

significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by § 251 of the Small Business Regulatory Enforcement Fairness Act of 1996 (as amended), 5 U.S.C. 804. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign based companies in domestic and export markets.

List of Subjects in 2 CFR Part 1800

Grant programs, Grants administration.

For reasons set forth in the preamble, NASA amends 2 CFR part 1800 as follows:

PART 1800—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS

■ 1. The authority citation for part 1800 continues to read as follows:

Authority: 51 U.S.C. 20113(e), Pub. L. 97–258, 96 Stat. 1003 (31 U.S.C. 6301 *et seq.*), and 2 CFR part 200.

§ 1800.3 [Amended]

■ 2. Amend § 1800.3, paragraph (d)(2) by removing the words “Procurement, Program Operations” and add in their place “the Chief Financial Officer, Policy”.

§ 1800.5 [Amended]

■ 3. Amend § 1800.5 by adding the acronym “(GCAM)” after the words “Grants and Cooperative Agreements Manual”.

§ 1800.6 [Removed and Reserved]

■ 4. Remove and reserve § 1800.6.

Subpart A—Acronyms and Definitions

■ 5. Amend § 1800.10 by adding in alphabetical order an entry for “GCAM Grants and Cooperative Agreements Manual” to read as follows:

§ 1800.10 Acronyms.

* * * * *

GCAM Grants and Cooperative Agreements Manual

* * * * *

■ 6. Amend § 1800.11, in paragraph (a) by revising the definition of “Minority Institutions (MIs)” to read as follows:

§ 1800.11 Definitions

(a) * * *

Minority Institutions (MIs) means an institution of higher education whose enrollment of a single minority or a combination of minorities (minority meaning American Indian, Alaskan Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other ethnic group under-represented in science and engineering.) exceeds 50 percent of the total enrollment, as defined by section 365(3) of the Higher Education Act (HEA) (20 U.S.C. 1067k(3)).

* * * * *

Subpart B—Pre-Federal Award Requirements and Contents of Federal Awards

■ 7. Revise § 1800.208 to read as follows:

§ 1800.208 Certifications and representations.

The certifications and representations for NASA may be found in Exhibit C of the GCAM. https://prod.nais.nasa.gov/pub/pub_library/srba.

■ 8. Revise § 1800.210 to read as follows:

§ 1800.210 Information contained in a Federal award.

NASA waives the requirement for the inclusion of indirect cost rates on any notice of Federal award for commercial firms with no cost sharing requirement. The terms and conditions for NASA may be found in Exhibit D of the GCAM. https://prod.nais.nasa.gov/pub/pub_library/srba.

Subpart C—Post Federal Award Requirements

■ 9. Revise § 1800.339 to read as follows:

§ 1800.339 Termination.

NASA reserves the ability to terminate a Federal award in accordance with § 200.338 through § 200.342 and as set forth in section D21 of the GCAM.

Appendix A to Part 1800 [Removed]

■ 10. Remove appendix A to part 1800.

Appendix B to Part 1800 [Removed]

■ 11. Remove appendix B to part 1800.

Cheryl E. Parker,

NASA Federal Register Liaison Officer.

[FR Doc. 2019–09569 Filed 5–8–19; 8:45 am]

BILLING CODE 7510–13–P

DEPARTMENT OF HOMELAND SECURITY

6 CFR Part 5

[Docket No. DHS–2018–0075]

Privacy Act of 1974: Implementation of Exemptions; Department of Homeland Security U.S. Immigration and Customs Enforcement-007 Criminal History and Immigration Verification (CHIVE) System of Records

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Final rule.

SUMMARY: The Department of Homeland Security (DHS) is issuing a final rule to amend its regulations to exempt portions of an updated and reissued system of records titled, “Department of Homeland Security/Immigration and Customs Enforcement-007 Criminal History and Immigration Verification (CHIVE) System of Records” from certain provisions of the Privacy Act. Specifically, the Department exempts portions of this system of records from one or more provisions of the Privacy Act because of criminal, civil, and administrative enforcement requirements.

DATES: This final rule is effective May 9, 2019.

FOR FURTHER INFORMATION CONTACT: For general questions please contact: Jordan Holz, (202–732–3300), Acting Privacy Officer, U.S. Immigration and Customs Enforcement, Washington, DC 20536. For privacy issues please contact: Jonathan R. Cantor (202–343–1717), Acting Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Homeland Security (DHS) U.S. Immigration and Customs Enforcement (ICE) published a notice of proposed rulemaking (NPRM) in the **Federal Register** (83 FR 20738, May 8, 2018) proposing to exempt portions of DHS/ICE–007 Criminal History and Immigration Verification (CHIVE) System of Records from one or more provisions of the Privacy Act because of criminal, civil, and

administrative enforcement requirements. This system of records was published concurrently in the **Federal Register** (83 FR 20844, May 8, 2018), and comments were invited on both the NPRM and SORN.

II. Public Comments

DHS received six comments on the NPRM and 92 on the SORN.

