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 would amend Class E airspace at Taos Regional Airport, Taos, NM.

History

On March 7, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify Class E airspace extending upward from 700 feet above the surface at Taos Regional Airport, Taos, NM (81 FR 11695). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received from Mr. Robert Pigott, Aeronautical Information Services, requesting clarification of the overlapping 1,200 foot airspace to the west of Taos Regional Airport. This airspace existed prior to the proposed amendment and was not changed by the amendment. The 1,200 foot airspace exists to protect the departures and climb out requirements to the west due to high terrain east of the airport and allows departing aircraft to reach controlled airspace, and was developed in accordance with FAA Joint Order 7400.2K, Procedures for Handling Airspace Matters. The FAA found no reason to change the 1,200 foot airspace at this time.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9Z, dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The Class 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class E airspace extending upward from 700 feet above the surface at Taos Regional Airport, Taos, NM. After review, the FAA found that with the decommissioning of NDBs, removal of NDB approaches, and implementation of area navigation (RNAV) instrument approaches the extension to the northwest from the 6.5-mile radius to 9.4 miles of the Class E airspace extending upward from 700 feet above the surface was no longer requires in accordance with airspace requirements specified in FAA Joint Order 7400.2K.

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, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015, is amended as follows:

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

* * * * *

ASW NM E5 Taos, NM [Amended]

Taos Regional Airport, NM
(Lat. 36°27′29″ N., long. 105°40′21″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Taos Regional Airport; and that airspace extending upward from 1,200 feet above the surface beginning at lat. 36°07′00″ N., long. 105°47′42″ W., thence via the 21.3-mile arc of Taos Regional Airport clockwise to lat. 36°48′00″ N., long. 105°47′35″ W., thence to lat. 36°30′00″ N., long. 105°30′02″ W., thence to the point of beginning.

Issued in Fort Worth, Texas, on May 18, 2016.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2016–12639 Filed 5–31–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–0525; Airspace Docket No. 16–AGL–1]

Amendment of Class E Airspace for the Following South Dakota Towns; Belle Fourche, SD; Madison, SD; Mobrigde, SD; and Vermillion, SD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace extending upward from 700 feet above the surface at Belle Fourche Municipal Airport, Belle Fourche, SD; Madison Municipal Airport, Madison, SD; Mobridge Municipal Airport, Mobridge, SD; and Harold Davidson Field, Vermillion, SD. The

decommissioning of non-directional radio beacons (NDB) and/or cancellation of NDB approaches due to advances in Global Positioning System (GPS) capabilities have made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at the above airports.

DATES: Effective 0901 UTC, September 15, 2016. 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 7400.9 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/*. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC, 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.9Z at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the 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 amends Class E airspace at Belle Fourche Municipal Airport, Belle Fourche, SD; Madison Municipal Airport, Madison, SD; Mobridge Municipal Airport, Mobridge, SD; and Harold Davidson Field, Vermillion, SD.

History

On February 17, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify Class E airspace extending upward from 700 feet above the surface at Belle Fourche Municipal Airport, Belle Fourche, SD; Madison Municipal Airport, Madison, SD; Mobridge Municipal Airport, Mobridge, SD; and Harold Davidson Field, Vermillion, SD (81 FR 8029). 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 7400.9Z, dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR part 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class E airspace extending upward from 700 feet above the surface at Belle Fourche Municipal Airport, Belle Fourche, SD; Madison Municipal Airport, Madison, SD; Mobridge Municipal Airport, Mobridge, SD; and Harold Davidson Field, Vermillion, SD. Airspace reconfiguration is necessary due to the decommissioning of NDBs and/or the cancellation of the NDB approach at each airport. As a result of advances in GPS capabilities, controlled airspace is redesigned for the safety and management of the standard instrument approach procedures for IFR operations at the airports.

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, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 Feet or More Abovethe Surface of the Earth

* * * * *

AGL SD E5 Belle Fourche, SD [Amended]

Belle Fourche Municipal Airport, SD
(Lat. 44°44′04″ N., long. 103°51′43″ W.)

That airspace extending upward from 700 feet above the surface within an 6.4-mile

radius of Belle Fourche Municipal Airport, and within 1 mile each side of the 142° bearing from Belle Fourche Municipal Airport extending from the 6.4 mile radius to 7 miles southeast of the airport.

* * * * *

AGL SD E5 Madison, SD [Amended]

Madison Municipal Airport, SD
(Lat. 44°00′59″ N., long. 97°05′08″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Madison Municipal Airport, and within 2 miles each side of the 334° bearing from the airport extending from the 6.5-mile radius to 10.5 miles northwest of the airport.

* * * * *

AGL SD E5 Mobridge, SD [Amended]

Mobridge Municipal Airport, SD
(Lat. 45°32′47″ N., long. 100°24′23″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Mobridge Municipal Airport.

