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DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket No. EERE–2013–BT–STD–0009]

RIN 1904–AC96

Energy Conservation Program for Consumer Products: Test Procedures for Residential Furnaces and Boilers; Correction

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final rule; technical correction.

SUMMARY: On July 10, 2013 the U.S. Department of Energy (DOE) published a final rule in the **Federal Register** that amended the test procedure for residential furnaces and boilers (78 FR 41265). Due to drafting errors, that document incorrectly redesignated several subsections in section 10 of the DOE test procedure regulation for those products in the Code of Federal Regulations (CFR). This final rule corrects those errors and updates related cross-references to reflect the revised section numbers in section 10.

DATES: *Effective Date:* August 30, 2013. The incorporation by reference of certain publications listed in the regulations was approved by the Director of the Federal Register as of November 10, 1997.

FOR FURTHER INFORMATION CONTACT:

Ms. Ashley Armstrong, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–2J, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–6590. Email: *residential_furnaces_and_boilers@ee.doe.gov.*

Mr. Eric Stas, U.S. Department of Energy, Office of the General Counsel, GC–71, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–9507. Email: *Eric.Stas@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On July 10, 2013, DOE's Office of Energy Efficiency and Renewable Energy published a test procedure final rule in the **Federal Register** titled, ''Test Procedures for Residential Furnaces and Boilers'' (hereafter referred to as the ''July 2013 final rule''). 78 FR 41265. Since the publication of that final rule, it has come to DOE's attention that, due to a technical oversight, a certain part of the July 2013 final rule incorrectly redesignated the numbering of subsections within section 10 of DOE's test procedure regulations for residential furnaces and boilers found at 10 CFR, part 430, subpart B, Appendix N, ''Uniform Test Method for Measuring the Energy Consumption of Furnaces and Boilers.'' In addition, the July 2013 final rule did not include instructions to update the cross-references within Appendix N to reflect the renumbered subsections. During the development of amended test procedure for residential furnaces and boilers, DOE did not intend to redesignate the sections as indicated on page 41272 of the July 2013 final rule, and did intend to update the cross-references within Appendix N to reflect the appropriate section renumbering. Instead, these incorrect redesignations were the result of drafting errors in the final rule. Today's final rule corrects these errors by appropriately redesignating the subsections within section 10 of Appendix N and updating the internal cross-references in Appendix N to reflect the revised subsection numbering.

II. Need for Correction

As published, the identified provisions in section 10 of 10 CFR part 430, subpart B, Appendix N will potentially result in confusion regarding how to correctly conduct DOE's residential furnaces and boilers test procedure. It was clearly not DOE's intention to change or eliminate additional sections beyond those explicitly cited for revision. At no place in the July 2013 final rule (or in the February 4, 2013 notice of proposed rulemaking that preceded it (78 FR 7681)) did DOE discuss such modifications. These were inadvertent changes. Because today's final rule would simply effectuate the intended and proper renumbering of the relevant regulatory provisions without making substantive changes to those provisions, the changes addressed in this document are technical in nature. Accordingly, DOE finds that there is good cause under 5 U.S.C. 553(b)(B) to not issue a separate notice to solicit public comment on the changes contained in this document. Issuing a separate notice to solicit public comment would be impractical, unnecessary, and contrary to the public interest.

III. Procedural Requirements

DOE has concluded that the determinations made pursuant to the various procedural requirements applicable to the July 10, 2013 test procedure final rule remain unchanged for this final rule technical correction. These determinations are set forth in the July 10, 2013 final rule. 78 FR 41265, 41269–41272.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Incorporation by reference, Intergovernmental relations, Small businesses.

Issued in Washington, DC on August 23, 2013.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

For the reasons stated in the preamble, DOE amends part 430 of Chapter II, subchapter D of title 10, Code of Federal Regulations as set forth below:

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

■ 1. The authority citation for part 430 continues to read as follows:

Authority: 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

■ 2. Appendix N to subpart B of part 430 is amended by revising the introductory text after the appendix heading and sections 10.0 through 10.11 to read as follows:

Appendix N to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Furnaces and Boilers

Note: The procedures and calculations that refer to off mode energy consumption (*i.e.,* sections 8.6 and 10.11 of this appendix N) need not be performed to determine compliance with energy conservation standards for furnaces and boilers at this time. However, any representation related to standby mode and off mode energy consumption of these products made after July 1, 2013 must be based upon results generated under this test procedure, consistent with the requirements of 42 U.S.C. 6293(c)(2). For furnaces manufactured on or after May 1, 2013, compliance with the applicable provisions of this test procedure is required in order to determine compliance with energy conservation standards. For boilers, the statute requires that after July 1, 2010, any adopted energy conservation standard shall address standby mode and off mode energy consumption for these products, and upon the compliance date for such standards, compliance with the applicable provisions of this test procedure will be required.

* * * * *

10.0 *Calculation of derived results from test measurements.* Calculations shall be as specified in section 11 of ANSI/ASHRAE 103–1993 (incorporated by reference, see § 430.3) and the October 24, 1996, Errata Sheet for ASHRAE 103–1993, except for sections 11.5.11.1, 11.5.11.2, and appendices B and C; and as specified in sections 10.1 through 10.11 and Figure 1 of this appendix.

10.1 *Annual fuel utilization efficiency.* The annual fuel utilization efficiency (AFUE) is as defined in sections 11.2.12 (non-condensing systems), 11.3.12 (condensing systems), 11.4.12 (non-condensing modulating systems), and 11.5.12 (condensing modulating systems) of ANSI/ASHRAE 103–1993 (incorporated by reference, see § 430.3), except for the definition for the term $Effy_{HS}$ in the defining equation for AFUE. $Effy_{HS}$ is defined as:

$Effy_{HS}$ = heating seasonal efficiency as defined in sections 11.2.11 (non-condensing systems), 11.3.11 (condensing systems), 11.4.11 (non-condensing modulating systems), and 11.5.11 (condensing modulating systems) of ANSI/ASHRAE 103–1993, except that for condensing modulating systems sections 11.5.11.1 and 11.5.11.2 are replaced by sections 10.2 and 10.3 of this appendix. $Effy_{HS}$ is based on the assumptions that all weatherized warm air furnaces or boilers are located outdoors, that warm air furnaces which are not weatherized are installed as isolated combustion systems, and that boilers which are not weatherized are installed indoors.

10.2 *Part-Load Efficiency at Reduced Fuel Input Rate.* Calculate the part-load efficiency at the reduced fuel input rate, $Effy_{U,R,}$ for condensing furnaces and boilers equipped with either step modulating or two-stage controls, expressed as a percent and defined as:

$$Effy_{U,R} = 100 - L_{L,A} + L_G - L_C - C_J L_J - \left[\frac{t_{ON}}{t_{ON} + \left(\frac{Q_P}{Q_{IN}}\right) t_{OFF}}\right] x \left(L_{S,ON} + L_{S,OFF} + L_{I,ON} + L_{I,OFF}\right)$$

If the option in section 9.10 of ASHRAE 103-1993 (incorporated by reference, see §430.3) is employed:

$$Effy_{U,R} = 100 - L_{L,A} + L_G - L_C - C_J L_J - \left[\frac{t_{ON}}{t_{ON} + \left(\frac{Q_P}{Q_{IN}}\right) t_{OFF}}\right] (C_S)(L_{S,SS})$$

Where:

$L_{L,A}$ = value as defined in section 11.2.7 of ASHRAE 103–1993,

L_G = value as defined in section 11.3.11.1 of ASHRAE 103–1993 at reduced input rate,

L_C = value as defined in section 11.3.11.2 of ASHRAE 103–1993 at reduced input rate,

L_J = value as defined in section 11.4.8.1.1 of ASHRAE 103–1993 at maximum input rate,

t_{ON} = value as defined in section 11.4.9.11 of ASHRAE 103–1993,

Q_P = pilot flame fuel input rate determined in accordance with section 9.2 of ASHRAE 103–1993 in Btu/h,

Q_{IN} = value as defined in section 11.4.8.1.1 of ASHRAE 103–1993,

t_{OFF} = value as defined in section 11.4.9.12 of ASHRAE 103–1993 at reduced input rate,

$L_{S,ON}$ = value as defined in section 11.4.10.5 of ASHRAE 103–1993 at reduced input rate,

$L_{S,OFF}$ = value as defined in section 11.4.10.6 of ASHRAE 103–1993 at reduced input rate,

$L_{I,ON}$ = value as defined in section 11.4.10.7 of ASHRAE 103–1993 at reduced input rate,

$L_{I,OFF}$ = value as defined in section 11.4.10.8 of ASHRAE 103–1993 at reduced input rate,

C_J = jacket loss factor and equal to:

= 0.0 for furnaces or boilers intended to be installed indoors

= 1.7 for furnaces intended to be installed as isolated combustion systems

= 2.4 for boilers (other than finned-tube boilers) intended to be installed as isolated combustion systems

= 3.3 for furnaces intended to be installed outdoors

= 4.7 for boilers (other than finned-tube boilers) intended to be installed outdoors

= 1.0 for finned-tube boilers intended to be installed outdoors

= 0.5 for finned-tube boilers intended to be installed in internal combustion system applications

$L_{S,SS}$ = value as defined in section 11.5.6 of ASHRAE 103–1993 at reduced input rate,

C_S = value as defined in section 11.5.10.1 of ASHRAE 103–1993 at reduced input rate.

10.3 *Part-Load Efficiency at Maximum Fuel Input Rate.* Calculate the part-load efficiency at maximum fuel input rate, $Effy_{U,H}$, for condensing furnaces and boilers equipped with two-stage controls, expressed as a percent and defined as:

$$Effy_{U,H} = 100 - L_{L,A} + L_G - L_C - C_J L_J - \left[\frac{t_{ON}}{t_{ON} + \left(\frac{Q_P}{Q_{IN}}\right) t_{OFF}}\right] x \left(L_{S,ON} + L_{S,OFF} + L_{I,ON} + L_{I,OFF}\right)$$

If the option in section 9.10 of ASHRAE 103-1993 (incorporated by reference, see §430.3) is employed:

$$Effy_{U,H} = 100 - L_{L,A} + L_G - L_C - C_J L_J - \left[\frac{t_{ON}}{t_{ON} + \left(\frac{Q_P}{Q_{IN}}\right) t_{OFF}}\right] (C_S)(L_{S,SS})$$

Where:

$L_{L,A}$ = value as defined in section 11.2.7 of ASHRAE 103–1993,

L_G = value as defined in section 11.3.11.1 of ASHRAE 103–1993 at maximum input rate,

L_C = value as defined in section 11.3.11.2 of ASHRAE 103–1993 at maximum input rate,

L_J = value as defined in section 11.4.8.1.1 of ASHRAE 103–1993 at maximum input rate,

t_{ON} = value as defined in section 11.4.9.11 of ASHRAE 103–1993,

Q_P = pilot flame fuel input rate determined in accordance with section 9.2 of ASHRAE 103–1993 in Btu/h,

Q_{IN} = value as defined in section 11.4.8.1.1 of ASHRAE 103–1993,

t_{OFF} = value as defined in section 11.4.9.12 of ASHRAE 103–1993 at maximum input rate,

$L_{S,ON}$ = value as defined in section 11.4.10.5 of ASHRAE 103–1993 at maximum input rate,

$L_{S,OFF}$ = value as defined in section 11.4.10.6 of ASHRAE 103–1993 at maximum input rate,

$L_{I,ON}$ = value as defined in section 11.4.10.7 of ASHRAE 103–1993 at maximum input rate,

$L_{I,OFF}$ = value as defined in section 11.4.10.8 of ASHRAE 103–1993 at maximum input rate,

C_J = value as defined in section 10.2 of this appendix,

$L_{S,SS}$ = value as defined in section 11.5.6 of ASHRAE 103–1993 at maximum input rate,

C_S = value as defined in section 11.5.10.1 of ASHRAE 103–1993 at maximum input rate.

10.4 *National average burner operating hours, average annual fuel energy consumption, and average annual auxiliary electrical energy consumption for gas or oil furnaces and boilers.*

10.4.1 *National average number of burner operating hours.* For furnaces and boilers equipped with single stage controls, the national average number of burner operating hours is defined as:

BOH_{SS} = 2,080 (0.77) A DHR − 2,080 B

Where:

2,080 = national average heating load hours

0.77 = adjustment factor to adjust the calculated design heating requirement and heating load hours to the actual heating load experienced by the heating system

DHR = typical design heating requirements as listed in Table 8 (in unit of kBtu/h) of ANSI/ASHRAE Standard 103–1993, using the proper value of Q_{OUT} defined in 11.2.8.1 of ANSI/ASHRAE Standard 103–1993

A = 100,000/[341,300(y_P PE + y_{IG} PE_{IG} + yBE) + (Q_{IN} − Q_P)$Effy_{HS}$], for forced draft unit, indoors

= 100,000/[341,300(y_P PE Eff_{motor} + y_{IG} PE_{IG} + y BE) + (Q_{IN} − Q_P)$Effy_{HS}$], for forced draft unit, ICS,

= 100,000/[341,300(y_P PE(1 − Eff_{motor}) + y_{IG} PE_{IG} + y BE) + (Q_{IN} − Q_P)$Effy_{HS}$], for induced draft unit, indoors, and

= 100,000/[341,300(y_{IG} PE_{IG} + yBE) + (Q_{IN} − Q_P)$Effy_{HS}$], for induced draft unit, ICS

B = 2 Q_P ($Effy_{HS}$)(A)/100,000

Where:

Eff_{motor} = Power burner motor efficiency provided by manufacturer,

= 0.50, an assumed default power burner efficiency if not provided by manufacturer.

100,000 = factor that accounts for percent and kBtu

PE = burner electrical power input at full-load steady-state operation, including electrical ignition device if energized, as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993

y_P = ratio of induced or forced draft blower on-time to average burner on-time, as follows:

1 for units without post purge;

1 + (t_P/3.87) for single-stage furnaces with post purge;

1 + (t_P/10) for two-stage and step modulating furnaces with post purge;

1 + (t_P/9.68) for single-stage boilers with post purge; or

1 + (t_P/15) for two-stage and step modulating boilers with post purge.

PE_{IG} = electrical input rate to the interrupted ignition device on burner (if employed), as defined in 8.1 of this appendix

y_{IG} = ratio of burner interrupted ignition device on-time to average burner on-time, as follows:

0 for burners not equipped with interrupted ignition device;

(t_{IG}/3.87) for single-stage furnaces;

(t_{IG}/10) for two-stage and step modulating furnaces;

(t_{IG}/9.68) for single-stage boilers; or

(t_{IG}/15) for two-stage and step modulating boilers.

t_{IG} = on-time of the burner interrupted ignition device, as defined in 8.1 of this appendix

t_P = post purge time as defined in 8.2 (furnace) or 8.4 (boiler) of this appendix
= 0 if t_P is equal to or less than 30 seconds.
y = ratio of blower or pump on-time to average burner on-time, as follows:
1 for furnaces without fan delay;
1 for boilers without a pump delay;
$1 + (t^+ - t^-)/3.87$ for single-stage furnaces with fan delay;
$1 + (t^+ - t^-)/10$ for two-stage and step modulating furnaces with fan delay;
$1 + (t^+/9.68)$ for single-stage boilers with pump delay; or
$1 + (t^+/15)$ for two-stage and step modulating boilers with pump delay.
BE = circulating air fan or water pump electrical energy input rate at full-load steady-state operation, as defined in ANSI/ASHRAE Standard 103–1993
Q_{IN} = as defined in 11.2.8.1 of ANSI/ASHRAE Standard 103–1993
Q_P = as defined in 11.2.11 of ANSI/ASHRAE Standard 103–1993
$Effy_{HS}$ = as defined in 11.2.11 (non-condensing systems) or 11.3.11.3 (condensing systems) of ANSI/ASHRAE Standard 103–1993, percent, and calculated on the basis of:
ICS installation, for non-weatherized warm air furnaces;
indoor installation, for non-weatherized boilers; or
outdoor installation, for furnaces and boilers that are weatherized.
2 = ratio of the average length of the heating season in hours to the average heating load hours
t^+ = as defined in 9.5.1.2 of ANSI/ASHRAE Standard 103–1993 or 8.4 of this appendix
t^- = as defined in 9.6.1 of ANSI/ASHRAE Standard 103–1993

10.4.1.1 For furnaces and boilers equipped with two-stage or step modulating controls, the average annual energy used during the heating season, E_M, is defined as:

$$E_M = (Q_{IN} - Q_P)\ BOH_{SS} + (8{,}760 - 4{,}600)Q_P$$

Where:

Q_{IN} = as defined in 11.4.8.1.1 of ANSI/ASHRAE Standard 103–1993
Q_P = as defined in 11.4.12 of ANSI/ASHRAE Standard 103–1993
BOH_{SS} = as defined in section 10.4.1 of this appendix, in which the weighted $Effy_{HS}$ as defined in 11.4.11.3 or 11.5.11.3 of ANSI/ASHRAE Standard 103–1993 is used for calculating the values of A and B, the term DHR is based on the value of Q_{OUT} defined in 11.4.8.1.1 or 11.5.8.1.1 of ANSI/ASHRAE Standard 103–1993, and the term (y_P PE + $y_{IG}PE_{IG}$ + yBE) in the factor A is increased by the factor R, which is defined as:
R = 2.3 for two-stage controls
= 2.3 for step modulating controls when the ratio of minimum-to-maximum output is greater than or equal to 0.5
= 3.0 for step modulating controls when the ratio of minimum-to-maximum output is less than 0.5
A = 100,000/[341,300(y_P PE + y_{IG} PE_{IG} + y BE) R + (Q_{IN} − Q_P) $Effy_{HS}$], for forced draft unit, indoors
= 100,000/[341,300(y_P PE Eff_{motor} + y_{IG} PE_{IG} + y BE) R + (Q_{IN} − Q_P)$Effy_{HS}$], for forced draft unit, ICS,
= 100,000/[341,300(y_P PE(1-Eff_{motor}) + y_{IG} PE_{IG} + y BE) R + (Q_{IN} − Q_P) $Effy_{HS}$], for induced draft unit, indoors, and
= 100,000/[341,300(y_{IG} PE_{IG} + y BE) R + (Q_{IN} − Q_P) $Effy_{HS}$], for induced draft unit, ICS

Where:

Eff_{motor} = Power burner motor efficiency provided by manufacturer,
= 0.50, an assumed default power burner efficiency if none provided by manufacturer.
$Effy_{HS}$ = as defined in 11.4.11.3 or 11.5.11.3 of ANSI/ASHRAE Standard 103–1993, and calculated on the basis of:
—ICS installation, for non-weatherized warm air furnaces
—indoor installation, for non-weatherized boilers
—outdoor installation, for furnaces and boilers that are weatherized
8,760 = total number of hours per year
4,600 = as specified in 11.4.12 of ANSI/ASHRAE Standard 103–1993

10.4.1.2 For furnaces and boilers equipped with two-stage or step modulating controls, the national average number of burner operating hours at the reduced operating mode is defined as:

$$BOH_R = X_R\ E_M/Q_{IN,R}$$

Where:

X_R = as defined in 11.4.8.7 of ANSI/ASHRAE Standard 103–1993
E_M = as defined in section 10.4.1.1 of this appendix
$Q_{IN,R}$ = as defined in 11.4.8.1.2 of ANSI/ASHRAE Standard 103–1993

10.4.1.3 For furnaces and boilers equipped with two-stage controls, the national average number of burner operating hours at the maximum operating mode (BOH_H) is defined as:

$$BOH_H = X_H\ E_M/Q_{IN}$$

Where:

X_H = as defined in 11.4.8.6 of ANSI/ASHRAE Standard 103–1993
E_M = as defined in section 10.4.1.1 of this appendix
Q_{IN} = as defined in 11.4.8.1.1 of ANSI/ASHRAE Standard 103–1993

10.4.1.4 For furnaces and boilers equipped with step modulating controls, the national average number of burner operating hours at the modulating operating mode (BOH_M) is defined as:

$$BOH_M = X_H\ E_M/Q_{IN,M}$$

Where:

X_H = as defined in 11.4.8.6 of ANSI/ASHRAE Standard 103–1993
E_M = as defined in section 10.4.1.1 of this appendix
$Q_{IN,M} = Q_{OUT,M}/(Effy_{SS,M}/100)$
$Q_{OUT,M}$ = as defined in 11.4.8.10 or 11.5.8.10 of ANSI/ASHRAE Standard 103–1993, as appropriate
$Effy_{SS,M}$ = as defined in 11.4.8.8 or 11.5.8.8 of ANSI/ASHRAE Standard 103–1993, as appropriate, in percent
100 = factor that accounts for percent

10.4.2 *Average annual fuel energy consumption for gas or oil fueled furnaces or boilers.* For furnaces or boilers equipped with single-stage controls, the average annual fuel energy consumption (E_F) is expressed in Btu per year and defined as:

$$E_F = BOH_{SS}\ (Q_{IN} - Q_P) + 8{,}760\ Q_P$$

Where:

BOH_{SS} = as defined in 10.4.1 of this appendix
Q_{IN} = as defined in 11.2.8.1 of ANSI/ASHRAE Standard 103–1993
Q_P = as defined in 11.2.11 of ANSI/ASHRAE Standard 103–1993
8,760 = as specified in 10.4.1.1 of this appendix

10.4.2.1 For furnaces or boilers equipped with either two-stage or step modulating controls, E_F is defined as:

$$E_F = E_M + 4{,}600Q_P$$

Where:

E_M = as defined in 10.4.1.1 of this appendix
4,600 = as specified in 11.4.12 of ANSI/ASHRAE Standard 103–1993
Q_P = as defined in 11.2.11 of ANSI/ASHRAE Standard 103–1993

10.4.3 Average annual auxiliary electrical energy consumption for gas or oil-fueled furnaces or boilers. For furnaces and boilers equipped with single-stage controls, the average annual auxiliary electrical consumption (E_{AE}) is expressed in kilowatt-hours and defined as:

$$E_{AE} = BOH_{SS}\ (y_P\ PE + y_{IG}\ PE_{IG} + yBE) + E_{SO}$$

Where:

BOH_{SS} = as defined in 10.4.1 of this appendix
PE = as defined in 10.4.1 of this appendix
y_P = as defined in 10.4.1 of this appendix
y_{IG} = as defined in 10.4.1 of this appendix
PE_{IG} = as defined in 10.4.1 of this appendix
y = as defined in 10.4.1 of this appendix
BE = as defined in 10.4.1 of this appendix
E_{SO} = as defined in 10.11 of this appendix.

