

under its time and attendance procedures.

(b) Except as provided in paragraph (c) of this section, an employee may accumulate only the amount of religious compensatory time off needed to cover an approved absence for a religious observance that has already occurred or to cover an approved absence for a future religious observance. An employee may only accumulate the amount of religious compensatory time off needed to cover the specific dates and times for which the employee has submitted a request for religious compensatory time off under § 550.1004.

(c) If the employee does not use his or her earned religious compensatory time off as planned—

(1) The positive balance of unused compensatory time off may be redirected toward a future religious observance that has been approved, even if that future observance is more than 13 pay periods after the compensatory time off was originally earned (notwithstanding § 550.1006(b)); and

(2) The employee may not earn any additional religious compensatory time off until the retained amount of religious compensatory time off has been used or the need to earn additional religious compensatory time off has been properly established and documented.

(d) Accumulated religious compensatory time off that is not used as planned is not subject to time limits for usage. Unused religious compensatory time off hours remain to the employee's credit until used (subject to the agency's approval under § 550.1005), or the employee's separation or transfer (subject to § 550.1008), as applicable.

#### **§ 550.1008 Employee separation or transfer.**

(a) Upon an employee's separation from Federal service or transfer to another Federal agency, the losing agency must compensate the employee for any positive balance of earned religious compensatory time off to his or her credit. The agency must pay the employee for hours of earned religious compensatory time off at the hourly rate of basic pay in effect at the time religious compensatory time off was earned.

(b) For an employee who has a negative balance of religious compensatory time off upon an employee's separation from Federal service or transfer to another Federal agency, the losing agency may take corrective action to eliminate or reduce

the negative balance by making a corresponding reduction in the employee's balance of annual leave, earned credit hours, compensatory time off in lieu of regular overtime pay, compensatory time off for travel, or time-off awards. An agency may determine the order of precedence for applying the various types of paid time off to offset the negative balance. Any negative balance of religious compensatory time off remaining after any charging of these types of paid time off must be resolved by charging the employee leave without pay, which would result in an indebtedness that is subject to the agency's internal debt collection procedures.

(c) For purposes of applying paragraphs (a) and (b) of this section, an hourly rate of basic pay is computed by dividing the annual rate of basic pay by 2,087 hours (or 2,756 hours for firefighter hours subject to that divisor under subpart F of this part).

#### **§ 550.1009 Relationship to premium pay and overtime work.**

The premium pay provisions for overtime work in subpart A of this part and section 7 of the Fair Labor Standards Act of 1938, as amended (FLSA), do not apply to overtime work performed by an employee that is used to earn religious compensatory time off under this subpart. The overtime hours worked to earn religious compensatory time off under this subpart do not create an entitlement to premium pay (including overtime pay) under subpart A of this part or FLSA overtime pay under 5 CFR part 551. Religious compensatory time off is not considered in applying the premium pay limitations described in §§ 550.105, 550.106, and 550.107.

#### **§ 550.1010 Transitional provisions.**

(a) This section applies only with respect to employees who as of May 29, 2019 had a positive balance of earned but unused religious compensatory time off hours or a negative balance (*i.e.*, a debt) of used religious compensatory time off hours not yet repaid by earned hours.

(b) If an employee described in paragraph (a) of this section has a negative balance (*i.e.*, a debt) of used but not-yet-earned religious compensatory time off hours as of the date specified in paragraph (a) of this section, the 13 pay period limitation in § 550.1006(c) is applied as if such date were the date on which the hours of religious compensatory time off were used.

(c) If an employee described in paragraph (a) of this section has a positive balance of earned but unused

religious compensatory time off hours as of the date specified in paragraph (a) of this section, the agency must confirm and document that the hours are connected to one or more specific religious observances requiring the employee's absence from work in order to meet the employee's personal religious requirements. The agency must give the employee an opportunity to direct all unused hours to such a future religious observance. If the employee does not so direct all of those unused hours, the employee may not earn any additional religious compensatory time off hours until the employee establishes a need to earn such time off hours.

#### **Subpart M—Firefighter Pay**

■ 4. The authority citation for subpart M of part 550 continues to read as follows:

**Authority:** 5 U.S.C. 5545b, 5548, and 5553.

■ 5. In § 550.1302, paragraph (2)(iii) of the definition of “firefighter” is revised to read as follows:

#### **§ 550.1302 Definitions.**

\* \* \* \* \*

*Firefighter* \* \* \*

(2) \* \* \*

(iii) Covered by the General Schedule and classified in the GS-0099, General Student Trainee Series (as required by § 362.203(f) of this chapter), if the position otherwise would be classified in the GS-0081 series.

\* \* \* \* \*

[FR Doc. 2019-08533 Filed 4-26-19; 8:45 am]

**BILLING CODE 6325-39-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **6 CFR Part 5**

[Docket No. DHS-2019-0006]

### **Privacy Act of 1974: Implementation of Exemptions; Department of Homeland Security/ALL-018 Administrative Grievance Records**

**AGENCY:** Privacy Office, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** The Department of Homeland Security (DHS) is giving concurrent notice of an updated reissued system of records pursuant to the Privacy Act of 1974 for the “Department of Homeland Security/ALL-018 Administrative Grievance Records” System of Records and this final rule. This system of records covers all current and former DHS employees, except for employees of the Office of the Inspector General

(OIG), who have submitted grievances under DHS's Administrative Grievance System or in accordance with a negotiated grievance procedure. In this final rule, the Department removes all exemptions previously applied to this system of records.

