

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****14 CFR Part 1212**

[Document Number NASA–22–072; Docket Number–NASA–2022–0004]

RIN 2700–AE66

**Social Security Number Fraud Prevention Act of 2017 Implementation****AGENCY:** National Aeronautics and Space Administration.**ACTION:** Final rule.

**SUMMARY:** The National Aeronautics and Space Administration (NASA) is finalizing amendments to its regulations under the Privacy Act. The revisions clarify and update procedural requirements on documents the Agency sends by mail which include Social Security numbers (SSNs). These revisions implement the Social Security Number Fraud Prevention Act of 2017 restricting the inclusion of SSNs on documents sent by mail by the Federal Government.

**DATES:** Effective December 22, 2022.**FOR FURTHER INFORMATION CONTACT:** Stayce Hoult, Office of the Chief Information Officer, 256–544–7705.**SUPPLEMENTARY INFORMATION:**

*Authority and Background:* The Social Security Number Fraud Prevention Act of 2017 (the Act) (Pub. L. 115–59; 42 U.S.C. 405 note), restricts Federal agencies from including individuals' SSNs on documents sent by mail, unless the head of the agency determines that the inclusion of the SSN on the document is necessary (section 2(a) of the Act). The Act requires agency heads to issue regulations specifying the circumstances under which inclusion of an SSN on a document sent by mail is necessary. These regulations, which must be issued no later than five years after the date of enactment, shall include instructions for the partial redaction of SSNs where feasible, and shall require that SSNs not be visible on the outside of any package sent by mail (section 2(b) of the Act).

*Discussion of Public Comments Received:* NASA published a proposed rule in the **Federal Register** at 87 FR 46908 on August 1, 2022, to amend to its regulations at 14 CFR part 1212, subpart 1212.6. The Agency received one comment from an individual that expressed the importance of keeping SSNs safe to prevent fraud, one comment from an individual that expressed the importance of continuously updating and clarifying all revisions pertaining to SSNs because citizens value and expect privacy, and

one comment from an individual who provided information about Social Security income that is not related to this rule. As no significant issues or questions were raised by the commenters, NASA is issuing this final rule with no changes from the version proposed in August.

**Regulatory Analysis****Executive Order 12866, Regulatory Planning and Review, and Executive Order 13563, Improving Regulation and Regulatory Review**

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits of reducing costs, harmonizing rules, and promoting flexibility. This final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and was not reviewed by the Office of Management and Budget.

**Review Under the Regulatory Flexibility Act**

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires an agency to prepare an initial regulatory flexibility analysis to be published at the time the final rule is published. This requirement does not apply if the agency “certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities” (5 U.S.C. 605(b)). This final rule does not have any economic impact on small entities.

**Review Under the Paperwork Reduction Act**

This final rule does not contain any information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**Review Under Executive Order of 13132**

Executive Order 13132, “Federalism,” 64 FR 43255 (August 4, 1999), requires regulations be reviewed for federalism effects on the institutional interest of states and local governments, and, if the effects are sufficiently substantial, preparation of the Federal assessment is required to assist senior policy makers. The amendments will not have any direct effects on state and local governments within the meaning of the

Executive order. Therefore, no federalism assessment is required.

**List of Subjects in 14 CFR Part 1212**

Privacy, Privacy Act.

For reasons discussed in the preamble, NASA amends 14 CFR part 1212 as follows:

**PART 1212—PRIVACY ACT—NASA REGULATIONS**

■ 1. The authority citation for part 1212 is revised to read as follows:

**Authority:** 51 U.S.C. 20101 *et seq.*; 5 U.S.C. 552a; Pub. L. 115–59, 131 Stat. 1152 (42 U.S.C. 405 note).

■ 2. In § 1212.604, add paragraph (c) to read as follows:

**§ 1212.604 Social security numbers.**

\* \* \* \* \*

(c) When sending physical mail, NASA will adhere to the following:

(1) Social Security account numbers shall not be visible on the outside of any package sent by mail.

