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 removes the Class E airspace extending upward from 700 feet above the surface in Red Hook, NY, to support IFR operations in the area.

**History**

The FAA published a notice of proposed rulemaking in the **Federal Register** (86 FR 33584, June 25, 2021) for Docket No. FAA–2021–0472 to remove Class E airspace extending upward from 700 feet above the surface at Red Hook, NY, as Skypark Airport is abandoned and airspace is no longer required.

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 7400.11E, dated July 21, 2020, and effective September 15, 2020, 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic routes, and reporting points.

**The Rule**

The FAA is amending 14 CFR part 71 by removing Class E airspace extending upward from 700 feet above the surface at Skypark Airport, Red Hook, NY, as the airport has closed. Therefore, the airspace is no longer necessary. This action enhances the safety and management of controlled airspace within the national airspace system.

Subsequent to publication of the NPRM the FAA found the airport name was incorrectly identified as Skyhawk Airport. This action corrects this error.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**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. 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 minimal. Since this is a routine matter that only affects air traffic procedures an 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 5–6.5a. 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

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

* * * * *

**AEA NY E5 Red Hook, NY [Removed]**

Issued in College Park, Georgia, on September 1, 2021.

**Andreese C. Davis,**

*Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2021–19217 Filed 9–3–21; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF COMMERCE

## 15 CFR Part 4

**[Docket No. 210901–0175]**

**RIN 0605–AA46**

## Privacy Act of 1974; System of Records

**AGENCY:** U.S. Department of Commerce, Office of the Secretary.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Department of Commerce's (Department) regulations under the Privacy Act. The Privacy Act regulations are being updated to make technical changes to include a System of Records Notice, COMMERCE/DEPT–27, to the Department's regulations concerning Privacy Act general and specific exemptions.

**DATES:** This rule is effective September 7, 2021.

**ADDRESSES:** Departmental Privacy Act Officer, Office of Privacy and Open Government, Department of Commerce, 1401 Constitution Ave. NW, Mail Stop 61025, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Tahira Murphy, Departmental Privacy Act Officer, (202) 410–8075, Office of Privacy and Open Government, Department of Commerce, 1401 Constitution Ave. NW, Mail Stop 61025, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

This rule updates the Department of Commerce's (Department) regulations under the Privacy Act (5 U.S.C. 552a). In particular, the action amends the Department's Privacy Act regulations regarding applicable exemptions to reflect new Department-wide systems of records notices published since the last time the regulations were updated. The updates of the Privacy Act regulations in Title 15 of the Code of Federal Regulations, subpart B of part 4 incorporate changes to the language of the regulations in the following provisions: § 4.33 (General exemptions); and § 4.34 (Specific exemptions).

**Comments on the Proposed Rule**

The Office of the Secretary received three comments on the proposed rule (82 FR 56, January 3, 2017) that were within the scope of this rulemaking from members of the public. The comments on the proposed rule can be viewed and downloaded at the following link: *https://www.regulations.gov/document/DOC–2017–0003–0001/comment. No changes have been made to the regulatory text of the proposed rule in response to these three comments. The following are the comments and our corresponding responses.*

*Comment 1:* There should be no exemptions to the Freedom of Information Act (FOIA). It is in the best interest of the public to access Commerce information.

*Response:* This rulemaking has nothing to do with FOIA. The Privacy Act prohibits the disclosure of a record about an individual from a system of records absent the written consent of the individual unless the disclosure is pursuant to one of twelve statutory exceptions. However, the Privacy Act does provide individuals with a means by which to seek access to and amendment of their records and sets forth various agency record-keeping requirements.

*Comment 2:* Please include provision for each department that: Upon receipt of any request directed to one department falling in the purview of the other, that department's FOIA designee shall immediately re-direct and/or forward the request to the appropriate department AND advise sender of the action taken and to whom follow-up requests may be made; AND if the request is within 72 hours prior to any deadline which may apply to the request received, a seven-day extension shall automatically be granted for the original submission forwarded to the proper department.

*Response:* All FOIA requests are to be directed to *eFOIA@doc.gov* and will be distributed to the proper organization or individual for a response.

*Comment 3:* I was redirected to this website from an article who's title included the phrase ''A simple guide.'' Looking around I can see that this site and the information therein is anything but. I'm concerned with this administrations concerted effort at obfuscating and misdirecting from their continued efforts to take power away from the people and into the hands of the government and its corporate lobbyists. Naturally the Freedom of Information Act is of the utmost importance to the ability of the American people to discern a number of things concerning to them especially regarding the actions of our government and its corporate interests. So you can imagine that I find it disturbing when even this proposed rule is veiled in language the average American cannot understand. Please consider simplifying the language of proposed legislation so that the American People may adequately understand and comment on it.