10.4.3.1 For furnaces or boilers equipped with two-stage controls, E_{AE} is defined as:

$$E_{AE} = BOH_R\ (y_P\ PE_R + y_{IG}\ PE_{IG} + yBE_R) + BOH_H\ (y_P\ PE_H + y_{IG}\ PE_{IG} + y\ BE_H) + E_{SO}$$

Where:

BOH_R = as defined in 10.4.1.2 of this appendix
y_P = as defined in 10.4.1 of this appendix
PE_R = as defined in 9.1.2.2 and measured at the reduced fuel input rate of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3)
y_{IG} = as defined in 10.4.1 of this appendix
PE_{IG} = as defined in 10.4.1 of this appendix
y = as defined in 10.4.1 of this appendix
BE_R = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3) measured at the reduced fuel input rate
BOH_H = as defined in 10.4.1.3 of this appendix
PE_H = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3) measured at the maximum fuel input rate
BE_H = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3) measured at the maximum fuel input rate
E_{SO} = as defined in 10.11 of this appendix.

10.4.3.2 For furnaces or boilers equipped with step-modulating controls, E_{AE} is defined as:

$$E_{AE} = BOH_R\ (y_P\ PE_R + y_{IG}\ PE_{IG} + yBE_R) + BOH_M\ (y_P\ PE_H + y_{IG}\ PE_{IG} + y\ BE_H) + E_{SO}$$

Where:

BOH_R = as defined in 10.4.1.2 of this appendix

y_P = as defined in 10.4.1 of this appendix

PE_R = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3), measured at the reduced fuel input rate

y_{IG} = as defined in 10.4.1 of this appendix

PE_{IG} = as defined in 10.4.1 of this appendix

y = as defined in 10.4.1 of this appendix

BE_R = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3) measured at the reduced fuel input rate

BOH_M = as defined in 10.4.1.4 of this appendix

PE_H = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3) measured at the maximum fuel input rate

BE_H = as defined in 9.1.2.2 of ANSI/ASHRAE Standard 103–1993, (incorporated by reference, *see* § 430.3) measured at the maximum fuel input rate

E_{SO} = as defined in 10.11 of this appendix.

10.5 *Average annual electric energy consumption for electric furnaces or boilers.*

$E_E = 100(2{,}080)(0.77)DHR/(3.412\ AFUE) + E_{SO}$

Where:

100 = to express a percent as a decimal

2,080 = as specified in 10.4.1 of this appendix

0.77 = as specified in 10.4.1 of this appendix

DHR = as defined in 10.4.1 of this appendix

3.412 = conversion to express energy in terms of watt-hours instead of Btu

AFUE = as defined in 11.1 of ANSI/ASHRAE Standard 103–1993 (incorporated by reference, *see* § 430.3), in percent, and calculated on the basis of: ICS installation, for non-weatherized warm air furnaces; indoor installation, for non-weatherized boilers; or outdoor installation, for furnaces and boilers that are weatherized.

E_{SO} = as defined in 10.11 of this appendix.

10.6 *Energy factor.*

10.6.1 *Energy factor for gas or oil furnaces and boilers.* Calculate the energy factor, EF, for gas or oil furnaces and boilers defined as, in percent:

$$EF = \frac{(E_F - 4600\ Q_P)Effy_{HS}}{E_F + 3412\ E_{AE}}$$

Where:

E_F = average annual fuel consumption as defined in 10.4.2 of this appendix.

E_{AE} = as defined in 10.4.3 of this appendix.

$Effy_{HS}$ = Annual Fuel Utilization Efficiency as defined in 11.2.11, 11.3.11, 11.4.11 or 11.5.11 of ANSI/ASHRAE Standard 103–1993, in percent, and calculated on the basis of:

ICS installation, for non-weatherized warm air furnaces;

indoor installation, for non-weatherized boilers; or

outdoor installation, for furnaces and boilers that are weatherized.

3,412 = conversion factor from kilowatt to Btu/h

10.6.2 *Energy factor for electric furnaces and boilers.* The energy factor, EF, for electric furnaces and boilers is defined as:

EF = AFUE

Where:

AFUE = Annual Fuel Utilization Efficiency as defined in section 10.5 of this appendix, in percent

10.7 *Average annual energy consumption for furnaces and boilers located in a different geographic region of the United States and in buildings with different design heating requirements.*

10.7.1 *Average annual fuel energy consumption for gas or oil-fueled furnaces and boilers located in a different geographic region of the United States and in buildings with different design heating requirements.* For gas or oil-fueled furnaces and boilers, the average annual fuel energy consumption for a specific geographic region and a specific typical design heating requirement (E_{FR}) is expressed in Btu per year and defined as:

$E_{FR} = (E_F - 8{,}760\ Q_P)(HLH/2{,}080) + 8{,}760\ Q_P$

Where:

E_F = as defined in 10.4.2 of this appendix

8,760 = as specified in 10.4.1.1 of this appendix

Q_P = as defined in 11.2.11 of ANSI/ASHRAE Standard 103–1993

HLH = heating load hours for a specific geographic region determined from the heating load hour map in Figure 1 of this appendix

2,080 = as defined in 10.4.1 of this appendix

10.7.2 Average annual auxiliary electrical energy consumption for gas or oil-fueled furnaces and boilers located in a different geographic region of the United States and in buildings with different design heating requirements. For gas or oil-fueled furnaces and boilers, the average annual auxiliary electrical energy consumption for a specific geographic region and a specific typical design heating requirement (E_{AER}) is expressed in kilowatt-hours and defined as:

$E_{AER} = (E_{AE} - E_{SO})\ (HLH/2080) + E_{SOR}$

Where:

E_{AE} = as defined in 10.4.3 of this appendix

E_{SO} = as defined in 10.11 of this appendix

HLH = as defined in 10.7.1 of this appendix

2,080 = as specified in 10.4.1 of this appendix

E_{SOR} = as specified in 10.7.3 of this appendix.

10.7.3 Average annual electric energy consumption for electric furnaces and boilers located in a different geographic region of the United States and in buildings with different design heating requirements. For electric furnaces and boilers, the average annual electric energy consumption for a specific geographic region and a specific typical design heating requirement (E_{ER}) is expressed in kilowatt-hours and defined as:

$E_{ER} = 100(0.77)\ DHR\ HLH/(3.412\ AFUE) + E_{SOR}$

Where:

100 = as specified in 10.5 of this appendix

0.77 = as specified in 10.4.1 of this appendix

DHR = as defined in 10.4.1 of this appendix

HLH = as defined in 10.7.1 of this appendix

3.412 = as specified in 10.5 of this appendix

AFUE = as defined in 10.5 of this appendix

$E_{SOR} = E_{SO}$ as defined in 10.11 of this appendix, except that in the equation for E_{SO}, the term BOH is multiplied by the expression (HLH/2080) to get the appropriate regional accounting of standby mode and off mode loss.

10.8 *Annual energy consumption for mobile home furnaces.*

10.8.1 *National average number of burner operating hours for mobile home furnaces (BOH_{SS}).* BOH_{SS} is the same as in 10.4.1 of this appendix, except that the value of $Effy_{HS}$ in the calculation of the burner operating hours, $BOH_{SS,}$ is calculated on the basis of a direct vent unit with system number 9 or 10.

10.8.2 *Average annual fuel energy for mobile home furnaces (E_F).* E_F is same as in 10.4.2 of this appendix except that the burner operating hours, $BOH_{SS,}$ is calculated as specified in 10.8.1 of this appendix.

10.8.3 *Average annual auxiliary electrical energy consumption for mobile home furnaces (E_{AE}).* E_{AE} is the same as in 10.4.3 of this appendix, except that the burner operating hours, $BOH_{SS,}$ is calculated as specified in 10.8.1 of this appendix.

10.9 *Calculation of sales weighted average annual energy consumption for mobile home furnaces.* In order to reflect the distribution of mobile homes to geographical regions with average HLH_{MHF} value different from 2,080, adjust the annual fossil fuel and auxiliary electrical energy consumption values for mobile home furnaces using the following adjustment calculations.

10.9.1 For mobile home furnaces, the sales weighted average annual fossil fuel energy consumption is expressed in Btu per year and defined as:

$E_{F,MHF} = (E_F - 8{,}760\ Q_P)HLH_{MHF}/2{,}080 + 8{,}760\ Q_P$

Where:

E_F = as defined in 10.8.2 of this appendix

8,760 = as specified in 10.4.1.1 of this appendix

Q_P = as defined in 11.2.11 of ANSI/ASHRAE Standard 103–1993

HLH_{MHF} = 1880, sales weighted average heating load hours for mobile home furnaces

2,080 = as specified in 10.4.1 of this appendix

10.9.2 For mobile home furnaces, the sales weighted average annual auxiliary electrical energy consumption is expressed in kilowatt-hours and defined as:

$E_{AE,MHF} = E_{AE}\ HLH_{MHF}/2{,}080$

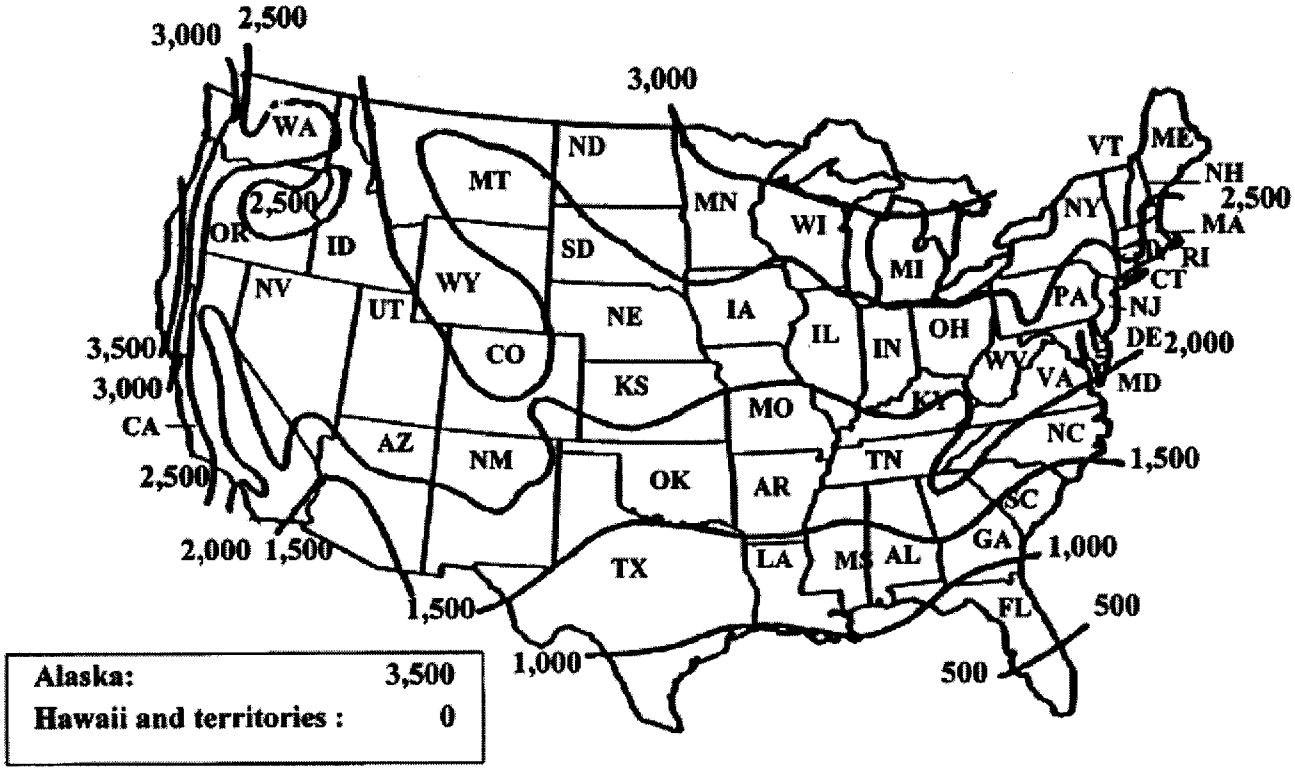
Where:

E_{AE} = as defined in 10.8.3 of this appendix

HLH_{MHF} = as defined in 10.9.1 of this appendix

2,080 = as specified in 10.4.1 of this appendix

10.10 *Direct determination of off-cycle losses for furnaces and boilers equipped with thermal stack dampers.* [Reserved.]



This map is reasonably accurate for most parts of the United States but is necessarily generalized, and consequently not too accurate in mountainous regions, particularly in the rockies.

FIGURE 1- HEATING LOAD HOURS (HLH) FOR THE UNITED STATES

10.11 *Average annual electrical standby mode and off mode energy consumption.* Calculate the annual electrical standby mode and off mode energy consumption (E_{SO}) in kilowatt-hours, defined as:

$E_{SO} = ((P_{W,SB} * (4160 - BOH)) + (P_{W,OFF} * 4600)) * K$

Where:

$P_{W,SB}$ = furnace or boiler standby mode power, in watts, as measured in section 8.6 of this appendix

4,160 = average heating season hours per year

$P_{W,OFF}$ = furnace or boiler off mode power, in watts, as measured in section 8.6 of this appendix

4,600 = average non-heating season hours per year

K = 0.001 kWh/Wh, conversion factor for watt-hours to kilowatt-hours

BOH = total burner operating hours as calculated in section 10.4 for gas or oil-fueled furnaces or boilers. Where for gas or oil-fueled furnaces and boilers equipped with single-stage controls, BOH = BOH_{SS} ; for gas or oil-fueled furnaces and boilers equipped with two-stage controls, BOH = (BOH_R + BOH_H); and for gas or oil-fueled furnaces and boilers equipped with step-modulating controls, BOH = (BOH_R + BOH_M). For electric furnaces and boilers, BOH = 100(2080)(0.77)DHR/(E_{in} 3.412)(AFUE))

Where:

100 = to express a percent as a decimal

2,080 = as specified in 10.4.1 of this appendix

0.77 = as specified in 10.4.1 of this appendix

DHR = as defined in 10.4.1 of this appendix

3.412 = conversion to express energy in terms of KBtu instead of kilowatt-hours

AFUE = as defined in 11.1 of ANSI/ASHRAE Standard 103–1993 (incorporated by reference, *see* § 430.3) in percent

E_{in} = Steady-state electric rated power, in kilowatts, from section 9.3 of ANSI/ASHRAE Standard 103–1993 (incorporated by reference, *see* § 430.3).

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0450; Directorate Identifier 2013–CE–010–AD; Amendment 39–17543; AD 2013–16–05]

RIN 2120–AA64

Airworthiness Directives; Alexander Schleicher GmbH & Co. Segelflugzeugbau Sailplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for all Alexander Schleicher GmbH & Co. Segelflugzeugbau Models AS –K13, Ka2B, Ka 6, Ka 6 B, Ka 6 BR, Ka 6 C, Ka 6 CR, K7, K8, and K 8 B sailplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority

of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as misalignment of the automatic elevator control connection. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective October 4, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 4, 2013.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the Docket Management Facility, 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 service information identified in this AD, contact Alexander Schleicher GmbH & Co Segelflugzeugbau, Straße 1 D—36163 Poppenhausen, Germany; phone: ++49 (0) 6658/89–0; fax: ++49 (0) 6658/89–40; email: *info@alexander-schleicher.de;* Internet: *http://www.alexander-schleicher.de/*. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

FOR FURTHER INFORMATION CONTACT: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on May 23, 2013 (78 FR 30791), and proposed to supersede AD 64–07–05, Amendment 701 (29 FR 3227, March 11, 1964) (''AD 64–07–05''). The NPRM proposed to correct an unsafe condition for the specified products.

Since we issued AD 64–07–05, the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, issued a new AD, AD No. 2013–0091, dated April 12, 2013 (referred to after this as ''the MCAI''), to add additional sailplane models to the applicability and to add additional inspections of the elevator control connection. Alexander Schleicher GmbH & Co. Segelflugzeugbau has also issued revised service information to address the unsafe condition. The MCAI states:

> A recent report has been received concerning a problem with the elevator control during take-off of an ASK 13 sailplane. The results of the technical investigation revealed a misalignment in the automatic elevator control connection, presumably caused by an incorrect repair or damage at the tail-plane-area. In addition, similar elevator connection failure during early 1960's which led to the issuance of LBA LTM 4/62. However, LTM, 4/62 did not apply to ASK 13 and ASK 18 sailplanes coming later into production.
>
> This condition, if not detected and corrected, could lead to failure of the automatic elevator control connection, possibly resulting in loss of control of the sailplane.
>
> To address this unsafe condition, Alexander Schleicher GmbH issued a Technical Note (TN) (Ka 6 TN–Nr. 26; K 7 TN–Nr. 24; K 8 TN–Nr. 30; ASK 13 TN–Nr. 19; ASK 18 TN–Nr. 9) providing instructions for elevator control inspection and replacement and EASA issued AD 2012–0246 to require accomplishment of those instructions.
>
> Since that AD was issued, Alexander Schleicher GmbH issued a revision of TN (Ka 6 TN–Nr. 26; K 7 TN–Nr. 24; K 8 TN–Nr. 30; ASK 13 TN–Nr. 19, ASK 18 TN–Nr. 9), dated 08 January 2013 to re-introduce a pushrod support modification for K 7 and K 8 sailplanes, previously required by LBA LTM 4/62, but no longer required by EASA AD 2012–0246, which superseded the LBA LTM.
>
> For the reasons described above, this AD retains the requirements of EASA AD 2012–0246, which is superseded, and additionally requires, for K 7 and K 8 sailplanes, verification of embodiment of pushrod support modification, and depending on finding, pushrod support modification.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (78 FR 30791, May 23, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (78 FR 30791, May 23, 2013) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (78 FR 30791, May 23, 2013).

Costs of Compliance

We estimate that this AD will affect 127 products of U.S. registry. We also estimate that it will take about .5 work-hour per product to comply with the new inspection requirements of this AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of the initial inspection required in this AD on U.S. operators to be $5,397.50, or $42.50 per product.

We have no way of determining the number of repetitive inspections an owner/operator will incur over the life of the sailplane.

In addition, we estimate that any necessary follow-on actions will take about 1 work-hour and require parts costing $119, for a cost of $204 per product. We have no way of determining the number of products that may need these actions.

We also estimate that it will take about 2 work-hours per product to comply with actions retained from AD 64–07–05 for Models Ka2B, Ka 6, Ka 6 B, Ka 6 BR, Ka 6 C, Ka 6 CR, K7, K8, and K 8 B sailplanes in this AD, which affects 112 products of U.S. registry, and may require parts costing $103, for a cost of $273 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Amendment 701 (29 FR 3227, March 11, 1964) and adding the following new AD:

2013–16–05 Alexander Schleicher GmbH & Co. Segelflugzeugbau: Amendment 39–17543; Docket No. FAA–2013–0450; Directorate Identifier 2013–CE–010–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective October 4, 2013.

(b) Affected ADs

This AD supersedes AD 64–07–05, Amendment 701 (29 FR 3227; March 11, 1964).

(c) Applicability

This AD applies to Alexander Schleicher GmbH & Co. Segelflugzeugbau Models AS –K13, Ka2B, Ka 6, Ka 6 B, Ka 6 BR, Ka 6 C, Ka 6 CR, K7, K8, and K 8 B sailplanes, all serial numbers, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 27: Flight Controls.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as misalignment of the automatic elevator control connection. The European Aviation Safety Agency (EASA) has issued a new AD to add additional sailplane models to the applicability and to add additional inspections of the elevator control connection. Alexander Schleicher GmbH & Co. Segelflugzeugbau has also issued revised service information to address the unsafe condition. We are issuing this AD to prevent failure of the automatic elevator control connection, which could result in loss of control.

(f) Actions and Compliance Retained From AD 64–07–05, Amendment 701 (29 FR 3227, March 1, 1964)

Unless already done, do the following actions specified in paragraphs (f)(1), (f)(2), and (f)(3) of this AD.

(1) *For Models Ka2B, Ka 6, Ka 6 B, Ka 6 BR, Ka 6 C, Ka 6 CR, K7, K8, and K 8 B:* Unless already done, within the next 10 hours time-in-service (TIS) after April 13, 1964 (the effective date retained from AD 64–07–05, Amendment 701 (29 FR 3227, March 1, 1964)), inspect the automatic elevator control rod for conformity following Alexander Schleicher Automatischer Höhenruderanschluβ (English translation: Automatic Elevator Connection) document, dated December 5, 1961, translation added May, 2012.

(2) *For Models Ka2B, Ka 6, Ka 6 B, Ka 6 BR, Ka 6 C, Ka 6 CR, K7, K8, and K 8 B:* If any discrepancy is found during the inspection required in paragraph (f)(1) of this AD, before further flight, make any necessary repairs or modification.

Note to paragraph (f)(2) of this AD: For guidance on making the necessary repairs or modification required in paragraph (f)(2) of this AD, you may refer to FAA Civil Aeronautics Manual (CAM) 18, Maintenance, Repair, And Alteration, Of Airframes, Powerplants, Propellers, And Appliances, dated December 15, 1959, which can be found on the Internet at: *http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgccab.nsf/0/41df1277f2dc7e0e86257bcf005112bf/$FILE/CAM_18_1959.pdf,* without handwritten annotations, as revised through November 15, 1962.

