy of this ASTM standard from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; [www.astm.org](http://www.astm.org). You may inspect a copy at the Division of the Secretariat, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814, telephone 301–504–7923, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

**Alberta E. Mills,**

Secretary, Consumer Product Safety Commission.

[FR Doc. 2019–19286 Filed 9–5–19; 8:45 am]

**BILLING CODE 6355–01–P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### 32 CFR Part 806b

[Docket ID: USAF–2019–HQ–0006]

RIN 0701–AA89

#### Privacy Act Program

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes DoD’s regulation concerning the Department of the Air Force Privacy Program. On April 11, 2019, the Department of Defense published a revised DoD-level Privacy Program rule, which contains the necessary information for an agency-wide privacy program regulation under the Privacy Act and now serves as the single Privacy Program rule for the Department. That revised Privacy Program rule also includes all DoD component exemption rules. Therefore, part 806b is now unnecessary and may be removed from the CFR.

**DATES:** This rule is effective on September 6, 2019.

#### FOR FURTHER INFORMATION CONTACT:

LaDonne White, 571–256–2515.

**SUPPLEMENTARY INFORMATION:** DoD now has a single DoD-level Privacy Program rule at 32 CFR part 310 (84 FR 14728) that contains all the codified information required for the Department. The Department of the Air Force program regulation at 32 CFR part 806b, “Privacy Act Program,” last updated on January 7, 2004 (69 FR 954), is no longer required and can be removed.

It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on the removal of policies and procedures that are either now reflected in another CFR part, 32 CFR 310, or are publicly available on the Department’s website. To the extent that the Department of the Air Force internal guidance concerning the implementation of the Privacy Act within the Department of the Air Force is necessary, it will continue to be published in “Air Force Privacy and Civil Liberties Program (AFI33–332),” available at [https://static.e-publishing.af.mil/production/1/saf\\_cio\\_a6/publication/afi33-332/afi33-332.pdf](https://static.e-publishing.af.mil/production/1/saf_cio_a6/publication/afi33-332/afi33-332.pdf) (14 Feb 2019).

This rule is one of 20 separate component Privacy rules. With the finalization of the DoD-level Privacy rule at 32 CFR part 310, the Department

is eliminating the need for this component Privacy rule, thereby reducing costs to the public as explained in the preamble of the DoD-level Privacy rule published on April 11, 2019, at 84 FR 14728–14811.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review.” Therefore, E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” does not apply.

#### List of Subjects in 32 CFR Part 806b

Privacy.

#### PART 806b—[REMOVED]

- Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 806b is removed.

**Bao-Anh Trinh,**

*Air Force Federal Register Liaison Officer.*

[FR Doc. 2019–19311 Filed 9–5–19; 8:45 am]

**BILLING CODE 5001–10–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2019–0712]

#### Safety Zone; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce a segment of the Safety Zone; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel on all waters of the South Branch of the Chicago River and the Chicago Sanitary and Ship Canal between the South Pulaski Road Bridge and the South Loomis Street Bridge in Chicago, Illinois on September 28, 2019. This action is necessary to protect spectators, participants, and vessels from the hazards associated with a crew regatta event. During the enforcement period listed below, entry into, transiting, or anchoring within the safety zone is prohibited unless specifically authorized by the Captain of the Port Lake Michigan or a designated representative.