

(a) Applicability

This AD applies to Model A109S helicopters, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as detachment of an internal arrangement lower cabin liner. This condition could result in damage to a main rotor blade and subsequent loss of control of the helicopter.

(c) Effective Date

This AD becomes effective September 5, 2017.

(d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(e) Required Actions

Within 15 hours time-in-service, revise Section 1 Limitations of the AgustaWestland Model A109S Rotorcraft Flight Manual (RFM) by inserting a copy of this AD into the RFM or by making pen-and-ink changes to add the information in Figure 1 to paragraph (e) of this AD.

FIGURE 1 TO PARAGRAPH (e)

Flight with either one or both passenger cabin sliding doors opened or removed is prohibited if Internal Arrangement P/N 109-0814-21-101 is installed.

Flight with either one or both passenger cabin sliding doors opened is prohibited if passenger door modification P/N 109-0814-35 is not installed.

Flight with one or both passenger cabin sliding doors opened is allowed only with the doors locked.

V_{NE} with any passenger cabin sliding door opened or removed: 75 KIAS.

Maximum airspeed for passenger cabin sliding doors opening or closing: 50 KIAS.

IFR operation is prohibited with any door opened or removed.

(f) Credit for Previous Actions

Incorporating the changes contained in AgustaWestland A109S RFM, Document No. 109G0040A013, Issue 2, Revision 3, dated April 23, 2015, into Section 1 of the RFM before the effective date of this AD is considered acceptable for compliance with this AD.

(g) Special Flight Permits

Special flight permits are prohibited.

(h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Section, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy, Fort Worth, TX 76177; telephone (817) 222-5110; email 9-ASW-FTW-AMOC-Requests@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office, before operating any aircraft complying with this AD through an AMOC.

(i) Additional Information

(1) AgustaWestland A109S RFM Document No. 109G0040A013, Issue 2, Revision 3, dated April 23, 2015, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact AgustaWestland, Product Support Engineering, Via del Gregge, 100, 21015 Lonate Pozzolo (VA) Italy, ATTN: Maurizio D'Angelo; telephone 39-0331-664757; fax 39 0331-664680; or at <http://www.agustawestland.com/technical-bulletins>. You may review a copy of the service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177.

(2) The subject of this AD is addressed in European Aviation Safety Agency (EASA) AD

No. 2015-0227, dated November 19, 2015. You may view the EASA AD on the Internet at <http://www.regulations.gov> in Docket No. FAA-2017-0142.

(j) Subject

Joint Aircraft Service Component (JASC) Code: 2500, Cabin Equipment/Furnishings.

Issued in Fort Worth, Texas, on July 25, 2017.

Scott A. Horn,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2017-16144 Filed 7-31-17; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2017-0210; Airspace Docket No. 17-AGL-10]

Amendment of Class D and E Airspace; Kenosha, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class D airspace, Class E airspace designated as a surface area, and Class E airspace extending upward from 700 feet above the surface, and removes Class E airspace designated as an extension of Class D airspace at Kenosha Regional Airport, Kenosha, WI. This action is required due to the decommissioning of the Kenosha VHF omnidirectional range (VOR), which provided navigation guidance for portions of the affected routes. This action enhances the safety and management of instrument flight rules (IFR) operations at the airport.

Also, the airport name and geographic coordinates are adjusted in the Class E airspace extending upward from 700 feet above the surface.

DATES: Effective 0901 UTC, October 12, 2017. 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 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, 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 7400.11A at NARA, call (202) 741-6030, or go to http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.

FAA Order 7400.11, 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 modifies Class D airspace, Class E airspace designated as a surface area, and Class E airspace extending upward from 700 feet above the surface, and removes Class E airspace designated as an extension of Class D airspace at Kenosha Regional Airport, Kenosha, WI.