(3) *For Models Ka2B, K7, K8 and K 8 B:* Unless already done, within the next 10 hours TIS after April 13, 1964 (the effective date retained from AD 64–07–05, Amendment 701 (29 FR 3227, March 1, 1964)), install an additional push pull rod support. For Models Ka2B, follow Alexander Schleicher Modification No. 7, dated July 4, 1962. For Models K7, follow Alexander Schleicher Modification No. 8, dated November 23, 1961. For Models K8, follow Alexander Schleicher Modification No. 7, dated November 24, 1961.

(g) New Actions and Compliance

Unless already done, do the following actions specified in paragraphs (g)(1) and (g)(2) of this AD.

(1) *For all models:* Within 90 days after October 4, 2013 (the effective date of this AD) and repetitively thereafter at intervals not to exceed 12 months, inspect the elevator control rod in the tailplane following the Action section in Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 13 for Ka 2 and Ka 2b, TM–Nr. 26 for Ka 6, TM–Nr. 24 for K 7, TM–Nr. 30 for K 8, TM–Nr. 19 for ASK 13, and TM–Nr. 9 for ASK 18, all Berichtigung 1 (English translation: Revision 1), all dated January 8, 2013.

(2) *For all models:* During any inspection required in paragraph (g)(1) of this AD, if any bend and/or misaligned elevator control connection is detected, before further flight after the inspection, replace the elevator control connection with a serviceable part. Do the replacement following the Action section in Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 13 for Ka 2 and Ka 2b, TM–Nr. 26 for Ka 6, TM–Nr. 24 for K 7, TM–Nr. 30 for K 8, TM–Nr. 19 for ASK 13, and TM–Nr. 9 for ASK 18, all Berichtigung 1 (English translation: Revision 1), all dated January 8, 2013.

(h) Credit for Actions Done Following Previous Service Information

This AD provides credit for the initial inspection required in paragraph (g)(1) of this AD and any necessary replacement required in paragraph (g)(2) of this AD if already done before the effective date of this AD following the Action sections in Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 13 for Ka 2 and Ka 2b, TM–Nr. 26 for Ka 6, TM–Nr. 24 for K 7, TM–Nr. 30 for K 8, TM–Nr. 19 for ASK 13, and TM–Nr. 9 for ASK 18, dated August 30, 2012.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov.* Before using any approved AMOC on any sailplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(j) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2013–0091, dated April 12, 2013, which can be found in the AD docket on the Internet at *http://www.regulations.gov;* FAA Civil Aeronautics Manual (CAM) 18, Maintenance, Repair, And Alteration, Of Airframes, Powerplants, Propellers, And Appliances, dated December 15, 1959, which can be found on the Internet at: *http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgccab.nsf/0/41df1277f2dc7e0e86257bcf005112bf/$FILE/CAM_18_1959.pdf,* without handwritten annotations, as revised through November 15, 1962; and Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 13 for Ka 2 and Ka 2b, TM–Nr. 26 for Ka 6, TM–Nr. 24 for K 7, TM–Nr. 30 for K 8, TM–Nr. 19 for ASK 13, and TM–Nr. 9 for ASK 18, dated August 30, 2012, which can be obtained from the manufacturer at the address specified in paragraph (k)(4) of this AD, for related information.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(3) The following service information was approved for IBR on October 4, 2013.

(i) Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 13, Berichtigung 1 (English translation: Revision 1), dated January 8, 2013.

(ii) Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 26, Berichtigung 1 (English translation: Revision 1), dated January 8, 2013.

(iii) Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 24, Berichtigung 1 (English translation: Revision 1), dated January 8, 2013.

(iv) Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 30, Berichtigung 1 (English translation: Revision 1), dated January 8, 2013.

(v) Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 19, Berichtigung 1 (English translation: Revision 1), dated January 8, 2013.

(vi) Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 9, Berichtigung 1 (English translation: Revision 1), dated January 8, 2013.

Note 1 to paragraphs (k)(3)(i) through (k)(3)(vi) of this AD: Alexander Schleicher Technische Mitteilung (English translation: Technical Note) TM–Nr. 13 for Ka 2 and Ka 2b, TM–Nr. 26 for Ka 6, TM–Nr. 24 for K 7, TM–Nr. 30 for K 8, TM–Nr. 19 for ASK 13, and TM–Nr. 9 for ASK 18, all Berichtigung 1 (English translation: Revision 1), all dated January 8, 2013, are co-published as one document. This service information contains German to English translation. EASA used the English translation in referencing the document from Alexander Schleicher GmbH & Co. Segelflugzeugbau. For enforceability purposes, we will cite references to the Alexander Schleicher GmbH & Co. Segelflugzeugbau service information as it appears on the document.

(vii) Alexander Schleicher Automatischer Höhenruderanschluβ (English translation: Automatic Elevator Connection) document, dated December 5, 1961, translation added May, 2012.

Note 2 to paragraph (k)(3)(vii) of this AD: This service information contains German to English translation. EASA used the English translation in referencing the document from Alexander Schleicher GmbH & Co. Segelflugzeugbau. For enforceability purposes, we will cite references to the Alexander Schleicher GmbH & Co. Segelflugzeugbau service information as it appears on the document.

(viii) Alexander Schleicher Modification No. 7 Glider Ka 2 and Ka 2B, L–140 and L–203, dated July 4, 1962.

(ix) Alexander Schleicher Modification No. 7 Glider K 8 L–216, dated November 24, 1961.

(x) Alexander Schleicher Modification No. 8 Glider K 7 L–211, dated November 23, 1961.

(4) For Alexander Schleicher GmbH & Co Segelflugzeugbau service information identified in this AD, contact Alexander Schleicher GmbH & Co Segelflugzeugbau, Straße 1 D—36163 Poppenhausen, Germany; phone: ++49 (0) 6658/89–0, fax: +49 (0) 6658/89–40, email: *info@alexander-schleicher.de;* Internet: *http://www.alexander-schleicher.de.*

(5) You may view this service information at FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

(6) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Kansas City, Missouri, on July 31, 2013.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–21075 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–1003; Directorate Identifier 2012–NM–064–AD; Amendment 39–17563; AD 2013–16–25]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc. Model DHC–8–400 series airplanes. This AD was prompted by reports of advance pneumatic detectors (APDs) for engine fire/overheat detector assemblies failing to reset after activation due to permanent deformation of the detector switch diaphragm after being exposed to high temperatures. This AD requires replacing all three APDs with new detector assemblies. We are issuing this AD to prevent a continued engine fire indication in the cockpit after the actual fire has been extinguished, which is misleading and might influence the pilot to conduct a potentially hazardous ''off-airport'' landing.

DATES: This AD becomes effective October 4, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 4, 2013.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.com.*

FOR FURTHER INFORMATION CONTACT: Mazdak Hobbi, Aerospace Engineer, Propulsion and Services Branch, ANE–173, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7330; fax 516–794–5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. The SNPRM published in the **Federal Register** on April 9, 2013 (78 FR 21077). The notice of proposed rulemaking NPRM (77 FR 60060, October 2, 2012), which preceded the SNPRM, proposed to require replacing all three APDs with new detector assemblies. The SNPRM proposed to add airplanes to the applicability.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2012–07R1, effective December 21, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> There have been engine fires on DHC–8 Series 400 aeroplanes, where the ''ENGINE FIRE, CHECK FIRE DETECT'' warning and ''FUEL OFF'' handle lights failed to reset and remained illuminated after the fire was extinguished. An investigation has revealed that the existing engine fire/overheat detector assemblies ''Advance Pneumatic Detectors (APD)'' may fail to reset after activation due to permanent deformation of the detector switch diaphragm after being exposed to high temperatures.
>
> This abnormal condition of a continued engine fire indication in the cockpit, after the actual fire has been extinguished, is misleading and may influence the pilot's decision to conduct a potentially hazardous ''off-airport'' landing, which is considered an unsafe condition that warrants mitigating action.
>
> To mitigate this potentially hazardous condition, Bombardier has issued multiple service bulletins (SBs) [Bombardier Service Bulletins 84–26–08, Revision A, dated May 12, 2011; 84–26–09, Revision A, dated May 12, 2011; and 84–26–12, Revision B, dated October 12, 2012] to replace all three affected APDs with new detector assemblies that are not susceptible to the subject diaphragm deformation when exposed to excessive heat. * * *
>
> This revised [Canadian] AD is issued to include the additional 26 aeroplane S/Ns in the applicability section of the AD. The additional S/Ns, 4374 through 4399, only affect the compliance with Part III of this [Canadian] AD.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the SNPRM (78 FR 21077, April 9, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed—except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the SNPRM (78 FR 21077, April 9, 2013) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the SNPRM (78 FR 21077, April 9, 2013).

Costs of Compliance

Based on the service information, we estimate that this AD affects 399 products of U.S. registry. We also estimate that it will take about 63 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost about $5,700 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD on U.S. operators to be $4,410,945, or $11,055 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

(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),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the MCAI, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2013–16–25 Bombardier, Inc.: Amendment 39–17563; Docket No. FAA–2012–1003; Directorate Identifier 2012–NM–064–AD.

(a) Effective Date

This AD becomes effective October 4, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc. Model DHC–8–400, –401, and –402 airplanes, certificated in any category, serial numbers (S/Ns) 4001 through 4399 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire protection.

(e) Reason

This AD was prompted by reports of advance pneumatic detectors (APDs) for engine fire/overheat detector assemblies failing to reset after activation due to permanent deformation of the detector switch diaphragm after being exposed to high temperatures. We are issuing this AD to prevent a continued engine fire indication in the cockpit after the actual fire has been extinguished, which is misleading and might influence the pilot to conduct a potentially hazardous ''off-airport'' landing.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Installation

Within 6,000 flight hours or 30 months after the effective date of this AD, whichever occurs first, replace the APDs as specified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD, as applicable.

(1) For airplanes having S/Ns 4001 through 4373 inclusive: For the nacelle of the engine primary zone, remove any APD having part number (P/N) 10–1098 and install a new APD having P/N 10–1098–01, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84–26–08, Revision B, dated September 24, 2012.

(2) For airplanes having S/Ns 4001 through 4373 inclusive: For the nacelle of the landing gear primary zone, remove any APD having P/N 10–1097 or 10–1097–01 and install a new APD having P/N 10–1097–02, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84–26–09, Revision A, dated May 12, 2011.

(3) For all airplanes: For the propeller engine controller, remove any APD having P/N 10–1096, 10–1096–01, or 10–1096–02 (serial number is all numeric characters), and install a new APD having P/N 10–1096–02 (serial number is three alpha and four numeric characters), in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84–26–12, Revision B, dated October 12, 2012.

(h) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraph (h)(1)(i) or (h)(1)(ii) of this AD, which are not incorporated by reference in this AD.

(i) Bombardier Service Bulletin 84–26–08, dated March 11, 2011.

(ii) Bombardier Service Bulletin 84–26–08, Revision A, dated May 12, 2011.

(2) This paragraph provides credit for actions required by paragraph (g)(2) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 84–26–09, dated March 11, 2011, which is not incorporated by reference in this AD.

(3) This paragraph provides credit for actions required by paragraph (g)(3) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraph (h)(3)(i) or (h)(3)(ii) of this AD, which are not incorporated by reference in this AD.

(i) Bombardier Service Bulletin 84–26–12, dated October 12, 2011.

(ii) Bombardier Service Bulletin 84–26–12, Revision A, dated December 13, 2011.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE–170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(j) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information Canadian Airworthiness Directive CF–2012–07R1, effective December 21, 2012, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov.*

(2) Service information identified in this AD that is not incorporated by reference may be obtained at the address specified in paragraphs (k)(3) and (k)(4) of this AD.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Bombardier Service Bulletin 84–26–08, Revision B, dated September 24, 2012.

(ii) Bombardier Service Bulletin 84–26–09, Revision A, dated May 12, 2011.

(iii) Bombardier Service Bulletin 84–26–12, Revision B, dated October 12, 2012.

(3) For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.com.*

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on August 1, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–19830 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0422; Directorate Identifier 2012–NM–097–AD; Amendment 39–17567; AD 2013–17–03]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Airbus Model A330–200 and –300 series airplanes; Model A340–200 and –300 series airplanes; and Model A340–541 and –642 airplanes. This final rule was prompted by reports of wing tip brakes (WTBs) losing their braking function in service due to heavy wear on the brake discs. WTBs are designed to stop and hold the mechanical transmission of slats and flaps in certain failure cases. This final rule requires repetitive operational tests of certain WTB pressure-off-brakes (POBs) for performance on the flap and slat systems, and replacement of any affected WTB with a new or serviceable part if the test fails. This final rule also requires eventual replacement of all affected WTBs with a new part, which terminates the repetitive tests. We are issuing this final rule to prevent loss of the WTB braking function, and consequent inability of the flap or slat system to be stopped and held in

position during operation, which could result in loss of control of the airplane.

DATES: This AD is effective October 4, 2013.

The Director becomes the Federal Register approved the incorporation by reference of a certain publication listed in this final rule as of October 4, 2013.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. The NPRM published in the **Federal Register** on May 21, 2013 (78 FR 29666). The NPRM proposed to correct an unsafe condition for the specified products. The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2012–0082, dated May 15, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> Several wing tip brakes (WTB) have lost their braking function in service. Inspection by the manufacturer of these units revealed that the drive shaft was found free to rotate and the braking discs worn. Investigations are still on-going to determine the exact root cause.
>
> The WTB is a Pressure-Off-Brake (POB) with a multi-plate friction device operated by a spring pack. In operation, the brakes are released by dual hydraulic pistons controlled by electro-hydraulic solenoid valves, energized by the Slat Flap Control Computers (SFCC). The purpose of the WTBs (4 per aeroplane) is to stop and hold the mechanical transmission in position in some specific failure cases. In such cases, the SFCCs de-energize their WTB solenoids, which remove the hydraulic pressure and lead to the application of the brakes.
>
> This condition, if not detected and corrected, could, in some specific failure cases, result in loss of control of the aeroplane.
>
> For the reasons described above, EASA issued AD 2010–0267 [(*http://ad.easa.europa.eu/blob/easa_ad_2012_0082.pdf/AD_2010-0267*)] to require a one-time Operational Test of the WTB/POB performance on the flap and slat systems to detect any dormant failure and, depending on findings, applicable corrective actions. This AD also required the reporting of findings, including none, to the TC holder.
>
> Since issuance of EASA AD 2010–0267, additional occurrences have been reported. The results of the investigations revealed that WTB fitted with brake plates manufactured by JURID (Part Number (P/N) 1007A0000–03, P/N 1007A0000–04, or P/N 1007A0000–05) are more sensitive to wear than those manufactured by MIBA (P/N 1007A0000–06 or P/N 1007B0000–01).
>
> For the reason described above, this AD retains the requirements of EASA AD 2010–0267, which is superseded, and requires:
>
> • a repetitive Operational Test of the WTB/POB performance on the flap and slat systems, and
>
> • embodiment of the terminating action which consists in the installation of WTB standard build on brake plates manufactured by MIBA.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this final rule. We received no comments on the NPRM (78 FR 29666, May 21, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting this final rule as proposed.

Costs of Compliance

We estimate that this final rule affects 400 products of U.S. registry. We estimate that it takes about 7 work-hours per product to comply with the basic requirements of this final rule. Required parts would cost up to $2,422 per product. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this final rule on U.S. operators to be up to $1,206,800, or up to $3,017 per product.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this AD is 2120–0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave. SW., Washington, DC 20591. ATTN: Information Collection Clearance Officer, AES–200.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This final rule 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.

For the reasons discussed above, I certify this AD:

1. Is not a ''significant regulatory action'' under Executive Order 12866;
2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket

contains this AD, the MCAI, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2013–17–03 Airbus: Amendment 39–17567; Docket No. FAA–2013–0422; Directorate Identifier 2012–NM–097–AD.

(a) Effective Date

This AD is effective October 4, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A330–201, –202, –203, –223, –243, –223F, –243F, –301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes; Model A340–211, –212, –213, –311, –312, and –313 airplanes; and Model A340–541 and Model A340–642 airplanes; certificated in any category; all manufacturer serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls.

(e) Reason

This AD was prompted by reports of wing tip brakes (WTBs) losing their braking function in service due to heavy wear on the brake discs. We are issuing this AD to detect and correct failure of the WTB and consequent loss of control of the airplane.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Part Number Determination

Within 30 days after the effective date of this AD: Inspect to determine the part number (P/N) of the four WTBs of the flap and slat systems, in accordance with the Instructions of Airbus Alert Operators Transmission (AOT) A27L001–12, Revision 01, dated April 27, 2012. A review of the Airbus airplane inspection report (AIR) or airplane maintenance records is acceptable to identify the part number of the WTB installed, provided that part number can be conclusively determined from that review.

(h) Repetitive Operational Tests

For any WTB having P/N 1007A0000–03, P/N 1007A0000–04, or P/N 1007A0000–05, as determined by paragraph (g) of this AD: At the later of the times specified in paragraphs (h)(1) and (h)(2) of this AD, and thereafter at intervals not to exceed 1,000 flight hours, perform an operational test of the WTB on the affected flap and/or slat systems in accordance with the Instructions of Airbus AOT A27L001–12, Revision 01, dated April 27, 2012.

(1) Within 1,000 flight hours since the last accomplishment of A330/A340 Maintenance Review Board Report (MRBR) tasks 27.50.00/14 and 27.80.00/10, or since first flight of the airplane, whichever occurs later.

(2) Within 30 days after the effective date of this AD.

(i) Replacement of WTBs That Fail the Operational Test

If any WTB operational test fails, before further flight, replace the affected WTB with a serviceable WTB, in accordance with the Instructions of Airbus AOT A27L001–12, Revision 01, dated April 27, 2012. Installation of a WTB having P/N 1007A0000–03, P/N 1007A0000–04, or P/N 1007A0000–05, does not constitute terminating action for the repetitive tests required by paragraph (h) of this AD.

(j) Replacement of WTBs

Within 26 months after the effective date of this AD, replace each WTB having P/N 1007A0000–03, P/N 1007A0000–04, or P/N 1007A0000–05 with a WTB having P/N 1007A0000–06, in accordance with the Instructions of Airbus AOT A27L001–12, Revision 01, dated April 27, 2012. Accomplishing the replacement required by this paragraph constitutes terminating action for the repetitive operational tests required by paragraph (h) of this AD.

(k) Optional Installation

As an alternative to accomplishing the replacement required by paragraph (j) of this AD, installation of a WTB having P/N 1007B0000–01, in accordance with the Instructions of Airbus AOT A27L001–12, Revision 01, dated April 27, 2012, is acceptable for compliance with the requirements of paragraph (j) of this AD and constitutes terminating action for the repetitive operational tests required by paragraph (h) of this AD.

(l) Parts Installation Prohibition and Limitation

(1) For airplanes on which Airbus Modification 43512 has been embodied in production: As of the effective date of this AD, installing a WTB having P/N 1007A0000–03, P/N 1007A0000–04, or P/N 1007A0000–05 is not allowed.

(2) For airplanes on which Airbus Modification 43512 has not been embodied in production: Installing a WTB having P/N 1007A0000–03, P/N 1007A0000–04, or P/N 1007A0000–05 is allowed; provided that after its installation the operational test is performed before further flight, and passed successfully, in accordance with the Instructions of Airbus AOT A27L001–12, Revision 01, dated April 27, 2012.

(m) Credit for Previous Actions

This paragraph provides credit for actions required by paragraphs (g), (h), (i), (j), and (k) of this AD, if those actions were performed before the effective date of this AD using Airbus AOT A27L001–12, dated April 26, 2012, which is not incorporated by reference in this AD.

(n) Reporting to Airbus

Submit a report of the initial identification of the part numbers of the WTBs required by paragraph (g) of this AD, and a report of the findings of each operational test required by paragraph (h) of this AD (both positive and negative), to Airbus, Customer Services, Engineering and Technical Support, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex France, Attn: Daniel Lopez-Fernandez, SEEL6; fax: (+33) 5 61 93 04 52; email: *daniel.lopez-fernandez@airbus.com;* at the applicable time specified in paragraph (n)(1) or (n)(2) of this AD.

(1) If the action was done on or after the effective date of this AD: Submit the report within 90 days after accomplishing the action.

(2) If the action was done before the effective date of this AD: Submit the report within 90 days after the effective date of this AD.

(o) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing Instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

(p) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information, European Aviation Safety Agency Airworthiness Directive 2012–0082, dated May 15, 2012, for related information, which can be found in the AD docket on the Internet at *http://www.regulations.gov.*

(2) Service information identified in this AD that is not incorporated by reference may be obtained at the addresses specified in paragraphs (q)(3) and (q)(4) of this AD.

(q) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Airbus Alert Operators Transmission A27L001–12, Revision 01, dated April 27, 2012.

(ii) Reserved.

(3) For service information identified in this AD, contact Airbus SAS—Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.*

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on August 9, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20110 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0459; Directorate Identifier 2013–NM–044–AD; Amendment 39–17569; AD 2013–17–05]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, Model CL–600–2D24 (Regional Jet Series 900) airplanes, and Model CL–600–2E25 (Regional Jet Series 1000) airplanes. This AD was prompted by reports of erratic pitch movement and oscillatory behaviors of the elevator control system. This AD requires repetitive replacement of the bellcrank supports on the inner rear spar of the horizontal stabilizer with new, improved bellcrank supports. We are issuing this AD to prevent erratic pitch movement and transient accelerations, which could result in a significant pitch upset, and injuries to passengers and flightcrew.