(2) A document sent by mail may only include the Social Security account number of an individual if it is determined by the Administrator that the inclusion of a Social Security account number is necessary.

(3) The inclusion of a Social Security account number of an individual on a document sent by mail is necessary when—

(i) Required by law; or  
(ii) Necessary to identify a specific individual and no adequate substitute is available.

(4) Social Security account numbers must be partially redacted in documents sent by mail whenever feasible.

**Nanette Smith,***Team Lead, NASA Directives and Regulations.*

[FR Doc. 2022–25239 Filed 11–21–22; 8:45 am]

**BILLING CODE P****DEPARTMENT OF COMMERCE****Census Bureau****15 CFR Part 90**

[Docket Number: 221116–0242]

RIN 0607–AA57

**Resumption of the Population Estimates Challenge Program****AGENCY:** Census Bureau, Department of Commerce.**ACTION:** Final rule.

**SUMMARY:** The Bureau of the Census (Census Bureau) is resuming the

Population Estimates Challenge Program to provide eligible governmental units the opportunity to file requests for the review of population estimates for 2021 and subsequent years in forthcoming estimates series, beginning with the Vintage 2022 series that is scheduled to be published in 2023. This document lifts the stay of the Population Estimates Challenge Program regulations. This document does not implement revisions to the program or its requirements. The Census Bureau has published a proposed rule elsewhere in this issue of the **Federal Register** announcing the program's current requirements and soliciting comments about how the program might be improved.

**DATES:** Effective on November 22, 2022.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information should be directed to Amel Toukabri, Chief, Local Government Estimates and Migration Processing Branch, 301-763-2461, and [POP.Challenge@census.gov](mailto:POP.Challenge@census.gov).

**SUPPLEMENTARY INFORMATION:** The Census Bureau typically prepares, in most years between decennial censuses, statistical estimates of the number of people residing in states and their governmental units. Under 15 CFR part 90, "Procedure for Challenging Population Estimates," the Census Bureau generally provides general-purpose governmental units the opportunity to seek a review of these estimates by providing additional data to the Census Bureau's Population Estimates Program as evidence relating to the accuracy of the estimates. In most years, a general-purpose governmental unit may file a challenge to its population estimate any time up to 90 days after the release of the estimate by the Census Bureau on its website. The Census Bureau, upon receipt of appropriate documentation to support the challenge, will attempt to resolve the discrepancy with the governmental unit in a timely manner.

With this publication, the Census Bureau provides notice that it is now resuming the Population Estimates Challenge Program to provide eligible governmental units the opportunity to challenge population estimates for 2021 and subsequent years in forthcoming estimates series, beginning with the Vintage 2022 series that is scheduled to be published in 2023.

Previously, the Census Bureau published a final rule on January 9, 2020, in the **Federal Register** (85 FR 1100) to announce that it would temporarily suspend the Population Estimates Challenge Program to accommodate the taking of the 2020 Census. This suspension ensured that

the Bureau could allocate sufficient resources to conduct and complete the 2020 decennial census, including time for the Census Bureau's Population Division staff to effectively review and evaluate the 2020 Census results, and to assist with other important post-Census activities, including the development of the 2020 Demographic Analysis estimates of net coverage error and expediting the dissemination of the Vintage 2020 estimates products for use as a benchmark in 2020 Census evaluations.

