

number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The FAA has determined that this airspace action of amending RNAV route Q-15 between Las Vegas, NV and Phoenix, AZ qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action

is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**Q-15 NABOR, AZ to LOMIA, NV [Amended]**

NABOB, AZ	Fix	(Lat. 34°19'40.60" N, long. 111°18'53.90" W)
CHILY, AZ	WP	(Lat. 34°42'48.61" N, long. 112°45'42.27" W)
DOVEE, NV	WP	(Lat. 35°26'51.07" N, long. 114°48'00.94" W)
SOTOO, NV	WP	(Lat. 36°17'22.55" N, long. 116°13'14.12" W)
HOZZ, NV	WP	(Lat. 36°36'43.75" N, long. 116°36'37.60" W)
FUULL, NV	WP	(Lat. 37°16'52.93" N, long. 117°10'13.96" W)
SKANN, NV	WP	(Lat. 37°22'52.68" N, long. 117°15'54.53" W)
LOMIA, NV	WP	(Lat. 39°13'11.57" N, long. 119°06'22.95" W)

\* \* \* \* \*

Issued in Washington, DC, on April 20, 2022.

**Scott M. Rosenbloom,**

*Manager, Airspace Rules and Regulations.*

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**BILLING CODE 4910-13-P**

**SOCIAL SECURITY ADMINISTRATION**

**20 CFR Part 401**

[Docket No. SSA-2018-0012]

**RIN 0960-AI31**

**Anti-Fraud System**

**AGENCY:** Social Security Administration.  
**ACTION:** Final rule.

**SUMMARY:** We previously published a notice of a modified system of records entitled Anti-Fraud (AF) System. Because this system contains some investigatory material compiled for law enforcement purposes, this rule exempts those records within this system of records from specific provisions of the Privacy Act.

**DATES:** This final rule is effective May 31, 2022.

**FOR FURTHER INFORMATION CONTACT:** Melissa Feldhan, Supervisory

Government Information Specialist, SSA, Office of Privacy & Disclosure, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, Phone: (410) 966-5855, for information about this rule. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our internet site, Social Security Online, at <http://www.socialsecurity.gov>.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 11, 2020, we published a Notice of Proposed Rulemaking (NPRM) in the **Federal Register**<sup>1</sup> in which we proposed to add the AF System to the list of SSA systems that are exempt from specific provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). We also published a related System of Records Notice on the same day.<sup>2</sup> The AF System is an agency-wide and overarching system that includes the ability to detect, prevent, and mitigate fraud in our programs. The AF System collects and maintains personally identifiable information, which assists us in identifying suspicious or potentially fraudulent

<sup>1</sup> 85 FR 79963.  
<sup>2</sup> 85 FR 80211.

**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 14 CFR 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 JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

*Paragraph 2006 United States Area Navigation Routes.*

\* \* \* \* \*

activities performed by individuals across all of the agency's programs and service delivery methods. We established the AF System to support our goal of enhancing SSA's fraud prevention and detection activities by protecting the public's data, providing secure online services, and increasing payment accuracy.

This final rule adds the AF System to the list of SSA systems that are exempt from specific provisions of the Privacy Act due to the investigatory nature of information that is maintained in this system.

**Public Comments and Discussion**

In the NPRM, we provided a 30-day comment period, which ended on January 11, 2021. We received three comments. Of these three comments, we did not post two; one was blank and the other was unrelated to our proposal, fraud, and the AF System. We posted one comment because it related to fraud. The commenter expressed that we should check up on people who are collecting payments for a long period and said that checks must be signed by only the intended recipient. This comment did not address any specific parts of our proposal.

After careful consideration, we are adopting this final rule.

**Regulatory Procedures****Executive Order 12866, as Supplemented by Executive Order 13563**

We consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the criteria for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563.

We also determined that this final rule meets the plain language requirement of Executive Order 12866.

**Executive Order 13132 (Federalism)**

We analyzed this final rule in accordance with the principles and criteria established by Executive Order 13132, and we determined that the final rule will not have sufficient Federalism implications to warrant the preparation of a Federalism assessment. We also determined that this final rule will not preempt any State law or State regulation or affect the States' abilities to discharge traditional State governmental functions.

**Executive Order 12372 (Intergovernmental Review)**

The regulations effectuating Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this final rule.