DATES: This final rule becomes effective October 4, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 4, 2013.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ricardo Garcia, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE–171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228–7331; fax (516) 794–5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. The NPRM published in the **Federal Register** on May 31, 2013 (78 FR 32579). The NPRM proposed to correct an unsafe condition for the specified products.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2013–03, dated February 5, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> There have been several reported incidents of erratic pitch movements and oscillatory behaviors of the elevator control system. Investigation revealed that, the increase in the elevator breakout force induced by the introduction of a new elevator centering mechanism, in combination with the existing bracket assembly backlash and bearing friction of the bell crank support, could result in erratic pitch movement and oscillatory behavior of the elevator control system. This condition, if not corrected, could result in pitch upset of the aeroplane that generates transient accelerations. These accelerations could be high enough to injure aeroplane occupants that are not restrained in their seats.
>
> This [TCCA] AD mandates the repetitive replacement of the bellcrank supports with a new bearing.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment received. The Airline Pilots Association International supported the NPRM (78 FR 32579, May 31, 2013).

Conclusion

We reviewed the available data, including the comment received, and determined that air safety and the public interest require adopting this final rule as proposed.

Costs of Compliance

We estimate that this AD affects 400 products of U.S. registry. We also estimate that it takes about 7 work-hours per product to comply with the basic requirements of this AD. Required parts would cost up to $2,422 per product.

The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD on U.S. operators to be up to $1,206,800, or up to $3,017 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify this AD:

1. Is not a ''significant regulatory action'' under Executive Order 12866;
2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the MCAI, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive AD:

2013–17–05 Bombardier, Inc.: Amendment 39–17569; Docket No. FAA–2013–0459; Directorate Identifier 2013–NM–044–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective October 4, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the airplanes specified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD, certificated in any category.

(1) Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, serial numbers 10002 through 10999 inclusive.

(2) Bombardier, Inc. Model CL–600–2D15 (Regional Jet Series 705) and CL–600–2D24 (Regional Jet Series 900) airplanes, serial numbers 15001 through 15990 inclusive.

(3) Bombardier, Inc. Model CL–600–2E25 (Regional Jet Series 1000) airplanes, serial numbers 19001 through 19990 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls.

(e) Reason

This AD was prompted by reports of erratic pitch movements and oscillatory behaviors of the elevator control system. We are issuing this AD to prevent erratic pitch movement and transient accelerations, which could result in a significant pitch upset, and injuries to passengers and flightcrew.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Repetitive Replacement of the Bellcrank Supports

For any airplane with bellcrank supports having part numbers AV670–23350–001 (left side) and AV670–23350–002 (right side), on the inner rear spar of the horizontal stabilizer: At the applicable time specified in paragraph (g)(1), (g)(2), (g)(3), or (g)(4) of this AD, replace the affected bellcrank supports with new bellcrank supports, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 670BA–27–064, dated December 11, 2012. Repeat the replacement thereafter at intervals not to exceed 20,000 flight hours.

(1) For airplanes that have, as of the effective date of this AD, accumulated 18,000 total flight hours or less: Replace before the accumulation of 24,600 total flight hours.

(2) For airplanes that have, as of the effective date of this AD, accumulated more than 18,000 total flight hours, but 23,400 total flight hours or less: Replace within 6,600 flight hours after the effective date of this AD.

(3) For airplanes that have, as of the effective date of this AD, accumulated more than 23,400 total flight hours, but 28,500 total flight hours or less: Replace before the accumulation of 30,000 total flight hours.

(4) For airplanes that have, as of the effective date of this AD, accumulated more than 28,500 total flight hours: Within 1,500 flight hours after the effective date of this AD.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE–170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(i) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF–2013–03, dated February 5, 2013, for related information, which can be found in the AD docket on the Internet at *http://www.regulations.gov.*

(j) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Bombardier Service Bulletin 670BA–27–064, dated December 11, 2012.

(ii) Reserved.

(3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com;* Internet *http://www.bombardier.com.*

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on August 9, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20237 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0424; Directorate Identifier 2013–NM–014–AD; Amendment 39–17564; AD 2013–16–26]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Airbus Model A330–200 Freighter series airplanes; Model A330–200 and –300 series airplanes, and Model A340–200 and –300 series airplanes. This AD was prompted by reports of cracked adjacent frame forks of a forward cargo door. This AD requires repetitive detailed inspections for cracks and sheared, loose, or missing rivets of the forward cargo door and, for certain airplanes, of the aft cargo door, and repair if necessary. We are issuing this AD to detect and correct cracked or ruptured cargo door frames, which could result in reduced structural integrity of the forward or aft cargo door.

DATES: This AD becomes effective October 4, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 4, 2013.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on May 20, 2013 (78 FR 29261). The NPRM proposed to correct an unsafe condition for the specified products. The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2012–0274, dated December 21, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> One A330 operator recently reported a case where two adjacent frame (FR) forks of a forward cargo door were found cracked. FR20B was found cracked through, FR21 was found cracked half through. At the time of the findings, the affected aeroplane had accumulated around 21 000 flight cycles (FC) and it had already been inspected in accordance with EASA AD 2011–0007R1 [(*http://ad.easa.europa.eu/blob/easa_ad_2011_0007_R1.pdf/AD_2011-0007R1_1*)] [which corresponds to FAA AD 2012–12–12, Amendment 39–17092 (77 FR 37797, June 25, 2012)] and ALI [airworthiness limitation instructions] Task 523106–01–1. However, during those inspections, the forward cargo door handle access panel is not required to be removed, which explains why the cracks at these two internal frame locations were not detected.
>
> After further analysis, it was determined that, in case of cracked or ruptured (forward or aft) cargo door frame, the loads will be transferred to the remaining structural elements. However, the second load path is able to sustain the loads for a limited number of flight cycles only.
>
> This condition, if not detected and corrected, could lead to rupture of two vertical frames, resulting in reduced structural integrity of the forward or aft cargo door.
>
> To address this condition, Airbus issued four separate Alert Operators Transmissions (AOT), giving instructions for repetitive inspections of the affected areas.
>
> For the reasons described above, this [EASA] AD requires repetitive detailed visual inspections of aft cargo door at FR60 and FR60A [for certain airplanes] and forward cargo door at FR21 and FR20B [for all airplanes], where the cargo door handle access panels are located, as follow:
>
> —Outer skin rivets for sheared, loose or missing rivets at frame fork ends,
>
> —whole inner forks for cracks and for sheared, loose or missing rivets at frame web and flange after removal of handle access panels, and
>
> the accomplishment of the applicable corrective actions [which include repair, in accordance with a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA.]
>
> **Note:** Accomplishment of the above inspections does not cancel accomplishment of the inspections as required by EASA [AD] 2011–0007R1, nor accomplishment of those in accordance with ALI Task 523106–01–1.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (78 FR 29261, May 20, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting this AD as proposed–except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (78 FR 29261, May 20, 2013) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (78 FR 29261, May 20, 2013).

Costs of Compliance

We estimate that this AD affects 66 airplanes of U.S. registry. We also estimate that it takes 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost on U.S. operators to be $5,610, or $85 per product.

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the MCAI, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2013–16–26 Airbus: Amendment 39–17564. Docket No. FAA–2013–0424; Directorate Identifier 2013–NM–014–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective October 4, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A330–201, –202, –203, –223, –223F, –243, –243F, –301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes; and Model A340–211, –212, –213, –311, –312, and –313 airplanes; certificated in any category; all manufacturer serial numbers (MSNs).

(d) Subject

Air Transport Association (ATA) of America Code 52, Doors.

(e) Reason

This AD was prompted by reports of cracked adjacent frame forks of a forward cargo door. We are issuing this AD to detect and correct cracked or ruptured cargo door frames, which could result in reduced structural integrity of the forward or aft cargo door.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Inspections for Certain Airplanes

For Model A330–200, –200 Freighter, and –300 airplanes up to MSN 0162 inclusive, except those on which Airbus Service Bulletin A330–52–3044 has been embodied in service; and for Model A340–200 and –300 airplanes up to MSN 0164 inclusive, except those on which Airbus Service Bulletin A340–52–4054 has been embodied in service: Before the accumulation of 15,800 total flight cycles since the airplane's first flight or within 100 flight cycles after the effective date of this AD, whichever occurs later, do a detailed inspection of the outer skin rivets at the frame fork end of frame (FR)60 and FR60A of the aft cargo door for sheared, loose, or missing rivets; and do a detailed inspection of the whole FR60 and FR60A forks for cracking and for sheared, loose, or missing rivets at the frame web and flanges; in accordance with Airbus Alert Operator Transmission (AOT) A330–A52L001–12, dated December 3, 2012; or Airbus AOT A340–A52L002–12, dated December 3, 2012; as applicable. Repeat the inspections thereafter at intervals not to exceed 400 flight cycles.

(h) Inspections for All Airplanes

Within the applicable compliance time specified in paragraph (h)(1) or (h)(2) of this AD, do a detailed inspection of outer skin rivets at the frame fork end of FR21 and FR20B of the forward cargo door for sheared, loose, or missing rivets; and do a detailed inspection of the whole FR21 and FR20B forks for cracks and for sheared, loose, or missing rivets at the frame web and flanges; in accordance with Airbus AOT A330–A52L003–12, dated December 3, 2012; or Airbus AOT A340–A52L004–12, dated December 3, 2012; as applicable. Repeat this inspection thereafter at intervals not to exceed 800 flight cycles.

(1) For airplanes having less than 18,400 total flight cycles since the airplane's first flight as of the effective date of this AD: Before the accumulation of 10,600 total flight cycles since the airplane's first flight, or within 100 flight cycles after the effective date of this AD, whichever occurs later.

(2) For airplanes having 18,400 total flight cycles or more since the airplane's first flight as of the effective date of this AD: Within 50 flight cycles after the effective date of this AD.

(i) Repair

If any cracking, or sheared, loose, or missing rivet is found during any inspection required by this AD, before further flight, repair using a method approved by either the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA) (or its delegated agent).

(j) Non-Terminating Action

Doing the repair required by paragraph (i) of this AD is not terminating action for the repetitive inspections required by paragraphs (g) and (h) of this AD for that cargo door, unless the repair instruction specifically states it is terminating action.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport

Airplane Directorate, FAA 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(l) Related Information

Refer to Mandatory Continuing Airworthiness Information EASA Airworthiness Directive 2012–0274, dated December 21, 2012, for related information, which can be found in the AD docket on the Internet at *http://www.regulations.gov.*

(m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Airbus Alert Operator Transmission A330–A52L001–12, dated December 3, 2012. The first page of this document contains the document number and date; no other pages contain this information.

(ii) Airbus Alert Operator Transmission A330–A52L003–12, dated December 3, 2012. The first page of this document contains the document number and date; no other pages contain this information.

(iii) Airbus Alert Operator Transmission A340–A52L002–12, dated December 3, 2012. The first page of this document contains the document number and date; no other pages contain this information.

(iv) Airbus Alert Operator Transmission A340–A52L004–12, dated December 3, 2012. The first page of this document contains the document number and date; no other pages contain this information.

(3) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email *airworthiness.A330-A340@airbus.com;* Internet *http://www.airbus.com.*

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on August 9, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–19923 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

RIN 3084–AA98

16 CFR Part 310

Telemarketing Sales Rule Fees

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (the ''Commission'' or ''FTC'') is amending its Telemarketing Sales Rule (''TSR'') by updating the fees charged to entities accessing the National Do Not Call Registry (the ''Registry'') as required by the Do-Not-Call Registry Fee Extension Act of 2007.

DATES: *Effective Date:* The revised fees will become effective October 1, 2013.

ADDRESSES: Requests for copies of this document should be sent to: Public Reference Branch, Federal Trade Commission, Room 130, 600 Pennsylvania Avenue NW., Washington, DC 20580. Copies of this document are also available on the Internet at the Commission's Web site: *http://www.ftc.gov.*

FOR FURTHER INFORMATION CONTACT: Ami Joy Dziekan, (202) 326–2648, BCP, Federal Trade Commission, 600 Pennsylvania Avenue NW., Room H–246, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: To comply with the Do-Not-Call Registry Fee Extension Act of 2007 (Pub. L. 110–188, 122 Stat. 635) (''Act''), the Commission is amending the TSR by updating the fees entities are charged for accessing the Registry as follows: the revised rule increases the annual fee for access to the Registry for each area code of data from $58 to $59 per area code; increases the fee per area code of data during the second six months of an entity's annual subscription period from $29 to $30; and increases the maximum amount that will be charged to any single entity for accessing area codes of data from $15,962 to $16,228.

These increases are in accordance with the Act, which specifies that beginning after fiscal year 2009, the dollar amounts charged shall be increased by an amount equal to the amounts specified in the Act, multiplied by the percentage (if any) by which the average of the monthly consumer price index (for all urban consumers published by the Department of Labor) (''CPI'') for the most recently ended 12-month period ending on June 30 exceeds the CPI for the 12-month period ending June 30, 2008. The Act also states that any increase shall be rounded to the nearest dollar and that there shall be no increase in the dollar amounts if the change in the CPI is less than one percent. For fiscal year 2009, the Act specified that the original annual fee for access to the Registry for each area code of data was $54 per area code, or $27 per area code of data during the second six months of an entity's annual subscription period, and that the maximum amount that would be charged to any single entity for accessing area codes of data would be $14,850.

The determination whether a fee change is required and the amount of the fee change involves a two-step process. First, to determine whether a fee change is required, we measure the change in the CPI from the time of the previous increase in fees. There was an increase in the fees for fiscal year 2013. Accordingly, we calculated the change in the CPI since last year, and the increase was 1.66 percent. Because this change is over the one percent threshold, the fees will change for fiscal year 2014.

Second, to determine how much the fees should increase this fiscal year, we use the calculation specified by the Act set forth above, the percentage change in the baseline CPI applied to the original fees for fiscal year 2009. The average value of the CPI for July 1, 2007 to June 30, 2008 was 211.702; the average value for July 1, 2012 to June 30, 2013 was 231.352, an increase of 9.28 percent. Applying the 9.28 percent increase to the base amount from fiscal year 2009, leads to an increase from $58 to $59 in the fee from last year for access to a single area code of data for a full year for fiscal year 2014. The actual amount is $59.01, but when rounded, pursuant to the Act, the amount is $59. The fee for accessing an additional area code for a half year increases to $29.51 (rounded to $30). The maximum amount charged increases to $16,228.08 (rounded to $16,228).

Administrative Procedure Act; Regulatory Flexibility Act; Paperwork Reduction Act

The revisions to the Fee Rule are technical in nature and merely incorporate statutory changes to the TSR. These statutory changes have been

adopted without change or interpretation, making public comment unnecessary. Therefore, the Commission has determined that the notice and comment requirements of the Administrative Procedure Act do not apply. *See* 5 U.S.C. 553(b). For this reason, the requirements of the Regulatory Flexibility Act also do not apply. *See* 5 U.S.C. 603, 604. Pursuant to the Paperwork Reduction Act, 44 U.S.C. 3501–3521, the Office of Management and Budget (''OMB'') approved the information collection requirements in the Amended TSR and assigned the following existing OMB Control Number: 3084–0097. The amendments outlined in this Final Rule pertain only to the fee provision (§ 310.8) of the Amended TSR and will not establish or alter any record keeping, reporting, or third-party disclosure requirements elsewhere in the Amended TSR.

List of Subjects in 16 CFR Part 310

Advertising, Consumer protection, Reporting and recordkeeping requirements, Telephone, Trade practices.

Accordingly, the Federal Trade Commission amends part 310 of title 16 of the Code of Federal Regulations as follows:

PART 310—TELEMARKETING SALES RULE

■ 1. The authority citation for part 310 continues to read as follows:

Authority: 15 U.S.C. 6101–6108; 15 U.S.C. 6151–6155.

■ 2. Revise § 310.8(c) and (d) to read as follows:

§ 310.8 Fee for access to the National Do Not Call Registry.

* * * * *

(c) The annual fee, which must be paid by any person prior to obtaining access to the National Do Not Call Registry, is $59 for each area code of data accessed, up to a maximum of $16,228; *provided,* however, that there shall be no charge to any person for accessing the first five area codes of data, and *provided further,* that there shall be no charge to any person engaging in or causing others to engage in outbound telephone calls to consumers and who is accessing area codes of data in the National Do Not Call Registry if the person is permitted to access, but is not required to access, the National Do Not Call Registry under this Rule, 47 CFR 64.1200, or any other Federal regulation or law. Any person accessing the National Do Not Call Registry may not participate in any arrangement to share the cost of accessing the registry, including any arrangement with any telemarketer or service provider to divide the costs to access the registry among various clients of that telemarketer or service provider.

(d) Each person who pays, either directly or through another person, the annual fee set forth in § 310.8(c), each person excepted under § 310.8(c) from paying the annual fee, and each person excepted from paying an annual fee under § 310.4(b)(1)(iii)(B), will be provided a unique account number that will allow that person to access the registry data for the selected area codes at any time for the twelve month period beginning on the first day of the month in which the person paid the fee (''the annual period''). To obtain access to additional area codes of data during the first six months of the annual period, each person required to pay the fee under § 310.8(c) must first pay $59 for each additional area code of data not initially selected. To obtain access to additional area codes of data during the second six months of the annual period, each person required to pay the fee under § 310.8(c) must first pay $30 for each additional area code of data not initially selected. The payment of the additional fee will permit the person to access the additional area codes of data for the remainder of the annual period.

* * * * *

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2013–21141 Filed 8–29–13; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 655

RIN 1205–AB61

Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program; Delay of Effective Date

AGENCY: Employment and Training Administration, Labor.

ACTION: Final rule; indefinite delay of effective date.

SUMMARY: The Department of Labor (Department or we/us) is delaying indefinitely the effective date of the Wage Methodology for the Temporary Non-agricultural Employment H–2B Program final rule (2011 Wage Rule), in order to comply with recurrent legislation that prohibits us from using any funds to implement it, and to permit time for consideration of public comments sought in conjunction with an interim final rule published April 24, 2013, 78 FR 24047. The 2011 Wage Rule revised the methodology by which the Department calculates the prevailing wages to be paid to H–2B workers and United States workers recruited in connection with a temporary labor certification for use in petitioning the Department of Homeland Security to employ a nonimmigrant worker in H–2B status. The 2011 Wage Rule was originally scheduled to become effective on January 1, 2012, and the effective date has been extended a number of times, most recently to October 1, 2013. We are now delaying the effective date of the 2011 Wage Rule indefinitely. This rule does not affect the Interim Final Rule, 78 FR 24047, published on April 24, 2013, establishing the current prevailing wage methodology for the H–2B program; that rule remains in effect.

DATES: The effective date of the rule amending 20 CFR part 655, published at 76 FR 3452 (January 19, 2011) (referred to herein as the 2011 Wage Rule), originally effective January 1, 2012, and which was previously made effective September 30, 2011, at 76 FR 45667 (August 1, 2011); and delayed to November 30, 2011, at 76 FR 59896 (September 28, 2011); to January 1, 2012, at 76 FR 73508 (November 29, 2011); to October 1, 2012, at 76 FR 82115 (December 30, 2011); to March 27, 2013, at 77 FR 60040 (October 2, 2012); and to October 1, 2013, at 78 FR 19098 (March 29, 2013), is delayed indefinitely, effective on September 30, 2013. The Department will publish a later document in the **Federal Register** establishing a new effective date in the event of implementation of the 2011 Wage Rule.

FOR FURTHER INFORMATION CONTACT: William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, ETA, U.S. Department of Labor, 200 Constitution Avenue NW., Room C–4312, Washington, DC 20210; Telephone (202) 693–3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1–877–889–5627 (TTY/TDD).

SUPPLEMENTARY INFORMATION: The Department of Labor published a final rule, Wage Methodology for the Temporary Non-agricultural Employment H–2B Program, on January 19, 2011. *See* 76 FR 3452 (the 2011 Wage Rule). The 2011 Wage Rule revised the methodology by which we

calculate the prevailing wages to be paid to H–2B workers and United States (U.S.) workers recruited in connection with a temporary labor certification for use in petitioning the Department of Homeland Security (DHS) to employ a nonimmigrant worker in H–2B status. We originally set the effective date of the 2011 Wage Rule for January 1, 2012. However, as a result of litigation and following notice-and-comment rulemaking, we issued a final rule, 76 FR 45667 (Aug. 1, 2011), revising the effective date of the 2011 Wage Rule to September 30, 2011, and a second final rule, 76 FR 59896 (Sept. 28, 2011), further revising the effective date of the 2011 Wage Rule to November 30, 2011.

Thereafter, we delayed the effective date of the 2011 Wage Rule until January 1, 2012 in light of the enactment on November 18, 2011 of the Consolidated and Further Continuing Appropriations Act, 2012, which provided that ''[n]one of the funds made available by this or any other Act for fiscal year 2012 may be used to implement, administer, or enforce, prior to January 1, 2012 the [Wage Rule].'' Public Law No. 112–55, 125 Stat. 552, Div. B, Title V, sec. 546 (Nov. 18, 2011) (the November 2011 Appropriations Act). In delaying the 2011 Wage Rule's effective date at that time, the Department stated that although the November 2011 Appropriations Act ''prevent[ed] the expenditure of funds to implement, administer, or enforce the [2011] Wage Rule before January 1, 2012, it [did] not prohibit the [2011] Wage Rule from going into effect, which [was] scheduled to occur on November 30, 2011.'' 76 FR 73508, 73509 (Nov. 29, 2011). We explained that ''when the [2011] Wage Rule goes into effect, it will supersede and make null the prevailing wage provisions at 20 CFR 655.10(b) of the Department's existing H–2B regulations, which were promulgated under Labor Certification Process and Enforcement for Temporary Employment in Occupations Other Than Agriculture or Registered Nursing in the United States (H–2B Workers), and Other Technical Changes; Final Rule, 73 FR 78020, Dec. 19, 2008 (the H–2B 2008 Rule).'' *Id.* Accordingly, we determined that it was necessary in light of the November 2011 Appropriations Act to delay the effective date of the 2011 Wage Rule to avoid the replacement of the wage provisions of the H–2B 2008 Rule with a new rule that we lacked appropriated funds to implement. Such an occurrence would have rendered the H–2B program inoperable because, as discussed in the NPRM, at 78 FR 44055, the issuance of a prevailing wage determination is a condition precedent to approving an employer's request for an H–2B labor certification. See 20 CFR 655.10. As a result, the Department issued a final rule, 76 FR 73508, which delayed the effective date of the 2011 Wage Rule until January 1, 2012.