* * * * *

AGL SD E5 Vermillion, SD [Amended]

Harold Davidson Field, SD
(Lat. 42°45′55″ N., long. 96°56′03″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Harold Davidson Field.

Issued in Fort Worth, Texas, on May 18, 2016.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2016–12638 Filed 5–31–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

National Technical Information Service

15 CFR Part 1110

[Docket Number: 160511004–4999–04]

RIN 0692–AA21

Certification Program for Access to the Death Master File

AGENCY: National Technical Information Service, U.S. Department of Commerce.

ACTION: Final rule.

SUMMARY: The National Technical Information Service (NTIS) issues this final rule establishing a program through which persons may become eligible to obtain access to Death Master File (DMF) information about an individual within three years of that individual's death. This final rule supersedes and replaces the interim final rule that NTIS promulgated following passage of Section 203 of the Bipartisan Budget Act of 2013 to provide immediate and ongoing access to persons who qualified for temporary certification. The program established under this final rule contains some changes from the proposed rule published by NTIS.

DATES: This final rule is effective November 28, 2016.

FOR FURTHER INFORMATION CONTACT: Brian Lieberman, Senior Counsel for NTIS, at *blieberman@ntis.gov,* or by telephone at 703–605–6404. Information about the DMF made available to the public by NTIS may be found at *https://dmf.ntis.gov.*

SUPPLEMENTARY INFORMATION:

Background

This final rule is promulgated under Section 203 of the Bipartisan Budget Act of 2013, Public Law 113–67 (Act), passed into law on December 26, 2013. The Act prohibits the Secretary of Commerce (Secretary) from disclosing DMF information during the three-calendar-year period following an individual's death (referred to as the ''Limited Access DMF,'' or ''LADMF''), unless the person requesting the information has been certified to access that information pursuant to certain criteria in a program that the Secretary establishes. The Act further requires the Secretary to establish a fee-based program to certify Persons for access to LADMF. In addition, it provides for penalties for Persons who receive or distribute LADMF without being certified or otherwise satisfying the requirements of the Act. The Secretary has delegated the authority to carry out Section 203 to the Director of NTIS.

The Act mandated that no person could receive LADMF without certification after March 26, 2014 (*i.e.,* 90 days from enactment of the Act). NTIS acted promptly to ensure that a suitable certification program was in place by that date, and to avoid interruption of access by legitimate users of the data. On March 3, 2014, NTIS published a Request for Information (RFI) and Advance Notice of Public Meeting on the Certification Program for Access to the Death Master File (79 FR 11735). NTIS held the public meeting, with webcast, on March 4, 2014. Written comments received in response to the RFI, and a transcription of oral comments submitted at the public meeting, may be viewed at *https://dmf.nist.gov.*

On March 26, 2014, NTIS published an interim final rule, ''Temporary Certification Program for Access to the Death Master File'' (interim final rule) (79 FR 16668). That rule codified an interim approach to implementing the Act's provisions pertaining to the certification program and the penalties for violating the Act, and set out an interim fee schedule for the program. NTIS published the interim final rule in order to provide a mechanism for Persons to access LADMF immediately on the effective date prescribed in the Act. Written comments received in response to the Interim Final Rule may be viewed at *http://www.regulations.gov.*

The preambles for both the RFI and the interim final rule set out the specific provisions of the Act, and also noted that several Members of Congress described their understanding of the purpose and meaning of Section 203 during Congressional debate on the Joint Resolution which became the Act. Citations to those Member statements were provided in the RFI, which also provided background on the component of the DMF, which originates from the Social Security Administration, covered by Section 203. The interim final rule was established to provide immediate access to the LADMF to those users who demonstrated a legitimate fraud prevention interest, or a legitimate business purpose for the information, and to otherwise delay the release of the LADMF to all other users, thereby reducing opportunities for identity theft and restricting information sources used to file fraudulent tax returns.

In addition, in December, 2014, NTIS issued an initial public draft of ''Limited Access Death Master File (Limited Access DMF) Certification Program Publication 100,'' (Publication 100), available at *https://dmf.ntis.gov.* Publication 100 is the NTIS security guideline document for persons certified under this final rule. Publication 100 sets forth suggested security controls, standards and protocols for the protection of LADMF in the possession of Certified Persons.

On December 30, 2014, NTIS published the proposed rule (79 FR 78314). The proposed rule introduced changes, clarifications and additions to the interim final rule, based in part upon comments received. For example, the proposed rule introduced a ''safe harbor'' provision, § 1110.103, which would exempt a Certified Person from penalty for disclosure of LADMF to another Certified Person. The proposed rule set forth a provision for review, assessment, audit and attestation of a Person's information and information security controls by independent, third party conformity assessment bodies. Section 1110.201 of the proposed rule would permit Certified Persons to provide the attestation of an ''Accredited Certification Body'' (as defined in § 1110.2) concerning the