**Regulatory Flexibility Act**

We certify that this final rule will not have a significant economic impact on a substantial number of small entities because it affects individuals only. Therefore, the Regulatory Flexibility Act, as amended, does not require us to prepare a regulatory flexibility analysis.

**Paperwork Reduction Act**

This final rule does not create any new or affect any existing collections and, therefore, does not require Office of Management and Budget approval under the Paperwork Reduction Act.

**List of Subjects in 20 CFR Part 401**

Administrative practice and procedure, Privacy.

The Acting Commissioner of the Social Security Administration, Kilolo Kijakazi, having reviewed and approved this document, is delegating the authority to electronically sign this document to Faye I. Lipsky, who is the primary **Federal Register** Liaison for

SSA, for purposes of publication in the **Federal Register**.

Faye I. Lipsky,

*Federal Register Liaison, Office of Legislation and Congressional Affairs, Social Security Administration.*

For the reasons stated in the preamble, we are revising subpart B of part 401 of title 20 of the Code of Federal Regulations as set forth below:

**PART 401—PRIVACY AND DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION****Subpart B—[Amended]**

■ 1. The authority citation for subpart B of part 401 continues to read as follows:

**Authority:** Secs. 205, 702(a)(5), 1106, and 1141 of the Social Security Act (42 U.S.C. 405, 902(a)(5), 1306, and 1320b–11); 5 U.S.C. 552 and 552a; 8 U.S.C. 1360; 26 U.S.C. 6103; 30 U.S.C. 923.

■ 2. In § 401.85, add paragraph (b)(2)(ii)(H) to read as follows.

**§ 401.85 Exempt systems.**

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) \* \* \*

(H) Anti-Fraud System, SSA.

\* \* \* \* \*

[FR Doc. 2022–09089 Filed 4–27–22; 8:45 am]

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**DEPARTMENT OF DEFENSE****Defense Acquisition Regulations System****48 CFR Part 212**

[Docket DARS–2020–0044]

RIN 0750–AL19

**Defense Federal Acquisition Regulation Supplement: Commercial Item Determinations (DFARS Case 2020–D033)**

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National Defense Authorization Act for Fiscal Year 2018 that allows a contract for an item using Federal Acquisition Regulation (FAR) part 12 procedures to serve as a prior commercial item determination.

**DATES:** Effective April 28, 2022.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jeanette Snyder, 571–372–6106.

**SUPPLEMENTARY INFORMATION:****I. Background**

DoD published a proposed rule in the **Federal Register** at 84 FR 65322 on November 27, 2019, DFARS Case 2019–D029, to implement sections 877 and 878 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 (Pub. L. 114–328) and further implement section 848 of the NDAA for FY 2018 (Pub. L. 115–91). DoD published a second proposed rule at 85 FR 74636 on November 23, 2020, DFARS Case 2020–D033, to further implement section 848 of the NDAA for FY 2018 due to substantial statutory changes made after the issuance of the first proposed rule under DFARS Case 2019–D029. Comments received in response to DFARS Case 2019–D029 were addressed in the second proposed rule, DFARS Case 2020–D033.

Section 848 modified 10 U.S.C. 2380(b) to provide that a contract for an item using FAR part 12 procedures shall serve as a prior commercial item determination, unless the appropriate official determines in writing that the use of such procedures was improper or that it is no longer appropriate to acquire the item using commercial item acquisition procedures. On January 1, 2021, 10 U.S.C. 2380(b) was redesignated as 10 U.S.C. 2380(c) in accordance with section 816 of the NDAA for FY 2021 (Pub. L. 116–283). Three respondents submitted comments in response to the proposed rule for DFARS Case 2020–D033.

This final rule does not replace the term “commercial item” with “commercial product” and/or “commercial service” in accordance with section 836 of the NDAA for FY 2019 (Pub. L. 115–232). This change is addressed in DFARS Case 2018–D066, which implements section 836.

**II. Discussion and Analysis**

DoD reviewed the public comments in the development of the final rule. A discussion of the comments and the changes made to the rule are provided, as follows:

**A. Summary of Significant Changes From the Proposed Rule**

No changes are made in the final rule as a result of public comments.

**B. Analysis of Public Comments****1. Exceptions to Implementation**

*Comment:* A respondent suggested adding examples of what “other evidence” at DFARS 212.102(a)(ii)