History

On May 19, 2017, the FAA published in the **Federal Register** (82 FR 22922) Docket No. FAA-2017-0210, a notice of proposed rulemaking (NPRM) to modify Class D airspace, Class E airspace designated as a surface area, and Class E airspace extending upward from 700 feet above the surface, and remove Class E airspace designated as an extension of Class D airspace at Kenosha Regional Airport, Kenosha, WI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Subsequent to publication, the FAA determined that the exclusionary language contained in the Class E airspace extending upward from 700 feet above the surface airspace description is no longer required and has been removed in this action. Additionally, a typographical error was made in the geographic coordinates for the airport in the Class E airspace extending upward from 700 feet above the surface airspace description and has been corrected in this action.

Except for the changes noted above, this final rule is the same as published in the NPRM.

Class D and E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class D and 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 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A 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 the Class D airspace to within a 4.2-mile radius (increased from a 4.1-mile radius) of Kenosha Regional Airport, Kenosha, WI;

Modifies the Class E airspace designated as a surface area to within a 4.2-mile radius (increased from a 4.1-mile radius) of Kenosha Regional Airport, and removes the Kenosha VOR and the 7-mile extension northeast of the airport;

Removes the Class E airspace designated as an extension to Class D airspace at Kenosha Regional Airport; and

Modifies the Class E airspace extending upward from 700 feet above the surface to within a 6.7-mile radius (reduced from a 7-mile radius) of Kenosha Regional Airport (formerly Kenosha Municipal Airport), with an extension from the Kenosha Localizer to 10 miles west of the localizer, and updates the name and geographic coordinates of the airport to coincide with the FAA's aeronautical database.

Airspace reconfiguration is necessary due to the decommissioning of the Kenosha VOR and to bring the airspace in compliance with FAA Order JO 7400.2L, Procedures for Handling Airspace Matters, at this airport. Controlled airspace is necessary for the safety and management of standard instrument approach procedures for IFR operations at the airport.

Additionally, this action replaces the outdated term Airport/Facility Directory with the term Chart Supplement in the Class D and Class E surface area airspace legal descriptions.

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 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AGL WI D Kenosha, WI [Amended]

Kenosha Regional Airport, WI
(Lat. 42°35'45" N., long. 87°55'40" W.)

That airspace extending upward from the surface to and including 3,200 feet within a 4.2-mile radius of Kenosha Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective

date and time will thereafter be continuously published in the Chart Supplement.

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*Paragraph 6002 Class E Airspace
Designated as Surface Areas.*

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AGL WI E2 Kenosha, WI [Amended]

Kenosha Regional Airport, WI
(Lat. 42°35'45" N., long. 87°55'40" W.)

That airspace extending upward from the surface to and including 3,200 feet within a 4.2-mile radius of Kenosha Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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*Paragraph 6004 Class E Airspace Area
Designated as an Extension of Class D
Airspace.*

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AGL WI E4 Kenosha, WI [Removed]

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

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AGL WI E5 Kenosha, WI [Amended]

Kenosha Regional Airport, WI
(Lat. 42°35'45" N., long. 87°55'40" W.)
Kenosha Localizer
(Lat. 42°36'04" N., long. 87°55'11" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Kenosha Regional Airport, and within 9.9 miles north and 5.9 miles south of a 246° bearing from the Kenosha Localizer to 10 miles west of the Kenosha Localizer.

Issued in Fort Worth, Texas, on July 24, 2017.

Walter Tweedy,

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

[FR Doc. 2017-16098 Filed 7-31-17; 8:45 am]

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DEPARTMENT OF JUSTICE

28 CFR Part 16

[CPCLO Order No. 007-2017]

Privacy Act of 1974; Implementation

AGENCY: Federal Bureau of Investigation, United States Department of Justice.

ACTION: Final rule.