Subsequent appropriations legislation [1] containing the same restriction prohibiting the Department's use of appropriated funds to implement, administer, or enforce the 2011 Wage Rule necessitated subsequent extensions of the effective date of that rule. *See* 76 FR 82115 (Dec. 30, 2011) (extending the effective date to October 1, 2012); 77 FR 60040 (Oct. 2, 2012) (extending the effective date to March 27, 2013); 78 FR 19098 (Mar. 29, 2013) (extending the effective date to October 1, 2013). In light of the continued prohibitions on the expenditure of the Department's appropriated funds to implement, administer, or enforce the 2011 Wage Rule, the Department proposed in the July 23, 2013 NPRM to delay indefinitely the effective date of the 2011 Wage Rule until such time as the rule can be implemented.

Additionally, the Department, together with DHS (the Departments),[2] recently promulgated an interim final rule (IFR), 78 FR 24047, establishing a new wage methodology. This action was taken in direct response to *Comite de Apoyo a los Trabajadores Agricolas (CATA)* v. *Solis,*—F. Supp. 2d—, 2013 WL 1163426 (E.D. Pa. Mar. 21, 2013), in which the district court vacated a provision of the H–2B 2008 rule, 20 CFR 655.10(b)(2). That provision required that prevailing wages based on the Occupational Employment Statistics (OES) survey contain tiers that are commensurate with the skill required for the job; the Department accordingly divided the OES wage applicable to the occupation in question into four tiers of wages to correspond to skill levels. The court vacated 20 CFR 655.10(b)(2), which was the basis for the four-tiered wage, and remanded the matter to the Department, ordering the Department to come into compliance with the court's order within 30 days.

In response to *CATA* v. *Solis,* the Departments issued the IFR on April 24, 2013. *See* 78 FR 24047. The Departments struck the phrase, ''at the skill level,'' from 20 CFR 655.10(b)(2), thus requiring prevailing wage determinations issued using the OES survey to be based on the mean wage for the occupation in the area of intended employment without tiers or skill levels. *See id.* at 24053. That revision became effective on April 24, 2013, the date of publication. The Departments requested comments on all aspects of the prevailing wage provisions of 20 CFR 655.10(b), including, among other things, whether the OES mean is the appropriate basis for determining the prevailing wage; whether wages based on the Davis-Bacon Act (DBA), 40 U.S.C. 276a *et seq.,* 29 CFR part 1, or the McNamara-O'Hara Service Contract Act (SCA), 41 U.S.C. 351 *et seq.,* should be used to determine the prevailing wage, and if so to what extent; and whether to permit the continued use of employer-submitted surveys and ways to strengthen their methodology, if permitted. The comment period closed on June 10, 2013, and the Departments are in the process of reviewing those comments and determining whether further revision to 20 CFR 655.10(b) is warranted in light of public comment.

Because of the confluence of the recurrent Congressional prohibition against implementation of the 2011 Wage Rule, which we anticipate will continue, and our current review and consideration of comments associated with the IFR, which revised the wage provision of the H–2B regulations that was also the subject of the 2011 Wage Rule, the Department proposed the indefinite delay of the effective date of the 2011 Wage Rule on July 23, 2013. 78 FR 44054. We accepted comments from the public on the proposed indefinite delay through August 9, 2013.

We received 36 comments on the proposed rule. We received three comments that support the delay of the effective date of the 2011 Wage Rule. Two commenters submitted joint comments on the IFR without addressing the proposed extension of the 2011 Wage Rule. The remaining

[1] These include the Consolidated Appropriations Act of 2012, Public Law 112–74, 125 Stat. 786 (Dec. 23, 2011); Continuing Appropriations Resolution, 2013, Public Law 112–175, 126 Stat. 1313 (Sept. 28, 2012); and Consolidated and Further Continuing Appropriations Act, 2013, Public Law 113–6, 127 Stat. 198 (Mar. 26, 2013) (establishing DOL's appropriations through Sept. 30, 2013).

[2] The Department of Labor and DHS issued the IFR jointly to dispel questions about the respective roles of the two agencies and the validity of the Department's regulations as an appropriate way to implement the interagency consultation specified in section 214(c)(1) of the INA, 8 U.S.C. 1184(c)(1). *See Bayou Lawn & Landscape Servs.* v. *Sec'y of Labor,* 713 F.3d 1080 (11th Cir. 2013) (holding that the Department of Labor lacks independent rulemaking authority under the INA to issue legislative regulations implementing its role in the H–2B program). *But see La. Forestry Ass'n* v. *Solis,* 889 F. Supp. 2d 711 (E.D. Pa. 2012) (rejecting claim that the Department of Labor lacks authority under the INA to administer the H–2B program through legislative rules), *appeal pending,* No. 12–4030 (3d Cir.). Due to these inconsistent court rulings about the Department's authority to issue independent legislative rules, the Department and DHS together issued the IFR revising the prevailing wage methodology in the H–2B program.

commenters, many of whom submitted identical or nearly identical comments, summarily suggested that the Department reconsider or delay the implementation of the ''new rule'' or the ''new wage methodology.'' We interpret these comments to refer to the Department's IFR issued on April 24, 2013. As noted above, the Departments are considering comments submitted in response to the IFR and will determine, in that separate rulemaking proceeding, whether further changes are necessary in light of those comments. However, comments on the IFR are beyond the scope of this rulemaking, which only addresses the effective date of the 2011 Wage Rule. As a result, we have not considered comments about the IFR in this final rule.

One commenter challenged generally the merits of the 2011 Wage Rule and the IFR. As noted above, the relative merits of the IFR were not raised in this proposed rule, which was limited to the proposed indefinite delay of the effective date of the 2011 Wage Rule. Comments about the IFR are therefore beyond the scope of this rulemaking, as are the relative merits of the 2011 Wage Rule. The same commenter also challenged our authority to issue rules for the H–2B program, asserting, in part, that the issuance of the proposed extension of the 2011 Wage Rule violates ''the congressional defunding legislation,'' which, in its view, requires the rescission of the 2011 Wage Rule and precludes its indefinite delay. This commenter also asserted that the APA does not allow an agency to place a regulation ''on a shelf forever'' and that the Department has acted improperly by determining that it intends to issue—without public comment—the 2011 Wage Rule upon expiration of ''the defunding legislation.''

As explained in the proposed rule, we have complied with the restrictions imposed on our use of appropriated funds to implement, administer, or enforce the 2011 Wage Rule. Contrary to the commenter's view, the appropriations legislation, by its terms, is only applicable for a specified period of time and does not supplant the substantive provisions of the 2011 Wage Rule. Moreover, the proposal to indefinitely delay the effective date of the rule is consistent with the conditions imposed by Congress. As noted in the proposed rule, we have promulgated a series of notices delaying the effective date of the 2011 Wage Rule. By doing so, we have clarified the status of the rule for the public, thereby eliminating any uncertainty or confusion as to its status.

To the extent that the commenter is challenging our authority to issue *any* regulations in the H–2B program, we disagree for the reasons stated in the 2011 Wage Rule (76 FR at 3452–3453) and the IFR (78 FR at 24049–24051). As to the commenter's additional assertions, we have complied fully with the Administrative Procedure Act (APA) in proposing and adopting as a final rule the indefinite delay of the 2011 Wage rule. Our future actions likewise will be guided by the APA and other statutory requirements. The 2011 Wage Rule has already been the subject of extensive public comment to which we responded in detail in the preamble to the 2011 Wage Rule. The commenter provides no authority, and we are aware of none, that would require us to reopen the rule for comment simply because the effective date of the rule has been changed.

In sum, after considering all the comments, the Department has decided to indefinitely delay the 2011 Wage Rule for the reasons stated in the proposal. As noted in the proposed rule, if the 2011 Wage Rule were to become effective, it would supplant the revisions made to 20 CFR 655.10(b) in the IFR, which were necessary in light of the court's order in *CATA* v. *Solis.* In that event, we would likely continue to be unable to implement the 2011 Wage Rule, based on the continuation of the Congressional prohibition on its implementation. However, if Congress lifts the prohibition against implementation of the 2011 Wage Rule, the Department would need time to assess the current regulatory framework, to consider any changed circumstances, novel concerns or new information received, and to minimize disruptions. This rule preserves our ability to do so.

Until such time as Congress no longer prohibits the Department from implementing the 2011 Wage Rule, the effective date of the 2011 Wage Rule is delayed indefinitely. If Congress no longer prohibits implementation of the 2011 Wage Rule, the Department will publish a document in the **Federal Register** within 45 days of that event apprising the public of the status of 20 CFR 655.10 and the effective date of the 2011 Wage Rule. This rule does not affect the Interim Final Rule, 78 FR 24047, published on April 24, 2013, establishing the current prevailing wage methodology for the H–2B program; that rule remains in effect.

Signed: at Washington, DC this 26th of August, 2013.

Eric Seleznow,

Acting Assistant Secretary for Employment and Training.

[FR Doc. 2013–21132 Filed 8–29–13; 8:45 am]

BILLING CODE 4510–FP–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

20 CFR Parts 718 and 725

RIN 1240–AA07

Black Lung Benefits Act: Standards for Chest Radiographs

AGENCY: Office of Workers' Compensation Programs, Labor.

ACTION: Direct final rule; withdrawal.

SUMMARY: The Office of Workers' Compensation Programs (OWCP) published a direct final rule in the **Federal Register** on June 13, 2013, updating existing film-radiograph standards and providing parallel standards for submission of digital radiographs in connection with claims filed under the Black Lung Benefits Act. The comment period closed on August 12, 2013. OWCP is withdrawing the direct final rule because the agency received significant adverse comment.

DATES: Effective August 30, 2013, the direct final rule published on June 13, 2013, (78 FR 35549) is withdrawn.

FOR FURTHER INFORMATION CONTACT: Steven Breeskin, Director, Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, U.S. Department of Labor, 200 Constitution Avenue NW., Suite N–3464, Washington, DC 20210. Telephone: (202) 693–0824 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1–800–877–8339 for further information.

SUPPLEMENTARY INFORMATION: On June 13, 2013, OWCP published the direct final rule, *Black Lung Benefits Act: Standards for Chest Radiographs* (78 FR 35549), to update existing film-radiograph standards and provide parallel standards for digital radiographs submitted in Black Lung Benefits Act claims. OWCP stated that the rule would go into effect unless the agency received significant adverse comment; in that event, OWCP stated that it would withdraw the direct final rule and proceed on the companion proposed rule also published in the **Federal Register** on June 13, 2013 (78 FR 35575). Because OWCP has received

significant adverse comment, it is withdrawing the direct final rule with this notice. OWCP will address all comments in its final action on the proposed rule. As stated in both the direct final rule and companion proposed rule, OWCP will not institute a second comment period.

Dated: August 20, 2013.

Gary A. Steinberg,

Acting Director, Office of Workers' Compensation Programs.

[FR Doc. 2013–21029 Filed 8–29–13; 8:45 am]

BILLING CODE 4510–CR–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1 and 602

[TD 9632]

RIN 1545–BL36

Shared Responsibility Payment for Not Maintaining Minimum Essential Coverage

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations on the requirement to maintain minimum essential coverage enacted by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, as amended by the TRICARE Affirmation Act and Public Law 111–173. These final regulations provide guidance to individual taxpayers on the liability under section 5000A of the Internal Revenue Code for the shared responsibility payment for not maintaining minimum essential coverage and largely finalize the rules in the notice of proposed rulemaking published in the **Federal Register** on February 1, 2013.

DATES: *Effective date:* These regulations are effective on August 30, 2013.

Applicability date: For date of applicability, see § 1.5000A–5(c).

FOR FURTHER INFORMATION CONTACT: Sue-Jean Kim or John B. Lovelace at (202) 622–4960 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collection of information contained in these regulations has been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork and Reduction Act of 1995 (44 U.S.C. 3507(d)) under control number 1545–0074. The collection of information in these final regulations is in § 1.5000A–3 and § 1.5000A–4. The information is necessary to determine whether the shared responsibility payment provision applies to a taxpayer, and, if it applies, the amount of the penalty. The likely respondents are individuals required to file Federal income tax returns under section 6012(a)(1).

Estimated total annual reporting burden: 7,500,000 hours.

Estimated annual burden hours per respondent varies from .1 to .5 hours, depending on individual circumstances, with an estimated average of .21 hours.

Estimated number of respondents: 36,000,000.

Estimated frequency of responses: Annually.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number assigned by the Office of Management and Budget.

Book or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by section 6103.

Background

This document amends the Income Tax Regulations (26 CFR part 1) by adding final regulations under section 5000A on the individual shared responsibility provision. Section 5000A was enacted by the Patient Protection and Affordable Care Act, Public Law 111–148 (124 Stat. 119 (2010)), and the Health Care and Education Reconciliation Act of 2010, Public Law 111–152 (124 Stat. 1029 (2010)) (collectively, the Affordable Care Act). On February 1, 2013, a notice of proposed rulemaking (REG–148500–12) was published in the **Federal Register** (78 FR 7314).

Written comments responding to the notice of proposed rulemaking of February 1, 2013, were received. The comments are available for public inspection at *www.regulations.gov* or on request. A public hearing was held on May 29, 2013. After considering all the comments, the proposed regulations are adopted as revised by this Treasury decision. The comments and revisions are discussed in the preamble.

In related rulemaking, on July 1, 2013, the Department of Health and Human Services (HHS) promulgated final regulations implementing certain functions of the Affordable Insurance Exchanges (Exchanges) to determine eligibility for and grant certain exemptions from the shared responsibility payment under section 5000A, and implementing the responsibilities of the Secretary of HHS, in coordination with the Secretary of the Treasury, to designate other health benefits coverage as minimum essential coverage under section 5000A(f)(1)(E). Patient Protection and Affordable Care Act: Exchange Functions: Eligibility for Exemptions; Miscellaneous Minimum Essential Coverage Provisions, 78 FR 39494 (codified at 45 CFR parts 155 and 156) (the HHS MEC regulations). The HHS MEC regulations provide, among other things, eligibility standards for the hardship exemption, setting forth both general and specific descriptions of the circumstances in which an Exchange will grant a hardship exemption certification as well as those in which a hardship exemption may be claimed on a Federal income tax return. The HHS MEC regulations also designate certain coverage as minimum essential coverage and outline substantive and procedural requirements for other types of coverage to be recognized as minimum essential coverage.

Summary of Comments and Explanation of Revisions

I. Maintenance of Minimum Essential Coverage

A. Coverage for a Month

The proposed regulations provide that, for any calendar month, an individual has minimum essential coverage if the individual is enrolled in and entitled to receive benefits under a program or plan that is minimum essential coverage for at least one day during the month.

A commentator recommended that an individual be covered for a month if the individual is enrolled in and entitled to receive benefits under a plan or program identified as minimum essential coverage for a majority of the days in the month. The commentator asserted that allowing one day of enrollment in a month to satisfy the coverage requirement would permit individuals to obtain minimum essential coverage for only one day and then forgo it for the rest of the month without any adverse consequence under section 5000A.

The Treasury Department and the IRS considered a rule requiring coverage for a majority of days in a month but chose the one-day rule because it provides administrative convenience for both taxpayers and the IRS. Without the one-day rule, taxpayers and the IRS would need to determine the number of days each person in a shared responsibility

family is covered in each month of a taxable year. Accordingly, the final regulations do not adopt this recommendation. The Treasury Department and the IRS will reconsider this rule if future developments indicate that the rule is being abused, for example, if individuals obtain coverage for a single day in a month over the course of several months in a year.

A commentator requested that the final regulations provide that an individual who has submitted an application for Medicaid but is awaiting approval for enrollment have minimum essential coverage while the application is pending approval. In general, Medicaid coverage is granted retroactively to the date the application is filed. Section 5000A(a) requires that an individual have minimum essential coverage for a month. If retroactive coverage is granted, an applicant has minimum essential coverage. If the application is denied, the applicant does not have minimum essential coverage. Accordingly, the final regulations do not adopt this recommendation. However, an individual without coverage may be eligible for an exemption, such as a short coverage gap exemption. See § 1.5000A–3 and 45 CFR 155.605.

B. Liability for Shared Responsibility Payment

1. Liability for Dependents

In general, section 151 allows individual taxpayers a deduction for personal exemptions for the taxpayer, the taxpayer's spouse, and any dependents (as defined in section 152) of the taxpayer for the taxable year. Section 152 defines dependent to include a taxpayer's qualifying children and qualifying relatives. Although a section 151 deduction is allowable to a taxpayer for the taxpayer's dependents (as defined in section 152), a deduction is allowed to a taxpayer under section 151 only if the taxpayer properly claims the dependent. Consistent with section 5000A(b)(3), the proposed regulations provide that a taxpayer is liable for the shared responsibility payment imposed for any individual for a month in a taxable year for which the individual is the taxpayer's dependent (as defined in section 152) for that taxable year. Whether the taxpayer actually claims the individual as a dependent for the taxable year does not affect the taxpayer's liability for the shared responsibility payment for the individual.

Several commentators recommended modifications to the section 5000A rule addressing liability for dependents. Some commentators recommended that a taxpayer's liability for the shared responsibility payment be limited to individuals eligible for the same minimum essential coverage for which the taxpayer is eligible. The commentators stated that many taxpayers are unable to enroll their qualifying children in their employer-provided plans. Other commentators recommended that a taxpayer's liability under section 5000A extend solely to those dependents who meet the requirements to be a qualifying child under section 152, so that a taxpayer's qualifying relatives would be disregarded. In addition, commentators requested that section 5000A liability extend only to those dependents who are actually claimed by the taxpayer. They stated that the complexity in identifying a potential dependent before the taxable year begins, particularly a qualifying relative, would prevent them from making informed coverage decisions. The commentators claimed that, unless the rule is revised, those taxpayers may unexpectedly be liable for shared responsibility payments for dependents for whom a deduction under section 151 is not claimed.

Section 5000A(b)(3) provides that a taxpayer is liable for the shared responsibility payment for an individual without minimum essential coverage if the individual is the taxpayer's dependent as defined in section 152. While the definition of family size in section 5000A(c)(4)(A) refers to dependents for whom a taxpayer claims a deduction under section 151, section 5000A(b)(3) refers to section 152, and section 152 defines dependent based on status as a qualifying child or qualifying relative. Accordingly, the final regulations retain the rule imposing liability on the taxpayer who may claim an individual as a dependent.

Other commentators recommended that a non-custodial parent who must provide the health care of a child under a separation agreement, divorce decree, court order, or other similar legal obligation and who fails to provide that health care be liable for the shared responsibility payment attributable to that child even if the child is the custodial parent's dependent under section 152.

Section 5000A places liability for a dependent's lack of minimum essential coverage on the taxpayer who may claim the individual as a dependent. Section 5000A does not provide that this liability may be assigned to another taxpayer, even if the other taxpayer has a legal obligation to provide the child's health care. Accordingly, the final regulations do not adopt this recommendation. However, HHS has addressed the situation described in the comments in recently issued guidance, permitting Exchanges to grant a hardship exemption under 45 CFR 155.605(g)(1) to the custodial parent for a child in this situation if the child is ineligible for coverage under Medicaid or the Children's Health Insurance Program (CHIP). See HHS Center for Consumer Information & Insurance Oversight, Guidance on Hardship Exemption Criteria and Special Enrollment Periods (June 26, 2013).

2. Special Rule for Adopted Children

The proposed regulations provide special rules for determining liability for the shared responsibility payment attributable to children adopted or placed in foster care during a taxable year. If a taxpayer legally adopts a child and is entitled to claim the child as a dependent for the taxable year when the adoption occurs, the taxpayer is not liable for a shared responsibility payment attributable to the child for the month of the adoption and any preceding month. Conversely, if a taxpayer who is entitled to claim a child as a dependent for the taxable year places the child for adoption during the year, the taxpayer is not liable for a shared responsibility payment attributable to the child for the month of the adoption and any following month.

Similar to the comment on a custodial parent's liability, commentators recommended that a taxpayer's liability for shared responsibility payment for an adopted child be based on the state law assigning responsibility for the child's health care, not when a child is adopted or placed for foster care.

As explained previously in section I.B.1. of this preamble, section 5000A(b)(3) provides that a taxpayer is liable for the shared responsibility payment for an individual without minimum essential coverage if the individual is the taxpayer's dependent as defined in section 152. Determining when a taxpayer is liable for an adopted child's health care under numerous and varying state laws would introduce considerable administrative difficulty and uncertainty into the implementation and administration of section 5000A. Accordingly, the final regulations do not modify the rule for determining liability for the shared responsibility payment attributable to children adopted or placed in foster care during a taxable year.

C. Definitions of Terms

1. Insurance-related Terms

Section 5000A(f)(5) provides that any term used in section 5000A that is also used in Title I of the Affordable Care Act has the same meaning as when used in that Title. To provide additional guidance and clarity, the final regulations specifically identify the terms used in section 5000A that also are used in Title I of the Affordable Care Act. The additional terms defined include health insurance coverage, individual health insurance coverage, individual market, and state.

2. Household Income

Section 5000A(c)(4)(B) provides that the term *household income* means the modified adjusted gross income of the taxpayer plus the modified adjusted gross income of all members of the taxpayer's family required to file a tax return under section 1 for the taxable year. The proposed regulations provide that the determination of whether a family member is required to file a return is made without regard to section 1(g)(7). Under section 1(g)(7), a parent may, if certain requirements are met, elect to include in the parent's gross income, the gross income of his or her child. If the parent makes the election, the child is treated as having no gross income for the taxable year. The final regulations remove ''without regard to section 1(g)(7).'' The proposed regulations' use of the phrase ''without regard to section 1(g)(7)'' implies that the child's gross income is included in both the parent's adjusted gross income and the child's adjusted gross income in determining household income. The final regulations remove the phrase to clarify that if a parent makes an election under section 1(g)(7), household income includes the child's gross income included on the parent's return and the child is treated as having no gross income.