**DATES:** This final rule is effective April 29, 2019.

**FOR FURTHER INFORMATION CONTACT:** For general and privacy questions, please contact: Jonathan R. Cantor, (202) 343-1717, [Privacy@hq.dhs.gov](mailto:Privacy@hq.dhs.gov), Acting Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528-0655.

**SUPPLEMENTARY INFORMATION:** In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, DHS modifies a current DHS system of records titled, "DHS/ALL-018 Grievances, Appeals, and Disciplinary Action Records System of Records," last published October 17, 2008. The system of records is now renamed "DHS/ALL-018 Administrative Grievance Records." This system of records covers all current and former DHS employees, except for employees of the OIG, who have submitted grievances under DHS's Administrative Grievance System or in accordance with a negotiated grievance procedure. The records are maintained and used by the Department to resolve employee concerns about working conditions, the administration of collective bargaining agreements, employee/supervisor relations, work processes, or other similar issues. The name and scope of this modified system of records has been changed. Further, this system has been modified in an effort to not duplicate other DHS and government-wide SORNs. This updated SORN is published elsewhere in this issue of the **Federal Register**.

DHS is issuing this final rule to remove all exemptions previously applied to this system. This will provide individuals with greater access to administrative grievance records than previously provided. The previously issued final rule for this SORN, found at 74 FR 42576 (August 24, 2009), will no longer be in effect once this new final rule is issued.

These regulations are being published as a final rule because the amendment does not impose any requirements or adverse impacts on any member of the public. This amendment is the most efficient means for DHS to implement its internal requirements for complying with the Privacy Act.

Pursuant to the administrative procedure provisions in 5 U.S.C. 553, DHS finds good cause that notice and other public procedure with respect to

this rule are unnecessary and finds good cause for making this rule effective on the date of publication in the **Federal Register**. DHS finds good cause because (a) this updated SORN narrows the scope of records previously applied, since it no longer covers records of disciplinary actions, appeals, or misconduct; (b) such records removed by the existing SORN are already covered by an existing SORN depending on the type of inquiry, action, or appeal (e.g., DHS/ALL-020 Department of Homeland Security Internal Affairs, OPM/GOVT-1 General Personnel Records; OPM/GOVT-3 Records of Adverse Actions, Performance Based Reduction in Grade and Removal Actions, and Termination of Probationers; EEOC/GOVT-1 Equal Employment Opportunity in the Federal Government Complaint and Appeal Records; and MSPB/GOVT-1 Appeals and Case Records); and (c) and exemptions will no longer apply to this updated SORN, thereby providing individuals with greater access to administrative grievance records than previously provided. As a result, no new requirements, restrictions, or adverse impacts are imposed on any member of the public.

In accordance with Executive Order 12866, it has been determined that this rule is not a "significant regulatory action" and, therefore, does not require a Regulatory Impact Analysis.

The regulation will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

In accordance with the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), DHS has determined that this rule will not impose new record-keeping, application, reporting, or other types of information collection requirements.

#### List of Subjects in 6 CFR Part 5

Classified information, Courts, Freedom of information, Government employees, Privacy.

For the reasons stated in 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.

### Appendix C to Part 5 [Amended]

■ 2. Amend appendix C by removing and reserving paragraph 16.

**Jonathan R. Cantor,**

*Acting Chief Privacy Officer, Department of Homeland Security.*

[FR Doc. 2019-08596 Filed 4-26-19; 8:45 am]

**BILLING CODE 9110-9B-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 21

[Docket No. FAA-2018-0379]

#### Airworthiness Criteria: Special Class Airworthiness Criteria for the Yamaha Fazer R

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of issuance of airworthiness criteria.

**SUMMARY:** The FAA announces airworthiness criteria for a special class of aircraft, the Yamaha Motor Corporation, U.S.A., model Fazer R, which is an unmanned aircraft system. It designates airworthiness criteria found by the FAA to provide an equivalent level of safety to existing standards.

**DATES:** These airworthiness design criteria are effective May 29, 2019.

**FOR FURTHER INFORMATION CONTACT:** Mr. Quentin Coon, AIR-692, Federal Aviation Administration, Policy and Innovation Division, Small Airplane Standards Branch, Aircraft Certification Service, 901 Locust, Room 301, Kansas City, MO 64106, telephone (816) 329-4168, facsimile (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Background

Yamaha Motor Corporation, U.S.A. (Yamaha) applied to the FAA on April 28, 2017 for special class type certification under Title 14, Code of Federal Regulations (14 CFR) 21.17(b) for the Fazer R Unmanned Aircraft System (UAS). The Fazer R UAS (Fazer R) consists of the Unmanned Aircraft (UA), flight transmitter ground control