*Response:* This revision does not prevent individuals from requesting information through a FOIA request. This rule revises the Department's Privacy Act regulations regarding applicable exemptions to reflect new Department-wide systems of records notices published since the last time the regulations were updated. Any questions regarding clarification should be addressed to the Department Privacy Act Officer.

**Changes Between the Proposed Rule and Final Rule**

This final rule makes no changes to the regulatory text of the proposed rule.

**Classification**

This final rule has been determined to be not significant for purposes of review under Executive Order 12866. In accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), the Chief Counsel for Regulation has reviewed this rule and certified that this regulation, if implemented, will not have a significant economic impact on a substantial number of small entities. This rule is procedural in nature, and, therefore, will not affect requesters. This regulation does not contain a collection of information as defined by the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.*

**List of Subjects in 15 CFR Part 4**

Appeals, Freedom of Information Act, Information, Privacy, Privacy Act.

**Jennifer Goode,**

*Deputy Director and Acting Director of Office of Privacy and Open Government, and Departmental Privacy Officer.*

For the reasons stated in the preamble, the Department of Commerce amends 15 CFR part 4 as follows:

## PART 4—DISCLOSURE OF GOVERNMENT INFORMATION

■ 1. The authority citation for part 4 continues to read as follows:

**Authority:** 5 U.S.C. 301; 5 U.S.C. 552; 5 U.S.C. 552a; 5 U.S.C. 553; 31 U.S.C. 3717; 44 U.S.C. 3101; Reorganization Plan No. 5 of 1950.

■ 2. Amend § 4.33 by adding paragraph (b)(5) to read as follows:

**§ 4.33 General exemptions.**

* * * * *

(b) * * *

(5) *Investigation and Threat Management Records*—COMMERCE/DEPT–27. Pursuant to *5* U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552a(b), (c)(l) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i). These exemptions are necessary to ensure the proper functioning of the law enforcement activity of the agency, to prevent disclosure of classified information as required by Executive Order 13526, to assure the protection of the President, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of information, and to avoid endangering these sources and law enforcement personnel.

■ 3. Amend § 4.34 by:

■ a. Revising paragraphs (a)(1), (b)(1), and paragraph (b)(2)(i) introductory text;

■ b. Adding paragraph (b)(2)(i)(G); and

■ c. Revising paragraph (b)(4)(i).

The addition and revisions read as follows:

**§ 4.34 Specific exemptions.**

(a)(1) Certain systems of records under the Act that are maintained by the Department may occasionally contain material subject to 5 U.S.C. 552a(k)(1), relating to national defense and foreign policy materials. The systems of records published in the **Federal Register** by the Department that are within this exemption are: COMMERCE/BIS–1, COMMERCE/ITA–2, COMMERCE/ITA–3, COMMERCE/NOAA–11, COMMERCE/PAT–TM–4, COMMERCE/DEPT–12, COMMERCE/DEPT–13, COMMERCE/DEPT–14, COMMERCE/DEPT–25, and COMMERCE/DEPT–27.

* * * * *

(b) * * *

(1) Exempt under 5 U.S.C. 552a(k)(1). The systems of records exempt hereunder appear in paragraph (a) of this section. The claims for exemption of COMMERCE/DEPT–12, COMMERCE/BIS–1, COMMERCE/NOAA–5, COMMERCE/DEPT–25, and COMMERCE/DEPT–27 under this paragraph are subject to the condition that the general exemption claimed in § 4.33(b) is held to be invalid.

* * * * *

(2)(i) Exempt under 5 U.S.C. 552a(k)(2). The systems of records

exempt (some only conditionally), the sections of the Act from which exempted, and the reasons therefor are as follows:

* * * * *

(G) Investigation and Threat Management Records—COMMERCE/DEPT–27, but only on condition that the general exemption claimed in § 4.33(b)(4) is held to be invalid;

* * * * *

(4)(i) Exempt under 5 U.S.C. 552a(k)(5 ). The systems of records exempt (some only conditionally), the sections of the Act from which exempted, and the reasons therefor are as follows:

(A) Applications to U.S. Merchant Marine Academy (USMMA)—COMMERCE/MA–1;

(B) USMMA Midshipman Medical Files—COMMERCE/MA–17;

(C) USMMA Midshipman Personnel Files—COMMERCE/MA–18;

(D) USMMA Non-Appropriated Fund Employees—COMMERCE/MA–19;

(E) Applicants for the NOAA Corps—COMMERCE/NOAA–I;

(F) Commissioned Officer Official Personnel Folders—COMMERCE/NOAA–3;