II. Minimum Essential Coverage

A. Government-sponsored Programs

1. Medicaid Coverage for Pregnant Women

The proposed regulations exclude Medicaid coverage for pregnant women under section 1902(a)(10)(A)(i)(IV) and (a)(10)(A)(ii)(IX) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(IV), (a)(10)(A)(ii)(IX)) (''pregnancy-related Medicaid'') from government-sponsored programs constituting minimum essential coverage. Some commentators commended this treatment of pregnancy-related Medicaid. Other commentators expressed concern that women who have pregnancy-related Medicaid and who do not have any form of minimum essential coverage would, under the proposed regulations, be subject to a shared responsibility payment. The commentators recommended that pregnancy-related Medicaid be considered minimum essential coverage solely for section 5000A (and not section 36B). In the alternative, they recommended that women enrolled in pregnancy-related Medicaid who are not also enrolled in services providing minimum essential coverage be granted a hardship exemption from the shared responsibility payment.

The final regulations do not adopt the recommendation to treat pregnancy-related Medicaid as minimum essential coverage solely for section 5000A. As explained in the preamble to the proposed regulations, states have the option to provide pregnant women with full Medicaid coverage as pregnancy-related Medicaid. Some states adopt this option. Other states do not provide full Medicaid coverage as pregnancy-related Medicaid. The final regulations continue to provide that pregnancy-related Medicaid is not minimum essential coverage.

In addition, the final regulations do not adopt the recommendation that women with pregnancy-related Medicaid be granted a hardship exemption because rules regarding eligibility for the hardship exemption fall under the jurisdiction of HHS. See section 5000A(e)(5).

However, individuals who are eligible for pregnancy-related Medicaid may not know at open enrollment for the 2014 coverage year that such coverage is not minimum essential coverage. Accordingly, the Treasury Department and the IRS anticipate issuing guidance providing that women covered with pregnancy-related Medicaid for a month in 2014 will not be liable for the shared responsibility payment for that month.

2. Section 1115 Demonstration Projects

Section 1115 of the Social Security Act (42 U.S.C. 1315) authorizes the Secretary of HHS to approve experimental, pilot, or demonstration projects that promote the objectives of the Medicaid program (Section 1115 demonstration projects). These projects give states flexibility to test new or existing approaches to financing and delivering Medicaid. Some Section 1115 demonstration projects provide full Medicaid benefits, while others provide a specific and narrow set of benefits similar to the optional coverage of family planning services under section 1902(a)(10)(A)(ii)(XXI) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)(XXI)) or the optional coverage of tuberculosis-related services under section 1902(a)(10)(A)(ii)(XII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)(XII)).

The proposed regulations do not specifically address whether Section 1115 demonstration projects constitute Medicaid coverage under Title XIX of the Social Security Act for purposes of section 5000A. A number of commentators recommended against considering as minimum essential coverage Section 1115 demonstration projects that provide a specific and narrow set of benefits.

The final regulations reserve on addressing the status of Section 1115 demonstration projects as minimum essential coverage and, accordingly, do not address the commentators' recommendation that a specific and narrow set of benefits provided under a Section 1115 demonstration project be excluded from the definition of minimum essential coverage. It is anticipated that future regulations that will be effective starting January 1, 2014 will provide that coverage authorized under a Section 1115 demonstration project is not government-sponsored minimum essential coverage. However, certain coverage may be recognized as minimum essential coverage by the Secretary of HHS, in consultation with the Secretary of the Treasury, under section 5000A(f)(1)(E).

Finally, it is anticipated that to the extent future guidance excludes benefits provided under certain Section 1115 demonstration projects from minimum essential coverage, the guidance also will provide that individuals who are enrolled in a Section 1115 demonstration project that is not minimum essential coverage for a month in 2014 will not be liable for the shared responsibility payment for that month.

3. Medicaid Premium Assistance Programs

The proposed regulations do not specifically address whether and to what extent Medicaid premium assistance programs are minimum essential coverage. Commentators recommended that, to preserve affected Medicaid beneficiaries' ability to receive the premium tax credit under section 36B, Medicaid premium assistance programs, which are intended to supplement comprehensive coverage, be excluded from the definition of minimum essential coverage. Commentators referred to, in particular, the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) state plan option

(commonly referred to as the ''Katie Beckett option''), coverage under an optional Medicaid coverage group authorized by the Family Opportunity Act of 2006 (FOA), home and community based services waivers, and ''Katie Beckett'' waivers.

Medicaid premium assistance programs function as a service delivery mechanism for benefits covered under the Medicaid program and do not solely supplement a private health insurance plan. In general, Medicaid premium assistance programs are provided under the authority of sections 1905, 1906, and 1906A of the Social Security Act (42 U.S.C. 1396d, 1396e, and 1396e–1) to individuals described in section 1902 of the Social Security Act (42 U.S.C. 1396a) who are eligible for full Medicaid benefits.

Under section 1906 or 1906A of the Social Security Act, states may use Medicaid funds to pay premiums and cost sharing incurred by Medicaid-eligible individuals to enroll in employer-sponsored coverage if it is cost-effective for the state to do so (as compared to the cost of providing covered services through a standard service delivery mechanism, such as fee-for-service or per-patient payments to a managed care organization). States exercising this option must provide ''wrap around'' coverage to ensure individuals can access benefits covered under the state's Medicaid program that are not covered under the employer-sponsored insurance. Authority for states to create similar premium assistance programs for individuals to enroll in private coverage in the individual market is provided in regulations under the authority of section 1905(a)(29) of the Social Security Act published by HHS on July 15, 2013, at 42 CFR 435.1015. Individuals enrolled in the premium assistance programs are eligible for full Medicaid benefits. Accordingly, the final regulations do not adopt the commentators' recommendation. Instead, coverage under a Medicaid premium assistance program under the authority of section 1905, 1906, or 1906A of the Social Security Act to individuals described in section 1902 is minimum essential coverage.

Section 134(a) of TEFRA (Pub. L. 97–248) added section 1902(e)(3) of the Social Security Act (42 U.S.C. 1396a(e)(3)), under which states may provide Medicaid to a disabled child who requires an institutional level of care (such as that provided in a nursing facility) without regard to the income of the child's parent(s). A child eligible under this option is eligible for full Medicaid benefits. Enrollment of the child in private health insurance is not required as a condition of eligibility under the TEFRA option. Whenever a Medicaid beneficiary is enrolled in other coverage, Medicaid serves as the secondary payer. Thus, if a child enrolled in Medicaid under this option also has other coverage, Medicaid will serve as the secondary payer, and in that sense will wrap around the child's private insurance coverage. Because an eligible child receives full Medicaid benefits, the coverage provided is minimum essential coverage.

Sections 6062(a)(1)(A)(iii) and 6062(a)(1)(B) of FOA (Pub. L. 109–171) added sections 1902(a)(10)(A)(ii)(XIX) and 1902(cc) of the Social Security Act, under which states may provide Medicaid to disabled children who are not otherwise eligible for Medicaid because their income is too high. Children eligible for Medicaid under this option are entitled to the full Medicaid benefits provided to all other children enrolled in Medicaid. However, under section 1902(cc)(2)(A) of the Social Security Act, if the child's parents have access to employer-sponsored coverage in which the child can enroll and the employer pays at least 50 percent of the annual premium for coverage of the child under the employer plan, the family is required to enroll the child in the employer-sponsored coverage, and Medicaid will wrap around that coverage, providing services not covered under the employer plan. If the parents do not have access to employer-sponsored coverage for the child or if the employer does not contribute at least the minimum amount required, the family is not required to enroll the child in the coverage, and the Medicaid program will cover all Medicaid benefits. In either situation, the child is eligible for all Medicaid benefits. Therefore, coverage under this option is minimum essential coverage.

In addition, under Section 1915(c) of the Social Security Act (42. U.S.C. 1396n(c)) states have the authority to provide home and community based services to certain individuals covered under the Medicaid state plan in addition to the full Medicaid benefit package. Because these individuals receive comprehensive Medicaid benefits, coverage under a home and community based services waiver authorized under section 1915(c) of the Social Security Act is minimum essential coverage.

The treatment of Medicaid coverage provided through a ''Katie Beckett'' waiver referred to by the commentators is addressed in section II.A.2. of this preamble, discussing Section 1115 demonstration projects.

4. Medicaid for the Medically Needy

The Social Security Act provides states with flexibility to extend Medicaid eligibility to individuals with high medical expenses who would otherwise be eligible for Medicaid but for their income level (medically needy individuals). See section 1902(a)(10)(C) of the Social Security Act (42 U.S.C. 1396a(a)(10)(C)) and 42 CFR 435.300 and following (Subpart D). Over half of the states have opted to provide coverage to medically needy individuals. In general, individuals whose income is in excess of the maximum allowed for Medicaid eligibility but who are otherwise eligible for Medicaid may ''spend down'' their income, based on incurred medical expenses, and thereby become eligible for the benefits provided for medically needy individuals in the state. States providing coverage to medically needy individuals must establish a ''budget period'' of between one and six months. Eligibility for coverage as a medically needy individual, which must be determined each budget period, is provided only after an individual incurs sufficient medical expenses to ''spend down'' to the qualifying income level. Thus, depending on an individual's medical needs and the options exercised by the state program, eligibility may be assessed as frequently as every month, and an individual may move in and out of Medicaid coverage multiple times in a year. States are permitted, and some have adopted the option, to offer benefits to the medically needy that are more limited than the benefits generally provided to Medicaid beneficiaries.

Commentators requested excluding Medicaid coverage provided to medically needy individuals from the definition of minimum essential coverage because the benefits available may be limited. In addition, treating Medicaid coverage for the medically needy as minimum essential coverage can lead those individuals to experience multiple changes in premium tax credit eligibility throughout a year, creating administrative complexity.

The final regulations reserve on whether Medicaid coverage provided to a medically needy individual is minimum essential coverage. It is anticipated that future regulations that will be effective starting in 2014 will provide that Medicaid coverage provided to a medically needy individual is not government-sponsored minimum essential coverage. However, certain coverage of this type may be recognized as minimum essential coverage by the HHS Secretary, in

consultation with the Treasury Secretary, under section 5000A(f)(1)(E).

To the extent that future guidance excludes certain Medicaid coverage provided to medically needy individuals from the definition of minimum essential coverage, it is anticipated that the guidance also will provide that individuals receiving Medicaid coverage provided to medically needy individuals for a month in 2014 will not be liable for the shared responsibility payment for that month.

5. TRICARE

In accordance with section 5000A(f)(1)(A)(v), the proposed regulations provide that minimum essential coverage under government-sponsored programs includes medical coverage under chapter 55 of Title 10, U.S.C., including coverage under the TRICARE program. However, after publishing the proposed regulations, the Treasury Department and the IRS identified two programs under chapter 55 of Title 10, U.S.C., as providing benefits and services that are limited either in availability or in scope: (1) The program providing care limited to the space available in a facility for the uniformed services for individuals excluded from TRICARE coverage under section 1079(a), 1086(c)(1), or 1086(d)(1) of Title 10, U.S.C.; and (2) the program for individuals not on active duty for an injury, illness, or disease, incurred or aggravated in the line of duty under sections 1074a and 1074b of Title 10, U.S.C.

The proposed regulations exclude certain government-provided health care programs from the definition of minimum essential coverage because they do not provide a comprehensive level of benefits. Similarly, certain limited benefit TRICARE programs do not provide a comprehensive level of benefits. It is anticipated that future regulations that will be effective starting in 2014 will provide that coverage under a limited benefit TRICARE program is not minimum essential coverage. However, the final regulations reserve on the status of these programs as minimum essential coverage.

It is anticipated that if future guidance excludes the limited-availability TRICARE program under section 1079(a), 1086(c)(1), or 1086(d)(1) of Title 10, U.S.C., and the limited-scope line-of-duty TRICARE program under sections 1074a and 1074b of Title 10, U.S.C., from the definition of minimum essential coverage, the guidance also will provide that individuals enrolled in either TRICARE program for any month in 2014 will not be liable for a shared responsibility payment for that month.

B. Eligible Employer-Sponsored Coverage

1. Self-Insured Group Health Plans

The preamble to the proposed regulations explains that a self-insured group health plan is an eligible employer-sponsored plan. Several commentators requested additional clarification concerning the treatment of a self-insured group health plan because these plans are not offered in a large or small group market within a state. The rule in the proposed regulations is revised to clarify that a self-insured group health plan is an eligible employer-sponsored plan, regardless of whether the plan could be offered in the large or small group market in a state.

2. Arrangements To Provide Employer-Subsidized Coverage Under Plans in the Individual Market

The proposed regulations do not specifically address arrangements in which an employer provides subsidies or funds a pre-tax arrangement for employees to use to obtain coverage under plans offered in the individual market (as defined in section 5000A(f)(1)(C)). The Treasury Department and the IRS received several comments on arrangements of this type. One commentator suggested that certain arrangements of this type be treated as eligible employer-sponsored plans, arguing that treating these arrangements as eligible employer-sponsored plans would increase flexibility for employers and employees in satisfying their respective shared responsibility requirements.

The final regulations do not specifically address these arrangements. It is anticipated that future guidance will address the application of section 5000A and the ACA's insurance market reforms to these types of arrangements.

3. Former Employees

The proposed regulations provide that the term *employee* includes former employees and, as a result, treat coverage provided by an employer to former employees as coverage under an eligible employer-sponsored plan. Commentators noted that retiree coverage may be unlike coverage offered to current employees in terms of cost, scope of benefits, and enrollment opportunities and, therefore, should be treated differently from other employer-provided coverage.

Employer-sponsored group health plans offered to former employees are treated similarly for purposes of the Public Health Service Act, the Employee Retirement Income Security Act, and other provisions of the Code. Therefore, the final regulations do not adopt this suggestion, and retiree coverage under a group health plan is minimum essential coverage. However, the final regulations provide that, for the lack of affordable coverage exemption, an individual will not be eligible for retiree coverage unless the individual enrolls. Therefore, an individual who is eligible for retiree coverage but does not enroll disregards that eligibility in determining qualification for the lack of affordable coverage exemption.

4. Plans Offered on Behalf of Employers

The Treasury Department and the IRS received comments asking whether medical coverage offered to employees by an organization acting on behalf of an employer qualifies as an eligible employer-sponsored plan. For example, commentators asked whether a multiemployer plan or a single employer collectively-bargained plan is an eligible employer-sponsored plan for the employees covered by the collective bargaining arrangement and eligible to participate in the plan. In addition, commentators asked whether a plan offered to an employer's employees by a third party, such as a professional employer organization or leasing company, is an eligible employer-sponsored plan for the employees eligible to participate in the plan. The final regulations are revised to provide that a plan offered by an employer to an employee includes a plan offered to an employee on behalf of an employer. No inference is intended from this treatment that the third party is the employer for this or any other provision of the Code or related laws.

5. Government-sponsored Programs That are Eligible Employer-sponsored Plans

The proposed regulations provide that a government-sponsored program (as described in § 1.5000A–2(b)(2) of the proposed regulations) is not an eligible employer-sponsored plan. However, some individuals are eligible for minimum essential coverage under government-sponsored plans by reason of employment with the United States government. For example, the Nonappropriated Fund Health Benefits Program of the Department of Defense, established under section 349 of the National Defense Authorization Act for Fiscal Year 1995 (Pub. L. 103–337; 10 U.S.C. 1587 note), is offered by an instrumentality of the Department of Defense to its employees. Accordingly, the final regulations provide that the

Nonappropriated Fund Health Benefits Program is a government-sponsored program and an eligible employer-sponsored plan. The Treasury Department and the IRS are considering whether other government-sponsored programs are eligible employer-sponsored plans.

C. Plan in the Individual Market

The proposed regulations provide that a *plan in the individual market* means health insurance coverage offered to individuals not in connection with a group health plan, including a qualified health plan offered by an Exchange. Commentators stated that this definition is ambiguous about whether qualified health plans are plans in the individual market. The final regulations clarify that qualified health plans offered through Exchanges are plans in the individual market.

Another commentator asked whether a plan offered to one specific individual is a plan in the individual market. A plan offered to one specific individual is a plan in the individual market only if the plan is health insurance coverage under section 2791(b)(1) of the Public Health Service Act, is not short-term limited duration coverage, and is offered in the individual market within a state. The final regulations clarify the meaning of the term plan in the individual market by restating definitions of other essential terms.

D. Foreign Issuer Coverage

1. In General

Under section 5000A(f)(4) and § 1.5000A–1(b)(2) of the final regulations, an individual is treated as having minimum essential coverage for a month if the individual is a bona fide resident of a United States possession for the month, or if the month occurs during any period described in section 911(d)(1)(A) or section 911(d)(1)(B) that is applicable to the individual. Section 911(d)(1)(A) is applicable to a citizen of the United States who has a tax home outside the United States and is a bona fide resident of a foreign country or countries during an uninterrupted period that includes an entire taxable year. Section 911(d)(1)(B) is applicable to a U.S. citizen or U.S. resident (as defined in section 7701(b)) who has a tax home outside the United States and is present in a foreign country or countries for at least 330 full days during a period of 12 consecutive months.

A commentator expressed a concern that a United States citizen or national who resides outside the United States may be subject to the shared responsibility penalty even if the individual has health care coverage provided by a foreign health insurance issuer (sometimes referred to as a form of expatriate coverage) or the government of the foreign country where the individual resides. The commentator requested that individuals in this situation be exempt from section 5000A.

Under section 5000A(f)(4), a United States citizen or national satisfying the requirements of section 911(d)(1) is deemed to have minimum essential coverage. If the individual does not satisfy those requirements, the remaining provisions of section 5000A apply. Accordingly, the final regulations do not adopt the recommendation.

The same commentator and another commentator asked whether expatriate coverage or coverage provided by a foreign insurance issuer to foreign nationals lawfully present in the United States for an extended period of time is minimum essential coverage. The commentators acknowledged that some coverage provided by a foreign health insurance issuer is not offered in the small or large group market, or the individual market, within a state. However, the commentators noted that the foreign health care coverage may be substantially similar to other types of plans recognized as minimum essential coverage.

Under section 1304(d) of the Affordable Care Act (42 U.S.C. 18024(d)) and the final regulations, the term *state* means each of the 50 states and the District of Columbia. Coverage or a plan provided by an issuer that is not offered within a state is neither an eligible employer-sponsored plan nor a plan in the individual market. Accordingly, the final regulations do not adopt this recommendation.

However, to provide relief in the situations that the two commentators described, the HHS MEC regulations provide a process by which a sponsor of a health plan, whether domestic or foreign, may apply for recognition as minimum essential coverage under section 5000A(f)(1)(E). See 45 CFR 156.604.

2. Territory of the United States

A commentator questioned whether coverage offered by issuers located in territories of the United States is minimum essential coverage. Insured plans must be offered within a state to be treated as an eligible employer-sponsored plan or as a plan in the individual market. Section 1304(d) of the Affordable Care Act (42 U.S.C. 18024(d)) and the final regulations provide that the term *state* means each of the 50 states and the District of Columbia. Consequently, in general, health insurance coverage and insured group health plans that are not offered within one of the 50 states or the District of Columbia are neither eligible employer-sponsored plans nor plans in the individual market.

However, section 1323(a)(1) of the Affordable Care Act (42 U.S.C. 18043(a)(1)) provides that a territory electing to establish an Exchange in accordance with part II of subtitle D of the Affordable Care Act is treated as a state for applying basic rules governing qualified health plans offered through Exchanges. As discussed earlier in this preamble, a qualified health plan offered through an Exchange is a plan in the individual market within a state. Accordingly, the final regulations clarify that a qualified health plan offered through an Exchange established by and within a territory of the United States under section 1323(a)(1) of the Affordable Care Act is a plan in the individual market within a state.

III. Exempt Individuals

A. Members of Recognized Religious Sects or Divisions

Consistent with section 5000A(d)(2)(A), the proposed regulations provide that individuals who are members of a recognized religious sect or division of the sect described in section 1402(g)(1) and who are adherents of the established tenets or teachings of the sect or division are eligible to receive a religious conscience exemption certification from an Exchange. Commentators recommended that section 5000A(d)(2)(A) be narrowly construed to limit the ability of parents who qualify for this religious conscience exemption to apply for a religious conscience exemption on behalf of any minor children who, owing to their youth, should not be considered full members of a recognized religious sect or division of the sect.

Section 5000A(d)(2)(A) does not make a distinction between full and less than full membership in a sect or division. Accordingly, the final regulations do not adopt this recommendation. However, as explained in the preamble to the proposed regulations, the section 5000A religious conscience exemption is administered by HHS through Exchanges. The HHS MEC regulations permit adult members of a sect or division to apply for the exemption on behalf of their minor children. *See* 45 CFR 155.600 (definitions of applicant and application filer); 45 CFR 155.605(c)(1) (eligibility standards for religious conscience exemption). Those

regulations further provide, however, that once a child turns 21 years of age, to maintain the religious conscience exemption the child must reapply for the exemption and attest to membership individually. See 45 CFR 155.605(c)(2).

B. Members of Health Care Sharing Ministries

The proposed regulations provide an exemption for members of health care sharing ministries as defined in section 5000A(d)(2)(B)(ii). Commentators recommended that individuals seeking the exemption based on their membership in health care sharing ministries be required to demonstrate membership for every month of the taxable year for which they seek the exemption. The proposed regulations provide that eligibility for the exemption for members of a health care sharing ministry is determined monthly, and the final regulations retain this rule.

C. Exempt Noncitizens

Section 5000A(d)(3) and the proposed regulations provide that an individual who is not a citizen or national of the United States is exempt for a month if the individual is not lawfully present in the United States in that month. The proposed regulations provide that, for this exemption, an individual who is not a citizen or national of the United States is treated as not lawfully present in the United States for a month in a taxable year if the individual is either (1) a nonresident alien as defined in section 7701(b)(1)(B) for that taxable year or (2) does not have lawful immigration status in the United States (within the meaning of 45 CFR 155.20) for any day in the month.