NPRM and SORN

DHS has reviewed the six comments received for the NPRM and the 92 comments for the SORN. Because the comments submitted for both the SORN and NPRM were similar in nature, DHS has summarized them based on the nature of the comment. The comments primarily discussed the following:

- Objecting to the Department of Health and Human Services (HHS) using immigration status as a factor in granting or denying an application for a potential Unaccompanied Alien Child (UAC) sponsor;
- Objecting to ICE's involvement in the UAC sponsor screening process by collecting information on potential UAC sponsors and other adult members of those sponsors' households, determining these individuals' immigration statuses, and sharing that information with HHS;
- Stating that this new process is not in the best interests of the child, and that children will be denied sponsors who could provide suitable living environments; and
- Objecting to the potential separation of families, when this would not be in the best interests of the child.

These comments pertain to ICE's involvement in the UAC sponsor screening process. In this process, ICE shares very limited information with HHS for a discrete purpose. Under its legal authority, ICE shares immigration status and limited criminal history information with HHS to inform an HHS determination whether to grant or deny a UAC sponsorship application.

Though this process involves the sharing of information, the comments received do not pertain to the Privacy Act exemptions proposed by DHS in this rulemaking. Therefore, DHS will implement the rulemaking as proposed.

List of Subjects in 6 CFR Part 5

Freedom of information, Privacy.

For the reasons stated in the preamble, DHS amends chapter I of title 6, Code of Federal Regulations, as follows:

PART 5—DISCLOSURE OF RECORDS AND INFORMATION

- 1. The authority citation for part 5 continues to read as follows:

Authority: 6 U.S.C. 101 *et seq.*; Pub. L. 107–296, 116 Stat. 2135; 5 U.S.C. 301. Subpart A also issued under 5 U.S.C. 552. Subpart B also issued under 5 U.S.C. 552a.

- 2. Amend appendix C to part 5 by adding paragraph 80 to read as follows:

Appendix C to Part 5—DHS Systems of Records Exempt From the Privacy Act

* * * * *

80. The DHS/ICE–007 Criminal History and Immigration Verification (CHIVe) System of Records consists of electronic and paper records and will be used by DHS and its components. The CHIVe System of Records is a repository of information held by DHS in connection with its several and varied missions and functions, including the enforcement of civil and criminal laws; investigations, inquiries, and proceedings thereunder; and national security and intelligence activities. The CHIVe System of Records contains information that is collected by, on behalf of, in support of, or in cooperation with DHS and its components and may contain personally identifiable information collected by other federal, state, local, tribal, foreign, or international government agencies. The Secretary of Homeland Security, pursuant to 5 U.S.C. 552a(j)(2), has exempted this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3) and (c)(4); (d); (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(4)(I), (e)(5), (e)(8); (f); and (g). Additionally, the Secretary of Homeland Security, pursuant to 5 U.S.C. 552a(k)(2), has exempted this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3); (d); (e)(1), (e)(4)(G), (e)(4)(H); and (f). Exemptions from these particular subsections are justified, on a case-by-case basis to be determined at the time a request is made, for the following reasons:

(a) From subsection (c)(3) and (4) (Accounting for Disclosures) because release of the accounting of disclosures could alert the subject of an investigation of an actual or potential criminal, civil, or regulatory violation to the existence of that investigation and reveal investigative interest on the part of DHS as well as the recipient agency. Disclosure of the accounting would therefore present a serious impediment to law enforcement efforts and/or efforts to preserve national security. Disclosure of the accounting would also permit the individual who is the subject of a record to impede the investigation, to tamper with witnesses or evidence, and to avoid detection or apprehension, which would undermine the entire investigative process. Information on a completed investigation may be withheld and exempt from disclosure if the fact that an investigation occurred remains sensitive after completion.

(b) From subsection (d) (Access and Amendment to Records) because access to the records contained in this system of records could inform the subject of an investigation of an actual or potential

criminal, civil, or regulatory violation to the existence of that investigation and reveal investigative interest on the part of DHS or another agency. Access to the records could permit the individual who is the subject of a record to impede the investigation, to tamper with witnesses or evidence, and to avoid detection or apprehension. Amendment of the records could interfere with ongoing investigations and law enforcement activities and would impose an unreasonable administrative burden by requiring investigations to be continually reinvestigated. In addition, permitting access and amendment to such information could disclose security-sensitive information that could be detrimental to homeland security.

(c) From subsection (e)(1) (Relevancy and Necessity of Information) because in the course of investigations into potential violations of federal law, the accuracy of information obtained or introduced occasionally may be unclear, or the information may not be strictly relevant or necessary to a specific investigation. In the interests of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of unlawful activity.

(d) From subsection (e)(2) (Collection of Information from Individuals) because requiring that information be collected from the subject of an investigation would alert the subject to the nature or existence of the investigation, thereby interfering with that investigation and related law enforcement activities.

(e) From subsection (e)(3) (Notice to Subjects) because providing such detailed information could impede law enforcement by compromising the existence of a confidential investigation or reveal the identity of witnesses or confidential informants.