The Census Bureau has previously suspended the Population Estimates Challenge Program around the time of other censuses, and the program is typically resumed when staff assigned to decennial census-related work complete those assignments and become available to reinstate and support the operation of the Population Estimates Challenge Program. For example, the Population Estimates Challenge Program was suspended in 2010 in support of work pertaining to the 2010 Census and then resumed in 2013.<sup>1</sup>

The Census Bureau had planned to resume the Population Estimates Challenge Program in 2022; however, those efforts were delayed as a result of significant and unexpected changes to the operational schedule for the 2020 Census, which were primarily caused by the effects of the COVID-19 pandemic and related mitigation measures.<sup>2</sup> Most notably, 2020 Census field operations were interrupted and delayed due to lockdown orders and health concerns which prevented data collection activities from proceeding on their original schedule. For example, the Nonresponse Followup Operation was originally scheduled for May 13, 2020, to July 31, 2020, but the actual dates for the operation were July 16, 2020, to October 15, 2020.

The Population Estimates Program depends on the decennial census data to serve as the starting point (or estimates base) for each new decade of annual population estimates. The schedule changes described above translated into significant and unexpected delays for processing of the 2020 Census data and the subsequent availability of data files required to research and develop the April 1, 2020 estimates base for the 2021 estimates series known as "Vintage 2021." These files only became available for use by the Population

Estimates Program on June 24, 2021, instead of the originally projected date of January 25, 2021. The resulting work leveraging these files to develop population estimates for subcounty geographies was completed on April 7, 2022, instead of the originally projected completion in early fall 2021. The methodology that is used to create the estimates informs what components of the estimates are subject to challenge. As a result, the supporting materials for the Population Estimates Challenge Program, such as the Review Guide for the Population Estimates Challenge Program, could not be finalized until the method to develop the estimates of population for subcounty geographies had been completed to ensure that the materials made available feature current methodologies and input data requirements. Once it became clear that the amount of time remaining to reinstate the Population Estimates Challenge Program for the Vintage 2021 estimates series was insufficient, the timeline for resuming the program was updated on the Census Bureau's website, in February 2022.<sup>3</sup>

The Census Bureau will resume accepting challenges to the population estimates as of November 22, 2022. At that time, states, counties, and other units of general-purpose government may initiate challenges to population estimates under the procedures set forth in 15 CFR part 90. The Census Bureau will accept challenges to the estimates for 2021 and subsequent years in forthcoming estimates series, beginning with the Vintage 2022 series that is scheduled to be published in March and May of 2023. Challenges to previous estimates series will not be accepted. *See* 15 CFR 90.6(a) ("A request for a challenge to a population estimate may be filed any time up to 90 days after the release of the estimate by the Census Bureau."). Although the Census Bureau has the discretion to accept untimely requests in certain circumstances, *see id.* § 90.6(b), this is not an appropriate circumstance to exercise such discretion, given the need to prioritize the agency's limited resources to prepare the forthcoming 2022 estimates, and to ensure that sufficient resources and program materials are available to support the operation of the Challenge Program and the evaluation of future challenges received.

**Classification**

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

<sup>1</sup> Resumption of the Population Estimates Program, 78 FR 255 (January 3, 2013) (to be effective on February 4, 2013). <https://www.federalregister.gov/d/2012-31598>.

<sup>2</sup> <https://www.census.gov/programs-surveys/decennial-census/decade/2020/planning-management/operational-adjustments.html>.

<sup>3</sup> <https://www.census.gov/programs-surveys/popest/about/challenge-program.html>.

*Executive Order 13132*: It has been determined that this rule does not contain policies with federalism implications as that term is defined in E.O. 13132.

*Administrative Procedure Act*: The provisions of the Administrative Procedure Act (APA) requiring prior notice and opportunity for public comment are inapplicable under 5 U.S.C. 553(b)(B) because prior notice and opportunity for public comment is impracticable, unnecessary, and contrary to the public interest, given the agency's desire and ability to restart this program after an extended period of suspension to accommodate the decennial census and COVID-19-related delays. The Population Estimates Challenge Program is routinely suspended during decennial census operations in order to ensure that resources within the Population Division are allocated toward reviewing and evaluating the decennial census results. This rule only resumes the suspended program. This rule does not implement revisions to the program or its requirements. Furthermore, there is good cause to waive the thirty-day delay in effective date pursuant to 5 U.S.C. 553(d)(3), as this rule does not burden any regulated entity, including state and local governments such as county, city, town, or village. Moreover, allowing an additional thirty days before challenges is not practicable since entities have expected the return of the Population Estimates Challenge Program.