Many commentators requested guidance on how individuals claim the exemption for being not lawfully present in the United States and recommended several reporting methods for this exemption. The final regulations do not adopt any of the recommended reporting methods. However, guidance on claiming exemptions will be provided in forms, instructions, publications, or other guidance published by the IRS, and these comments will be considered in developing that guidance.

Commentators also requested that the exemption for individuals not lawfully present in the United States apply to all members of a taxpayer's family if the taxpayer qualifies for the exemption. Section 5000A applies its coverage requirement and exemptions on an individual basis, which is inconsistent with the commentators' recommendation. Accordingly, the final regulations do not adopt this suggestion.

D. Incarcerated Individuals

Section 5000A(d)(4) provides that an individual is exempt for a month for which the individual is incarcerated (other than incarceration pending the disposition of charges). The proposed regulations clarify that an individual confined for at least one day in a jail, prison, or similar penal institution or correctional facility after the disposition of charges is exempt for the month that includes the day of confinement.

A commentator urged that those incarcerated while awaiting the final disposition of charges also be given an exemption on account of their incarceration. This recommendation is inconsistent with section 5000A(d)(4), which distinguishes between individuals incarcerated while awaiting final disposition of charges and those incarcerated after the final disposition of charges. Accordingly, the final regulations do not adopt this suggestion.

In the alternative, the commentator requested treating incarcerated individuals whose Medicaid benefits have been suspended as having minimum essential coverage. An individual incarcerated pending disposition of charges whose Medicaid benefits have been suspended remains enrolled in Medicaid, is entitled to receive benefits for healthcare provided outside the state prison system, and is not required to re-enroll in Medicaid at the end of incarceration. Thus, treating the individual as covered under Medicaid is consistent with § 1.5000A–1(b)(1), which provides that an individual has minimum essential coverage for the month when the individual is enrolled in and entitled to receive benefits under a program or plan identified as minimum essential coverage in § 1.5000A–2 for at least one day in the month. Accordingly, an individual incarcerated pending disposition of charges whose Medicaid benefits have been suspended is covered under minimum essential coverage, and no revision to the regulations is necessary to address the commentator's concern.

E. Individuals Who Cannot Afford Coverage

1. Household Income

To determine affordability of coverage, section 5000A(e)(1)(A) and the proposed regulations require taxpayers to increase household income by the portion of the required contribution made through a salary reduction arrangement and excluded from gross income. The preamble to the proposed regulations notes that the information necessary to make the required adjustment may not be readily available to the employee or the IRS and requests comments on practicable ways, if any, for making the adjustment.

A commentator stated that the information required is not readily available. The commentator recommended that, considering the limited effect of the required adjustment, the IRS postpone enforcement of the adjustment until a later year when the necessary information may become more readily available and when the effect of the adjustment may be accurately assessed.

The portion of the required contribution made through a salary reduction arrangement that is excluded from gross income includes amounts that an employee pays out of the employee's salary on a pre-tax basis for minimum essential coverage under a cafeteria plan that is an eligible employer-sponsored plan. Although the information may not be readily available, generally it is possible for an employee to identify amounts paid through a salary reduction arrangement that are excluded from the individual's gross income. In addition, under the HHS MEC regulations, a hardship exemption is available for an individual who lacks access to affordable minimum essential coverage based on projected household income. An individual seeking this exemption must adjust projected household income by the amount paid through a salary reduction arrangement for minimum essential coverage that is excluded in the prior year. Accordingly, the final regulations do not adopt this recommendation.

Several commentators suggested allowing an exemption or safe harbor for individuals whose income early in the taxable year appears to entitle them to the lack of affordable coverage exemption and who, as a result, do not obtain minimum essential coverage. If these individuals have large increases in income later in the year, they may be liable for the shared responsibility payment if no other exemption applies. The final regulations do not adopt this recommendation because it is not administrable. The IRS does not have the monthly income data necessary to verify eligibility for the proposed safe harbor or exemption. However, as explained in this preamble, the HHS MEC regulations provide for a prospective hardship exemption based on a lack of affordable coverage determined on the basis of projected household income. Individuals may mitigate potential adverse consequences of mid-year increases in household income by applying for this hardship exemption prospectively.

2. Required Contribution Percentage

One commentator requested a special rule for determining the inflation adjustment of the required contribution percentage for low-income taxpayers to provide relief if health care expenses grow more rapidly than incomes. Section 5000A(e)(1)(D) provides specific rules for annually calculating a uniform required contribution inflation adjustment. Accordingly, the final regulations do not adopt this suggestion.

The commentator also requested a special rule to avoid requiring individuals to visit Exchanges to apply for a hardship exemption. Under section 5000A(e)(5), the authority to prescribe the procedures for applying for exemptions resides with the Secretary of HHS. Based on this authorization, the HHS MEC regulations provide guidance addressing which hardship exemptions must be acquired through an Exchange and which may be claimed directly on a Federal income tax return.

3. Required Contribution

a. In General

A commentator recommended that individuals who are eligible for unaffordable coverage under an eligible employer-sponsored plan qualify for the lack of affordable coverage exemption only if coverage purchased through an Exchange would also be unaffordable. The commentator noted that those individuals might find affordable coverage under plans in the individual market and that, if so, they should be encouraged to enroll in them. Section 5000A(e)(1)(B) defines the required contribution for two discrete groups based on whether an individual is eligible for coverage under eligible employer-sponsored plans. An individual cannot be described in both groups. Thus, section 5000A does not require an individual to test the affordability of coverage under both an eligible employer-sponsored plan and a plan in the individual market. Accordingly, the final regulations do not adopt this suggestion.

b. Required Contribution for Individuals Eligible for Coverage Under Eligible Employer-sponsored Plans

The proposed regulations under section 36B published on May 3, 2013 (78 FR 25909) (the proposed minimum value regulations) provide that amounts newly made available for the current plan year under a health reimbursement arrangement (HRA) that is integrated with an eligible employer-sponsored plan are counted toward the employee's required contribution in determining the affordability of the coverage if the employee may use the amounts only for premiums or may choose to use the amounts for either premiums or cost sharing. The preamble to the proposed minimum value regulations states that regulations under section 5000A will provide a similar rule for determining the effect of amounts newly made available under an HRA for each plan year on the determination of affordability of minimum essential coverage. It is anticipated that future guidance under section 5000A will address the treatment of employer contributions to HRAs in determining the required contribution in a manner consistent with the treatment of these contributions in final rulemaking under section 36B.

The proposed regulations provide that a former employee eligible to enroll in continuation coverage is eligible for coverage under an eligible employer-sponsored plan only if the former employee enrolls in it. In addition to extending this rule to retiree coverage, the final regulations clarify that an individual eligible for continuation or retiree coverage because of a relationship to a former employee is treated in the same manner as the former employee. Therefore, individuals eligible for continuation or retiree coverage who do not enroll in it, and who are not eligible for coverage under another eligible employer-sponsored plan, determine qualification for the lack of affordable coverage exemption under the rules that apply to individuals ineligible for coverage for eligible employer-sponsored plans.

c. Required Contribution for Individuals Ineligible for Coverage Under Eligible Employer-sponsored Plans

To determine the required contribution for individuals who are ineligible for coverage under eligible employer-sponsored plans, the proposed regulations provide that the required contribution is the premium for the applicable plan reduced by the amount of the credit allowable under section 36B. The proposed regulations further provide that, in general, the applicable plan is the lowest cost bronze plan available in the Exchange serving the rating area where the individual resides that would cover all members of the individual's nonexempt family taking into account the rating factors (for example, an individual's age) that an Exchange would use to determine the cost of coverage. The proposed regulations allow taxpayers to make an irrevocable election to use a simplified method to determine the premium for the applicable plan.

One commentator requested that the election to use the simplified method to determine the premium for the applicable plan, when a plan is not offered that covers members of the entire tax household, be revocable. The Treasury Department and the IRS are considering the comment, as well as alternative simplified methods of identifying the premium for the applicable plan. Accordingly, the final regulations remove the simplified method rule that was included in the proposed regulations and reserve on providing simplified methods for identifying the premium for the applicable plan.

A commentator asked that characteristics of individuals in a taxpayer's nonexempt family taken into account in identifying the applicable plan expressly include tobacco use. The rule is intended to reflect as accurately as possible a taxpayer's actual premium amount. Therefore, the final regulations clarify that the characteristics used to identify the applicable plan include tobacco use.

It is anticipated that future HHS guidance will specify that when determining eligibility for the hardship exemption for individuals who lack affordable coverage based on projected income described in 45 CFR 155.605(g)(2), the Exchange will calculate advance payments of the premium tax credit using the rules specified in the regulations under section 36B, providing that individuals who have minimum essential coverage are excluded from the computation of the applicable benchmark plan. This treatment will ensure that Exchanges can reuse existing advance payment functionality instead of having to develop additional functionality for the sole purpose of supporting this exemption.

d. Wellness Program Incentives

The proposed regulations do not address wellness program incentives. Commentators recommended determining an individual's required contribution without regard to any wellness program incentives that, if received, would lower premiums. A commentator asked that premiums for the applicable plan for an individual residing in a rating area in a state participating in the Individual Market Wellness Program Demonstration Project described in section 2705(l) of the Public Health Service Act (42 U.S.C. 300gg–4(l)) disregard any premium-based wellness incentive requirements, including incentives relating to tobacco use. The proposed minimum value regulations disregard wellness program

incentives, except those related to tobacco use, in determining an employee's required contribution under section 36B(c)(2)(C)(i). It is anticipated that future guidance under section 5000A will address the treatment of wellness program incentives in determining the required contribution in a manner consistent with the treatment of these incentives in final rulemaking under section 36B.

F. Household Income Below the Return Filing Threshold

The proposed regulations exempt an individual for a month in a calendar year if the individual's household income for the taxable year is less than the applicable filing threshold. The proposed regulations provide that this below filing threshold exemption may be claimed on an income tax return. Under the proposed regulations an individual is not required to file an income tax return to claim this exemption. One commentator requested that a taxpayer with household income below the applicable filing threshold who files a return remain eligible for this exemption. The final regulations retain the rule that an individual is not required to file a Federal income tax return to claim this exemption and clarify that a taxpayer with household income below the applicable filing threshold who files a Federal income tax return may claim the exemption on the filed return.

The same commentator inquired whether the filing threshold rule for dependents in § 1.5000A–3(f)(2)(ii) of the proposed regulations affects the definition of household income in § 1.5000A–1(d)(7). Under § 1.5000A–3(f)(2)(ii) a dependent's applicable filing threshold is the same as the threshold for the taxpayer claiming the dependent. Section 5000A(e)(2) allows an exemption for an individual whose household income is less than the amount of gross income specified in section 6012(a)(1) *with respect to the taxpayer.* The taxpayer referred to in section 5000A(e)(2) is the taxpayer claiming the dependent. Accordingly, a dependent claimed for an exemption deduction uses the family's household income and the taxpayer's applicable filing threshold in determining eligibility for the below filing threshold exemption. This treatment has no effect on the household income definition.

G. Members of Indian Tribes

The proposed regulations provide an exemption for individuals who are members of federally-recognized Indian tribes. Many commentators were concerned that this exemption was overly restrictive and recommended that the final regulations broaden the exemption to include all individuals who are eligible to receive services through the Indian Health Service, a tribe or tribal organization clinic, or an urban Indian organization (collectively referred to as I/T/U services). Alternatively, commentators asked that coverage under I/T/U services be recognized as minimum essential coverage solely for section 5000A or that these individuals be eligible for a hardship exemption from Exchanges.

The final regulations do not define coverage under I/T/U services as minimum essential coverage because section 5000A does not specifically identify I/T/U services as minimum essential coverage. However, following consultation among HHS, tribal groups, and the Treasury Department and the IRS, the HHS MEC regulations provide a hardship exemption for an individual who is not a member of a federally-recognized Indian tribe, but who is eligible for services through an Indian health care provider, as defined in 42 CFR 447.50, or is eligible for services through Indian Health Service in accordance with 25 U.S.C. 1680c(a), (b), or (d)(3). See 45 CFR 155.605(g)(6).

Several commentators also requested that individuals be allowed to claim the hardship exemption for those eligible for I/T/U services on their income tax returns. The final regulations do not adopt this suggestion because section 5000A(e)(5) provides HHS, through Exchanges, with the authority to grant hardship exemptions not delegated to the IRS.

H. Short Coverage Gap

The proposed regulations provide that an individual qualifies for the short coverage gap exemption if the continuous period without minimum essential coverage is less than three full calendar months and is the first short coverage gap in the individual's taxable year. Further, in determining whether a gap in coverage qualifies as a short coverage gap, the length of the period without minimum essential coverage is measured by reference to calendar months (for example, January or February) in conjunction with the one day rule in § 1.5000A–1(b). Therefore, if an individual is enrolled in and entitled to receive benefits under a plan identified as minimum essential coverage for one day in a calendar month, the month is not included in the continuous period when applying the short coverage gap exemption.

Some commentators recommended making the short coverage gap exemption available to cover an aggregate period of coverage of less than three months, regardless of whether the period was continuous. The commentators noted that those who switched jobs frequently might have numerous short gaps in coverage throughout the year. The commentators' recommendation is inconsistent with section 5000A(e)(4)(B)(iii), which limits the short coverage gap exemption to one continuous period of less than three months. Accordingly, the final regulations do not adopt this suggestion. However, if a taxpayer has multiple short coverage gaps due to extended waiting periods after switching employment or because of other circumstances that prevent the taxpayer from obtaining coverage, the taxpayer may be eligible for a hardship or other exemption available through an Exchange. See 45 CFR 155.605.

Section 5000A(e)(4)(B)(i) provides that, in general, the length of a continuous period without coverage is determined without regard to the calendar years in which the period occurs. However, section 5000A(e)(4) expressly authorizes the Secretary of the Treasury to prescribe rules for the collection of the shared responsibility payment in cases in which a continuous period includes months in more than one taxable year. The proposed regulations provide rules for a coverage gap that straddles two taxable years. For the earlier taxable year, the coverage gap terminates at the end of the earlier taxable year. For the later taxable year, the coverage gap continues from the earlier taxable year and terminates when the individual no longer lacks minimum essential coverage. Thus, a taxpayer who lacked minimum essential coverage in November and December of one year and January and February of the following year has a coverage gap of two months in the earlier taxable year and four months in the later taxable year.

Some commentators stated that the coverage gap in the earlier year should include months in the later year in which an individual has no minimum essential coverage. Other commentators recommended that all continuous periods in a year begin no earlier than January 1, thereby ignoring any gaps in coverage in the preceding year. The final regulations adopt neither suggestion. To assist taxpayers in timely filing returns and in the interests of efficient tax administration, the final regulations provide that a continuous period terminates no later than the last day of a taxable year. In addition, for the later year when the same administrative concerns do not apply, consistent with section 5000A(e)(4)(B)(i), the final regulations provide that a continuous

period may include months in an earlier year.

Under the proposed regulations an individual has minimum essential coverage for a month in which the individual is otherwise exempt from section 5000A for the short coverage gap exemption. One commentator asked whether gaps in coverage in 2013 affect the measurement of gaps in coverage beginning in January 2014. Section 5000A is effective for months beginning on or after January 1, 2014. Accordingly, the final regulations provide that gaps in coverage prior to January 1, 2014, are not taken into account when measuring the length of a coverage gap in 2014.

A commentator requested that any probationary period during which an individual is enrolled in minimum essential coverage but not yet entitled to benefits under the plan not be taken into account in determining the length of a continuous period for the short coverage gap exemption. As discussed in this preamble with regard to a similar comment concerning a taxpayer who submitted an application for Medicaid but is awaiting approval for enrollment, section 5000A(a) requires that an individual have minimum essential coverage for the month. Unless retroactive coverage is provided, an applicant awaiting approval for enrollment is not covered until approval of the application. Therefore, the final regulations do not adopt this recommendation. However, an individual who is unable to obtain coverage in a timely manner because of a lengthy approval process may be otherwise eligible for a hardship or other exemption through an Exchange. See 45 CFR 155.605.

I. Additional Hardship Exemptions

A number of commentators proposed that the IRS adopt additional hardship exemptions to address specific situations. Authority to define circumstances giving rise to a hardship exemption, as well as authority to grant hardship exemptions in individual cases, resides with HHS. HHS has provided guidance on the hardship exemption in the HHS MEC regulations.

Section 155.605(g)(3) of the HHS MEC regulations provides that the IRS may allow a taxpayer to claim a hardship exemption for a calendar year if the taxpayer was not required to file an income tax return because the taxpayer's gross income was below the applicable return filing threshold but nevertheless filed a return, claimed a dependent with a return filing requirement and, as a result, had household income that exceeds the applicable filing threshold.

Section 155.605(g)(5) of the HHS MEC regulations provides that the IRS may allow a taxpayer to claim a hardship exemption for employed family members who are eligible for affordable employer-sponsored self-only coverage, but for whom the aggregate cost of employer-sponsored coverage for all employed members of the family is unaffordable.

The information required to determine eligibility for these hardship exemptions is available only at the time of tax filing. Accordingly, the final regulations provide that eligible taxpayers may claim these two hardship exemptions on a Federal income tax return.

J. Claiming Exemptions From the Shared Responsibility Payment

Section 1.5000A–3(k) of the proposed regulations addresses which exemptions may be certified by an Exchange or claimed on a return, and how to claim exemptions. The HHS MEC regulations address how to request certification for an exemption from an Exchange. The manner for claiming an exemption on a return is more appropriately addressed through IRS forms, instructions, or other publications. Therefore, the final regulations do not provide information on how to claim an exemption on a Federal income tax return.

IV. Accuracy-Related Penalties

One commentator expressed concern that taxpayers would have difficulty accurately calculating the shared responsibility payment. Emphasizing the complexity of the calculation, the commentator requested that the IRS not impose accuracy-related penalties under section 6662 for underpayments caused by erroneous section 5000A computations.

Section 6662 does not apply to a section 5000A shared responsibility payment. The accuracy-related penalty of section 6662(a) applies only to underpayments of tax, defined in section 6664. The section 5000A shared responsibility payment is not taken into consideration in determining whether there is an underpayment of tax under section 6664. Therefore, the shared responsibility payment is not taken into account under section 6662. Forms, instructions, publications, or other guidance to be published by the IRS are anticipated to assist taxpayers in determining the amount of an applicable shared responsibility payment.

V. Effective/Applicability Date

These final regulations apply to taxable years ending after December 31, 2013.

Special Analyses

It has been determined that this Treasury decision is not a significant regulatory action as defined in Executive Order 12866, as supplemented by Executive Order 13563. Therefore, a regulatory assessment is not required. Section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations, and, because the regulations do not impose a collection of information requirement on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking that preceded these final regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business, and no comments were received.

Drafting Information

The principal authors of these final regulations are Sue-Jean Kim and John B. Lovelace of the Office of Associate Chief Counsel (Income Tax and Accounting). Other personnel from the IRS and the Treasury Department participated in their development.

List of Subjects

26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 602

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR parts 1 and 602 are amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 is amended by adding an entry in numerical order to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

Section 1.5000A–4 also issued under 26 U.S.C. 5000A(e)(4).

■ **Par 2.** Sections 1.5000A–0 through 1.5000A–5 are added to read as follows:

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§ 1.5000A–1 Maintenance of minimum essential coverage and liability for the shared responsibility payment.

(a) *In general.* For each month during the taxable year, a nonexempt

individual must have minimum essential coverage or pay the shared responsibility payment. For a month, a nonexempt individual is an individual in existence for the entire month who is not an exempt individual described in § 1.5000A–3.

(b) *Coverage under minimum essential coverage*—(1) *In general.* An individual has minimum essential coverage for a month in which the individual is enrolled in and entitled to receive benefits under a program or plan identified as minimum essential coverage in § 1.5000A–2 for at least one day in the month.

(2) *Special rule for United States citizens or residents residing outside the United States or residents of territories.* An individual is treated as having minimum essential coverage for a month—

(i) If the month occurs during any period described in section 911(d)(1)(A) or section 911(d)(1)(B) that is applicable to the individual; or

(ii) If, for the month, the individual is a bona fide resident of a possession of the United States (as determined under section 937(a)).

(c) *Liability for shared responsibility payment*—(1) *In general.* A taxpayer is liable for the shared responsibility payment for a month for which—

(i) The taxpayer is a nonexempt individual without minimum essential coverage; or

(ii) A nonexempt individual for whom the taxpayer is liable under paragraph (c)(2) or (c)(3) of this section does not have minimum essential coverage.

(2) *Liability for dependents*—(i) *In general.* For a month when a nonexempt individual does not have minimum essential coverage, if the nonexempt individual is a dependent (as defined in section 152) of another individual for the other individual's taxable year including that month, the other individual is liable for the shared responsibility payment attributable to the dependent's lack of coverage. An individual is a dependent of a taxpayer for a taxable year if the individual satisfies the definition of dependent under section 152, regardless of whether the taxpayer claims the individual as a dependent on a Federal income tax return for the taxable year. If an individual may be claimed as a dependent by more than one taxpayer in the same calendar year, the taxpayer who properly claims the individual as a dependent for the taxable year is liable for the shared responsibility payment attributable to the individual. If more than one taxpayer may claim an individual as a dependent in the same calendar year but no one claims the individual as a dependent, the taxpayer with priority under the rules of section 152 to claim the individual as a dependent is liable for the shared responsibility payment for the individual.

(ii) *Special rules for dependents adopted or placed in foster care during the taxable year*—(A) *Taxpayers adopting an individual.* If a taxpayer adopts a nonexempt dependent (or accepts a nonexempt dependent who is an eligible foster child as defined in section 152(f)(1)(C)) during the taxable year and is otherwise liable for the nonexempt dependent under paragraph (c)(2)(i) of this section, the taxpayer is liable under paragraph (c)(2)(i) of this section for the nonexempt dependent only for the full months in the taxable year that follow the month in which the adoption or acceptance occurs.