(G) Conflict of lnterest Records, Appointed Officials—COMMERCE/DEPT–3;

(H) Investigative and Inspection Records—COMMERCE/DEPT–12, but only on condition that the general exemption claimed in § 4.33(b)(3) is held to be invalid;

(I) Investigative Records—Persons within the Investigative Jurisdiction of the Department COMMERCE/DEPT–13;

(J) Litigation, Claims, and Administrative Proceeding Records—COMMERCE/DEPT–14;

(K) Access Control and Identity Management System—COMMERCE/DEPT–25, but only on condition that the general exemption claimed in § 4.33(b)(4) is held to be invalid; and

(L) Investigation and Threat Management Records—COMMERCE/DEPT–27, but only on condition that the general exemption claimed in § 4.33(b)(4) is held to be invalid.

* * * * *

[FR Doc. 2021–19315 Filed 9–3–21; 8:45 am]

**BILLING CODE 3510–17–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

### 21 CFR Part 610

**[Docket No. FDA–2021–N–0011]**

## Revision to Restrictions on Shipment or Use for Human Blood and Blood Components Exceptions; Technical Amendment

**AGENCY:** Food and Drug Administration, Department of Health and Human Services (HHS).

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Food and Drug Administration (FDA or we) is amending the biologics regulation to improve clarity and revise an incorrect citation. This action is being taken to ensure the accuracy and clarity of the biologics regulation.

**DATES:** This rule is September 7, 2021.

**FOR FURTHER INFORMATION CONTACT:** Myrna Hanna, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

**SUPPLEMENTARY INFORMATION:**

### I. Background

In the **Federal Register** of May 22, 2015 (80 FR 29842), FDA published a final rule entitled ''Requirements for Blood and Blood Components Intended for Transfusion or for Further Manufacturing Use'' (May 2015 final rule). In the May 2015 final rule, FDA amended § 610.40(h)(2)(vii) (21 CFR 610.40(h)(2)(vii)), which provides for exceptions to the restrictions on shipment or use of human blood and blood components. The May 2015 final rule included an incorrect regulatory citation in this provision.

### II. Description of the Technical Amendments

In § 610.40(h)(2)(vii), as amended by the May 2015 final rule, FDA inadvertently cited § 640.65(a)(2)(ii). The reference to § 640.65(a)(2)(ii) is an incorrect citation. Accordingly, FDA is removing the reference to § 640.65(a)(2)(ii). Additionally, to improve the clarity of the regulation, we are also amending § 610.40(h)(2)(vii) to replace the reference to § 640.65(b)(2)(i) through (iv) with a reference to § 640.65(b)(2)(ii) through (iv). This amendment aligns with the preamble of the May 2015 final rule, which stated that FDA was ''removing [the citation to] § 640.65(b)(2), and replacing it with the more precise citation to § 640.65(b)(2)(ii) through (b)(2)(iv)'' (May 2015 final rule, 80 FR 29842 at 29886). FDA notes that donor protein composition assessment under § 640.65(b)(2)(i) is required for plasmapheresis procedures irrespective of whether or not the syphilis screening requirements under § 640.65(b)(2)(ii) through (iv) are applicable.

### III. Notice and Public Comment

Publication of this document constitutes final action of these changes under the Administrative Procedure Act (5 U.S.C. 553). FDA has determined that this rulemaking meets the notice and comment exemption requirements in 5 U.S.C. 553(b)(3)(A) and (B). FDA has determined that notice and public comment are unnecessary because the amendments to the regulation provide only technical changes and are nonsubstantive.

### List of Subjects in 21 CFR Part 610

Biologics, Labeling, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act, 21 CFR part 610 is amended as follows:

## PART 610—GENERAL BIOLOGICAL PRODUCTS STANDARDS

■ 1. The authority citation for part 610 continues to read as follows:

**Authority:** 21 U.S.C. 321, 331, 351, 352, 353, 355, 360, 360c, 360d, 360h, 360i, 371, 372, 374, 381; 42 U.S.C. 216, 262, 263, 263a, 264.

■ 2. In § 610.40, revise paragraph (h)(2)(vii) to read as follows:

**§ 610.40 Test requirements.**

* * * * *

(h) * * *

(2) * * *

(vii) You may use Source Plasma from a donor who tests reactive by a screening test for syphilis as required under § 640.65(b)(1)(i) of this chapter, if the donor meets the requirements of § 640.65(b)(2)(ii) through (iv) of this chapter.

Dated: August 31, 2021.

**Lauren K. Roth,**

*Acting Principal Associate Commissioner for Policy.*

[FR Doc. 2021–19220 Filed 9–3–21; 8:45 am]

**BILLING CODE 4164–01–P**