SUMMARY: The Federal Bureau of Investigation (FBI), a component of the United States Department of Justice (DOJ or Department), is issuing a final rule to amend its Privacy Act exemption regulations for the system of records

titled, "Next Generation Identification (NGI) System," JUSTICE/FBI-009, last published in full on May 5, 2016. Specifically, the FBI exempts the records maintained in JUSTICE/FBI-009 from one or more provisions of the Privacy Act. The listed exemptions are necessary to avoid interference with the Department's law enforcement and national security functions and responsibilities of the FBI. This document addresses public comments on the proposed rule.

DATES: This final rule is effective August 31, 2017.

FOR FURTHER INFORMATION CONTACT: Roxane M. Panarella, Assistant General Counsel, Privacy and Civil Liberties Unit, Office of the General Counsel, FBI, Washington DC, telephone 304-625-4000.

SUPPLEMENTARY INFORMATION:

Background

In 1990, the FBI published in the **Federal Register** a System of Records Notice (SORN) for the FBI system of records titled, "Identification Division Records System," JUSTICE/FBI-009. JUSTICE/FBI-009 evolved into the "Fingerprint Identification Records System (FIRS)," also referred to as the "Integrated Automated Fingerprint Identification System (IAFIS)," published at 61 FR 6386 (February 20, 1996), which covered individuals arrested or incarcerated, individuals applying for Federal employment or military service, registered aliens or naturalized citizens, and individuals wishing to place their fingerprints on record for personal identification purposes. The FIRS SORN included the following records:

- A. Criminal fingerprint cards and/or related criminal justice information submitted by authorized agencies having criminal justice responsibilities;
- B. Civil fingerprint cards submitted by Federal agencies and civil fingerprint cards submitted by persons desiring to have their fingerprints placed on record for personal identification purposes;
- C. Identification records sometimes referred to as "rap sheets" which are compilations of criminal history information pertaining to individuals who have criminal fingerprint cards maintained in the system; and
- D. A name index pertaining to all individuals whose fingerprints are maintained in the system.

As the system expanded, records continued to fall within the general categories of records specified in the SORN. As a policy matter, however, and in an effort to better detail the enhancements made to the system, the

FBI and DOJ determined that JUSTICE/FBI-009 should be modified to more fully describe the features and capabilities of the system, which has since been renamed the Next Generation Identification (NGI) System. Important enhancements to the NGI System include the increased retention and searching of fingerprints obtained for the purposes of licensing, employment, obtaining government benefits, and biometric services such as improved latent fingerprint searching and face recognition technology. Leading up to the publication of the modified SORN and a Notice of Proposed Rulemaking (NPRM) for the NGI System, the FBI conducted a series of Privacy Impact Assessments that detailed the steps taken by the FBI to fully assess the privacy impacts of new and modified NGI System components, addressing potential risks and mitigation techniques.

On May 5, 2016, the FBI issued a Notice of a Modified System of Records for the NGI System in the **Federal Register** at 81 FR 27284 (May 5, 2016), and an NPRM at 81 FR 27288 (May 5, 2016). In determining whether to claim exemptions, the FBI did not simply rely on exemptions granted to the predecessor system of records, but thoroughly evaluated the NGI System and its various components to determine whether exemptions were necessary. The necessary exemptions were proposed in the NPRM along with supporting rationales, and are to be codified in accordance with the issuance of this final rule.

Response to Public Comments

In its NGI System NPRM and Notice of a Modified System of Records, published on May 5, 2016, the Department invited public comment. The comment periods for both documents were originally set to close on June 6, 2016, but were extended 30 days to allow interested individuals additional time to analyze the proposal and prepare their comments. The FBI received over 100 comments and letters from individuals, and from non-government, public interest, civil liberties, non-profit, and academic organizations. The FBI has closely reviewed and considered these comments. The following discussion is provided to respond to the NPRM comments and provide greater insight into the FBI's assessment of the need to claim exemptions from certain provisions of the Privacy Act for the NGI System.

Many questions and comments were received concerning the breadth and scope of the exemptions claimed. As