(f) From subsections (e)(4)(G), (e)(4)(H), and (e)(4)(I) (Agency Requirements) and (f) (Agency Rules), because portions of this system are exempt from the individual access provisions of subsection (d) for the reasons noted above, and therefore DHS is not required to establish requirements, rules, or procedures with respect to such access. Providing notice to individuals with respect to existence of records pertaining to them in the system of records or otherwise setting up procedures pursuant to which individuals may access and view records pertaining to themselves in the system would undermine investigative efforts and reveal the identities of witnesses, and potential witnesses, and confidential informants.

(g) From subsection (e)(5) (Collection of Information) because with the collection of information for law enforcement purposes, it is impossible to determine in advance what information is accurate, relevant, timely, and complete. Compliance with subsection (e)(5) would preclude DHS agents from using their investigative training and exercise of good judgment to both conduct and report on investigations.

(h) From subsection (e)(8) (Notice on Individuals) because compliance would interfere with DHS's ability to obtain, serve, and issue subpoenas, warrants, and other law enforcement mechanisms that may be filed

under seal and could result in disclosure of investigative techniques, procedures, and evidence.

(j) From subsection (g) (Civil Remedies) to the extent that the system is exempt from other specific subsections of the Privacy Act.

Jonathan R. Cantor,

Acting Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2019-09598 Filed 5-8-19; 8:45 am]

BILLING CODE 9111-28-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2018-0703; Product Identifier 2018-NM-007-AD; Amendment 39-19630; AD 2019-08-09]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all The Boeing Company Model 747-8 and 747-8F series airplanes. This AD was prompted by reports of damaged vapor seals, block seals, and heat shield seals on the outboard pylons between the engine strut and aft fairing. This AD requires installing new aft fairing vapor seals, heatshield seals, heatshield seal retainers, block seals, and outboard lateral restraint access panels. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective June 13, 2019.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 13, 2019.

ADDRESSES: For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; internet <https://www.myboeingfleet.com>. You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0703.

Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0703; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, any comments received, and other information. The address for Docket Operations (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Christopher Baker, Aerospace Engineer, Propulsion Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3552; email: Christopher.R.Baker@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all The Boeing Company Model 747-8 and 747-8F series airplanes. The NPRM published in the **Federal Register** on August 3, 2018 (83 FR 38096). The NPRM was prompted by reports of damaged vapor seals, block seals, and heat shield seals on the outboard pylons between the engine strut and aft fairing. The NPRM proposed to require installing new aft fairing vapor seals, heatshield seals, heatshield seal retainers, block seals, and outboard lateral restraint access panels.

We are issuing this AD to address heat damage to the vapor seals between the engine strut and aft fairing. Such damage could allow flammable fluid leakage out of the aft fairing, which could result in an uncontrolled fire in the engine strut.

Comments

We gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Review Airplane Maintenance Records in Lieu of an Inspection

United Parcel Service (UPS) requested that operators be allowed to perform a records review to determine if the affected part number is installed in lieu of performing an inspection. UPS stated

that the records review will provide an equivalent level of safety. UPS stated that in accordance with paragraph (g)(2) of the proposed AD, it would be required to inspect all Model 747-8F airplanes within 4 years or 4,800 flight cycles after the AD effective date, whichever occurs first.

We agree with the commenter's request that a review of the airplane maintenance records is acceptable in lieu of an inspection if the part number of the part can be conclusively determined from that review. We have revised paragraph (g)(2) of this AD accordingly.

Request To Revise the Line Numbers in the Applicability Paragraph

Boeing requested we revise the proposed AD to address airplanes only specified in Boeing Alert Service Bulletin 747-54A2247, dated August 3, 2017, line numbers (L/Ns) 1420 through 1540, instead of all 747-8 and 747-8F series airplanes as specified in paragraph (c), "Applicability," of the proposed AD.

Boeing stated that airplanes not identified in Boeing Alert Service Bulletin 747-54A2247, dated August 3, 2017, L/Ns 1541 and on, were built and delivered from the Boeing factory with the correct parts. Boeing commented that the factory utilizes the approved Boeing Production System to maintain configuration control of the airplanes through delivery, and that the remainder of the Model 747-8 fleet is covered by Boeing Alert Service Bulletin 747-54A2247, dated August 3, 2017.

We disagree with the commenter's request. As we stated in the "Differences Between this Proposed AD and the Service Information" of the NPRM, the applicability in this AD does not refer to paragraph I. A., "Effectivity," of Boeing Alert Service Bulletin 747-54A2247, dated August 3, 2017. The service information does not contain a comprehensive list of the airplanes affected by the identified unsafe condition because the spare parts identified in paragraph (j) of this AD have been determined to be rotatable parts that are capable of being installed on all Model 747-8 and 747-8F series airplanes. Therefore, the applicability of this AD is all Model 747-8 and 747-8F series airplanes.

Additionally, there is the potential for previously delivered Model 747-8 and 747-8F airplanes having the affected spare parts installed during a repair of the aft fairing. Delivered airplanes with line numbers 1541 and on could have been exposed to the affected parts between delivery and as of the effective