*Regulatory Flexibility Act*:

Because a notice of proposed rulemaking and an opportunity for public comment are not required for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

Robert L. Santos, Director, Census Bureau, approved the publication of this rule in the **Federal Register**.

**List of Subjects in 15 CFR Part 90**

Administrative practice and procedure, Census data, State and local governments.

**PART 90—PROCEDURE FOR CHALLENGING POPULATION ESTIMATES**

■ For the reason stated in the preamble, and under the authority of 13 U.S.C. 4 and 181, the stay of 15 CFR part 90 is lifted effective November 22, 2022.

Dated: November 17, 2022.

**Shannon Wink**,

*Program Analyst, Policy Coordination Office, U.S. Census Bureau.*

[FR Doc. 2022-25413 Filed 11-21-22; 8:45 am]

**BILLING CODE 3510-07-P**

**CONSUMER PRODUCT SAFETY COMMISSION**

**16 CFR Part 1460**

[Docket No. CPSC-2015-0006]

**Children's Gasoline Burn Prevention Act Regulation**

**AGENCY**: Consumer Product Safety Commission.

**ACTION**: Direct final rule.

**SUMMARY**: The Children's Gasoline Burn Prevention Act (CGBPA or the Act) mandated, as a consumer product safety rule, the child-resistance requirements for closures on portable gasoline containers published in the voluntary standard, ASTM F2517-05. ASTM F2517 was revised in 2015 and 2017, and the U.S. Consumer Product Safety Commission (CPSC) allowed those revisions to become mandatory pursuant to the Act. On September 1, 2022, the Commission received notice that ASTM F2517 has been revised again. In this direct final rule, the Commission evaluates the revised ASTM F2517-22e1 standard and finds that the revisions carry out the purposes of the CGBPA. Accordingly, pursuant to the Act, the 2022 revisions to the child-resistance requirements of ASTM F2517 will be incorporated into the mandatory standard for closures on portable gasoline containers. This direct final rule updates the Commission's regulation to reflect that the requirements for closures on portable gasoline containers must meet the requirements in ASTM F2517-22e1.

**DATES**: The rule is effective on December 22, 2022, unless CPSC receives a significant adverse comment by December 7, 2022. 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 22, 2022.

**ADDRESSES**: You can submit comments, identified by Docket No. CPSC-2015-0006, 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. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. CPSC typically does not accept comments submitted by electronic mail (email), except as described below.

*Mail/hand delivery/courier/confidential Written Submissions*: CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal. You may, however, submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7479.

*Instructions*: All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: [www.regulations.gov](http://www.regulations.gov). If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

*Docket*: For access to the docket to read background documents or comments received, go to: [www.regulations.gov](http://www.regulations.gov), and insert the docket number, CPSC-2015-0006, into the "Search" box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT**: Julio A. Alvarado, Office of Compliance and Field Operations, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814-4408; telephone (301) 504-7418; [jalvarado@cpsc.gov](mailto:jalvarado@cpsc.gov).

**SUPPLEMENTARY INFORMATION**:

**A. Background**

The CGBPA was enacted on July 17, 2008. Section 2(b) of the Act requires that each portable gasoline container manufactured on or after January 17, 2009, for sale in the United States, "shall conform to the child-resistance requirements for closures on portable gasoline containers specified in the standard ASTM F2715-05," *Standard Specification for Determination of Child Resistance of Portable Fuel Containers for Consumer Use*. CGBPA, Public Law 110-278; 122 Stat. 2602, Sec. 2(b) (July 17, 2008), codified as a note to 15 U.S.C. 2056. ASTM F2715-05 established requirements for determining the child