(B) *Taxpayers placing an individual for adoption.* If a taxpayer who is otherwise liable for a nonexempt dependent under paragraph (c)(2)(i) of this section places (or, by operation of law, must place) the nonexempt dependent for adoption or foster care during the taxable year, the taxpayer is liable under paragraph (c)(2)(i) of this section for the nonexempt dependent only for the full months in the taxable year that precede the month in which the adoption or foster care placement occurs.

(C) *Examples.* The following examples illustrate the provisions of this paragraph (c)(2)(ii). In each example the taxpayer's taxable year is a calendar year.

Example 1. Taxpayers adopting a child. (i) E and F, married individuals filing a joint return, initiate proceedings for the legal adoption of a 2-year old child, G, in January 2016. On May 15, 2016, G becomes the adopted child (within the meaning of section 152(f)(1)(B)) of E and F, and resides with them for the remainder of 2016. Prior to the adoption, G resides with H, an unmarried individual, with H providing all of G's support. For 2016 G meets all requirements under section 152 to be E and F's dependent, and not H's dependent.

(ii) Under paragraph (c)(2) of this section, E and F are not liable for a shared responsibility payment attributable to G for January through May of 2016, but are liable for a shared responsibility payment attributable to G, if any, for June through December of 2016. H is not liable for a shared responsibility payment attributable to G for any month in 2016, because G is not H's dependent for 2016 under section 152.

Example 2. Taxpayers placing a child for adoption. (i) The facts are the same as *Example 1,* except the legal adoption occurs on August 15, 2016, and, for 2016, G meets all requirements under section 152 to be H's dependent, and not E and F's dependent.

(ii) Under paragraph (c)(2) of this section, H is liable for a shared responsibility payment attributable to G, if any, for January through July of 2016, but is not liable for a shared responsibility payment attributable to G for August through December of 2016. E and F are not liable for a shared responsibility payment attributable to G for any month in 2016, because G is not E and F's dependent for 2016 under section 152.

(3) *Liability of individuals filing a joint return.* Married individuals (within the meaning of section 7703) who file a joint return for a taxable year are jointly liable for any shared responsibility payment for a month included in the taxable year.

(d) *Definitions.* The definitions in this paragraph (d) apply to this section and §§ 1.5000A–2 through 1.5000A–5.

(1) *Affordable Care Act. Affordable Care Act* refers to the Patient Protection and Affordable Care Act, Public Law 111–148 (124 Stat. 119 (2010)), and the Health Care and Education Reconciliation Act of 2010, Public Law 111–152 (124 Stat. 1029 (2010)), as amended.

(2) *Employee. Employee* includes former employees.

(3) *Exchange. Exchange* has the same meaning as in 45 CFR 155.20.

(4) *Family.* A taxpayer's family means the individuals for whom the taxpayer properly claims a deduction for a personal exemption under section 151 for the taxable year.

(5) *Family coverage. Family coverage* means health insurance that covers more than one individual.

(6) *Group health insurance coverage. Group health insurance coverage* has the same meaning as in section 2791(b) of the Public Health Service Act (42 U.S.C. 300gg–91(b)(4)).

(7) *Group health plan. Group health plan* has the same meaning as in section 2791(a) of the Public Health Service Act (42 U.S.C. 300gg–91(a)(1)).

(8) *Health insurance coverage. Health insurance coverage* has the same meaning as in section 2791(b)(1) of the Public Health Service Act (42 U.S.C. 300gg–91(b)(1)).

(9) *Health insurance issuer. Health insurance issuer* has the same meaning as in section 2791(b)(2) of the Public Health Service Act (42 U.S.C. 300gg–91(b)(2)).

(10) *Household income*—(i) *In general. Household income* means the sum of—

(A) A taxpayer's modified adjusted gross income; and

(B) The aggregate modified adjusted gross income of all other individuals who—

(*1*) Are included in the taxpayer's family under paragraph (d)(4) of this section; and

(*2*) Are required to file a Federal income tax return for the taxable year.

(ii) *Modified adjusted gross income. Modified adjusted gross income* means adjusted gross income (within the meaning of section 62) increased by—

(A) Amounts excluded from gross income under section 911; and

(B) Tax-exempt interest the taxpayer receives or accrues during the taxable year.

(11) *Individual market. Individual market* has the same meaning as in section 1304(a)(2) of the Affordable Care Act (42 U.S.C. 18024(a)(2)).

(12) *Large and small group market. Large group market* and *small group market* have the same meanings as in section 1304(a)(3) of the Affordable Care Act (42 U.S.C. 18024(a)(3)).

(13) *Month. Month* means calendar month.

(14) *Qualified health plan. Qualified health plan* has the same meaning as in section 1301(a) of the Affordable Care Act (42 U.S.C. 18021(a)).

(15) *Rating area. Rating area* has the same meaning as in § 1.36B–1(n).

(16) *Self-only coverage. Self-only coverage* means health insurance that covers one individual.

(17) *Shared responsibility family. Shared responsibility family* means, for a month, all nonexempt individuals for whom the taxpayer (and the taxpayer's spouse, if the taxpayer is married and files a joint return with the spouse) is liable for the shared responsibility payment under paragraph (c) of this section.

(18) *State. State* means each of the 50 states and the District of Columbia.

§ 1.5000A–2 Minimum essential coverage.

(a) *In general. Minimum essential coverage* means coverage under a government-sponsored program (described in paragraph (b) of this section), an eligible employer-sponsored plan (described in paragraph (c) of this section), a plan in the individual market (described in paragraph (d) of this section), a grandfathered health plan (described in paragraph (e) of this section), or other health benefits coverage (described in paragraph (f) of this section). Minimum essential coverage does not include coverage described in paragraph (g) of this section. All terms defined in this section apply for purposes of this section and § 1.5000A–1 and §§ 1.5000A–3 through 1.5000A–5.

(b) *Government-sponsored program*—(1) *In general.* Except as provided in paragraph (2), *government-sponsored program* means any of the following:

(i) *Medicare.* The Medicare program under part A of Title XVIII of the Social Security Act (42 U.S.C. 1395c and following sections);

(ii) *Medicaid.* The Medicaid program under Title XIX of the Social Security Act (42 U.S.C. 1396 and following sections), other than—

(A) Optional coverage of family planning services under section 1902(a)(10)(A)(ii)(XXI) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)(XXI));

(B) Optional coverage of tuberculosis-related services under section 1902(a)(10)(A)(ii)(XII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)(XII));

(C) Coverage of pregnancy-related services under section 1902(a)(10)(A)(i)(IV) and (a)(10)(A)(ii)(IX) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(IV), (a)(10)(A)(ii)(IX)); or

(D) Coverage limited to treatment of emergency medical conditions in accordance with 8 U.S.C. 1611(b)(1)(A), as authorized by section 1903(v) of the Social Security Act (42 U.S.C. 1396b(v)).

(iii) *Children's Health Insurance Program.* The Children's Health Insurance Program (CHIP) under Title XXI of the Social Security Act (42 U.S.C. 1397aa and following sections);

(iv) *TRICARE.* Medical coverage under chapter 55 of Title 10, U.S.C., including coverage under the TRICARE program.

(v) *Veterans programs.* The following health care programs under chapter 17 or 18 of Title 38, U.S.C.:

(A) The medical benefits package authorized for eligible veterans under 38 U.S.C. 1710 and 38 U.S.C. 1705;

(B) The Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) authorized under 38 U.S.C. 1781; and

(C) The comprehensive health care program authorized under 38 U.S.C. 1803 and 38 U.S.C. 1821 for certain children of Vietnam Veterans and Veterans of covered service in Korea who are suffering from spina bifida.

(vi) *Peace Corp program.* A health plan under section 2504(e) of Title 22, U.S.C. (relating to Peace Corps volunteers); and

(vii) *Nonappropriated Fund Health Benefits Program.* The Nonappropriated Fund Health Benefits Program of the Department of Defense, established under section 349 of the National Defense Authorization Act for Fiscal Year 1995 (Pub. L. 103–337; 10 U.S.C. 1587 note).

(2) *Government-sponsored program special rules*—(i) *Coverage authorized under Section 1115 of the Social Security Act.* [Reserved]

(ii) *Medicaid for the medically needy programs.* [Reserved]

(iii) *Limited benefits TRICARE programs.* [Reserved]

(c) *Eligible employer-sponsored plan*—(1) *In general. Eligible employer-sponsored plan* means, with respect to any employee:

(i) Group health insurance coverage offered by, or on behalf of, an employer to the employee that is—

(A) A governmental plan (within the meaning of section 2791(d)(8) of the Public Health Service Act (42 U.S.C. 300gg–91(d)(8)));

(B) Any other plan or coverage offered in the small or large group market within a State;

(C) A grandfathered health plan (within the meaning of paragraph (e) of this section) offered in a group market; or

(ii) A self-insured group health plan under which coverage is offered by, or on behalf of, an employer to the employee.

(2) *Government-sponsored program generally not an eligible employer-sponsored plan.* Except for the program identified in paragraph (b)(7) of this section, a government-sponsored program described in paragraph (b) of this section is not an eligible employer-sponsored plan.

(d) *Plan in the individual market*—(1) *In general. Plan in the individual market* means health insurance coverage offered to individuals in the individual market within a state, other than short-term limited duration insurance within the meaning of section 2791(b)(5) of the Public Health Service Act (42 U.S.C. 300gg–91(b)(5)).

(2) *Qualified health plan offered by an Exchange.* A qualified health plan offered by an Exchange is a plan in the individual market. If a territory of the United States elects to establish an Exchange under section 1323(a) and (b) of the Affordable Care Act (42 U.S.C. 18043(a)(1), (b)), a qualified health plan offered by that Exchange is a plan in the individual market.

(e) *Grandfathered health plan. Grandfathered health plan* means any group health plan or group health insurance coverage to which section 1251 of the Affordable Care Act (42 U.S.C. 18011) applies.

(f) *Other coverage that qualifies as minimum essential coverage.* Minimum essential coverage includes any plan or arrangement recognized by the Secretary of Health and Human Services, in coordination with the Secretary of the Treasury, as minimum essential coverage.

(g) *Excepted benefits not minimum essential coverage.* Minimum essential coverage does not include any health insurance coverage that consists solely

of excepted benefits described in section 2791(c)(1), (c)(2), (c)(3), or (c)(4) of the Public Health Service Act (42 U.S.C. 300gg–91(c)).

§ 1.5000A–3 Exempt individuals.

(a) *Members of recognized religious sects*—(1) *In general.* An individual is an exempt individual for a month that includes a day on which the individual has in effect a religious conscience exemption certification described in paragraph (a)(2) of this section.

(2) *Exemption certification.* A religious conscience exemption certification is issued by an Exchange in accordance with the requirements of section 1311(d)(4)(H) of the Affordable Care Act (42 U.S.C. 18031(d)(4)(H)), 45 CFR 155.605(c), and 45 CFR 155.615(b) and certifies that an individual is—

(i) A member of a recognized religious sect or division of the sect that is described in section 1402(g)(1); and

(ii) An adherent of established tenets or teachings of the sect or division as described in that section.

(b) *Member of health care sharing ministries*—(1) *In general.* An individual is an exempt individual for a month that includes a day on which the individual is a member of a health care sharing ministry.

(2) *Health care sharing ministry.* For purposes of this section, *health care sharing ministry* means an organization—

(i) That is described in section 501(c)(3) and is exempt from tax under section 501(a);

(ii) Members of which share a common set of ethical or religious beliefs and share medical expenses among themselves in accordance with those beliefs and without regard to the state in which a member resides or is employed;

(iii) Members of which retain membership even after they develop a medical condition;

(iv) That (or a predecessor of which) has been in existence at all times since December 31, 1999;

(v) Members of which have shared medical expenses continuously and without interruption since at least December 31, 1999; and

(vi) That conducts an annual audit performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and makes the annual audit report available to the public upon request.

(c) *Exempt noncitizens*—(1) *In general.* An individual is an exempt individual for a month that the individual is an exempt noncitizen.

(2) *Exempt noncitizens.* For purposes of this section, an individual is an exempt noncitizen for a month if the individual—

(i) Is not a U.S. citizen or U.S. national for any day during the month; and

(ii) Is either—

(A) A nonresident alien (within the meaning of section 7701(b)(1)(B)) for the taxable year that includes the month; or

(B) An individual who is not lawfully present (within the meaning of 45 CFR 155.20) on any day in the month.

(d) *Incarcerated individuals*—(1) *In general.* An individual is an exempt individual for a month that includes a day on which the individual is incarcerated.

(2) *Incarcerated.* For purposes of this section, the term *incarcerated* means confined, after the disposition of charges, in a jail, prison, or similar penal institution or correctional facility.

(e) *Individuals with no affordable coverage*—(1) *In general.* An individual is an exempt individual for a month in which the individual lacks affordable coverage. For purposes of this paragraph (e), an individual lacks affordable coverage in a month if the individual's required contribution (determined on an annual basis) for minimum essential coverage for the month exceeds the required contribution percentage (as defined in paragraph (e)(2) of this section) of the individual's household income. For purposes of this paragraph (e), an individual's household income is increased by any amount of the required contribution made through a salary reduction arrangement that is excluded from gross income.

(2) *Required contribution percentage*—(i) *In general.* Except as provided in paragraph (e)(2)(ii) of this section, the required contribution percentage is 8 percent.

(ii) *Indexing.* For plan years beginning in any calendar year after 2014, the required contribution percentage is the percentage determined by the Department of Health and Human Services that reflects the excess of the rate of premium growth between the preceding calendar year and 2013 over the rate of income growth for the period.

(iii) *Plan year.* For purposes of this paragraph (e), *plan year* means the eligible employer-sponsored plan's regular 12-month coverage period, or for a new employee or an individual who enrolls during a special enrollment period, the remainder of a 12-month coverage period.

(3) *Individuals eligible for coverage under eligible employer-sponsored plans*—(i) *Eligibility*—(A) *In general.* Except as provided in paragraph (e)(3)(i)(B) of this section, an employee or related individual (as defined in paragraph (e)(3)(ii)(B) of this section) is treated as eligible for coverage under an eligible employer-sponsored plan for a month during a plan year if the employee or related individual could have enrolled in the plan for any day in that month during an open or special enrollment period, regardless of whether the employee or related individual is eligible for any other type of minimum essential coverage.

(B) *Multiple eligibility.* For purposes of this paragraph (e)(3), an employee eligible for coverage under an eligible employer-sponsored plan offered by the employee's employer is not treated as eligible as a related individual for coverage under an eligible employer-sponsored plan (for example, an eligible employer-sponsored plan offered by the employer of the employee's spouse) for any month included in the plan year of the eligible employer-sponsored plan offered by the employee's employer.

(C) *Special rule for post-employment coverage.* A former employee or an individual related to a former employee, who may enroll in continuation coverage required under Federal law or a state law that provides comparable continuation coverage, or in retiree coverage under an eligible employer-sponsored plan, is eligible for coverage under an eligible employer-sponsored plan only if the individual enrolls in the coverage.

(ii) *Required contribution for individuals eligible for coverage under an eligible employer-sponsored plan*—(A) *Employees.* In the case of an employee who is eligible to purchase coverage under an eligible employer-sponsored plan sponsored by the employee's employer, the required contribution is the portion of the annual premium that the employee would pay (whether through salary reduction or otherwise) for the lowest cost self-only coverage.

(B) *Individuals related to employees.* In the case of an individual who is eligible for coverage under an eligible employer-sponsored plan because of a relationship to an employee and for whom a personal exemption deduction under section 151 is claimed on the employee's Federal income tax return (related individual), the required contribution is the portion of the annual premium that the employee would pay (whether through salary reduction or otherwise) for the lowest cost family coverage that would cover the employee and all related individuals who are included in the employee's family and are not otherwise exempt under § 1.5000A–3.

(C) *Required contribution for part-year period.* For each individual

described in paragraph (e)(3)(ii)(A) or (e)(3)(ii)(B) of this section, affordability under this paragraph (e)(3) is determined separately for each employment period that is less than a full calendar year or for the portions of an employer's plan year that fall in different taxable years of the individual. Coverage under an eligible employer-sponsored plan is affordable for a part-year period if the annualized required contribution for self-only coverage (in the case of the employee) or family coverage (in the case of a related individual) under the plan for the part-year period does not exceed the required contribution percentage of the individual's household income for the taxable year. The annualized required contribution is the required contribution determined under paragraph (e)(3)(ii)(A) or (e)(3)(ii)(B) of this section for the part-year period times a fraction, the numerator of which is 12 and the denominator of which is the number of months in the part-year period during the individual's taxable year. Only full calendar months are included in the computation under this paragraph (e)(3)(ii)(C).

(D) *Employer contributions to health reimbursement arrangements.* [Reserved]

(E) *Wellness program incentives.* [Reserved]

(iii) *Examples.* The following examples illustrate the application of this paragraph (e)(3). Unless stated otherwise, in each example, each individual's taxable year is a calendar year, the individual is ineligible for any other exemptions described in this section for a month, the rate of premium growth has not exceeded the rate of income growth since 2013, and the individual's employer offers a single plan that uses a calendar plan year and is an eligible employer-sponsored plan as described in § 1.5000A–2(c).

Example 1. Unmarried employee with no dependents. Taxpayer A is an unmarried individual with no dependents. In November 2015, A is eligible to enroll in self-only coverage under a plan offered by A's employer for calendar year 2016. If A enrolls in the coverage, A is required to pay $5,000 of the total annual premium. In 2016, A's household income is $60,000. Under paragraph (e)(3)(ii)(A) of this section, A's required contribution is $5,000, the portion of the annual premium A pays for self-only coverage. Under paragraph (e)(1) of this section, A lacks affordable coverage for 2016 because A's required contribution ($5,000) is greater than 8% of A's household income ($4,800).

Example 2. Married employee with dependents. Taxpayers B and C are married and file a joint return for 2016. B and C have two children, D and E. In November 2015, B is eligible to enroll in self-only coverage under a plan offered by B's employer for calendar year 2016 at a cost of $5,000 to B. C, D, and E are eligible to enroll in family coverage under the same plan for 2016 at a cost of $20,000 to B. B, C, D, and E's household income for 2016 is $90,000. Under paragraph (e)(3)(ii)(A) of this section, B's required contribution is B's share of the cost for self-only coverage, $5,000. Under paragraph (e)(1) of this section, B has affordable coverage for 2016 because B's required contribution ($5,000) does not exceed 8% of B's household income ($7,200). Under paragraph (e)(3)(ii)(B) of this section, the required contribution for C, D, and E is B's share of the cost for family coverage, $20,000. Under paragraph (e)(1) of this section, C, D, and E lack affordable coverage for 2016 because their required contribution ($20,000) exceeds 8% of their household income ($7,200).

Example 3. Plan year is a fiscal year. (i) Taxpayer F is an unmarried individual with no dependents. In June 2015, F is eligible to enroll in self-only coverage under a plan offered by F's employer for the period July 2015 through June 2016 at a cost to F of $4,750. In June 2016, F is eligible to enroll in self-only coverage under a plan offered by F's employer for the period July 2016 through June 2017 at a cost to F of $5,000. In 2016, F's household income is $60,000.

(ii) Under paragraph (e)(3)(ii)(C) of this section, F's annualized required contribution for the period January 2016 through June 2016 is $4,750 ($2,375 paid for premiums in 2016 × 12/6). Under paragraph (e)(1) of this section, F has affordable coverage for January 2016 through June 2016 because F's annualized required contribution ($4,750) does not exceed 8% of F's household income ($4,800).

(iii) Under paragraph (e)(3)(ii)(C) of this section, F's annualized required contribution for the period July 2016 to December 2016 is $5,000 ($2,500 paid for premiums in 2016 × 12/6). Under paragraph (e)(1) of this section, F lacks affordable coverage for July 2016 through December 2016 because F's annualized required contribution ($5,000) exceeds 8% of F's household income ($4,800).

Example 4. Eligibility for coverage under an eligible employer-sponsored plan and under government sponsored coverage. Taxpayer G is unmarried and has one child, H. In November 2015, H is eligible to enroll in family coverage under a plan offered by G's employer for 2016. H is also eligible to enroll in the CHIP program for 2016. Under paragraph (e)(3)(i) of this section, H is treated as eligible for coverage under an eligible employer-sponsored plan for each month in 2016, notwithstanding that H is eligible to enroll in government sponsored coverage for the same period.

(4) *Individuals ineligible for coverage under eligible employer-sponsored plans*—(i) *Eligibility for coverage other than an eligible employer-sponsored plan.* An individual is treated as ineligible for coverage under an eligible employer-sponsored plan for a month that is not described in paragraph (e)(3)(i) of this section.

(ii) *Required contribution for individuals ineligible for coverage under eligible employer-sponsored plans*—(A) *In general.* In the case of an individual who is ineligible for coverage under an eligible employer-sponsored plan, the required contribution is the premium for the applicable plan, reduced by the maximum amount of any credit allowable under section 36B for the taxable year, determined as if the individual was covered for the entire taxable year by a qualified health plan offered through the Exchange serving the rating area where the individual resides.

(B) *Applicable plan*—(*1*) *In general.* Except as provided in paragraph (e)(4)(ii)(B)(*2*) of this section, *applicable plan* means the single lowest cost bronze plan available in the individual market through the Exchange serving the rating area in which the individual resides (without regard to whether the individual purchased a qualified health plan through the Exchange) that would cover all individuals in the individual's nonexempt family. For purposes of this paragraph (e)(4), an individual's *nonexempt family* means the family (as defined in § 1.5000A–1(d)(4)) that includes the individual, excluding any family members who are otherwise exempt under section 1.5000A–3 or are treated as eligible for coverage under an eligible employer-sponsored plan under paragraph (e)(3)(i) of this section. The premium for the applicable plan takes into account rating factors (for example, an individual's age or tobacco use) that an Exchange would use to determine the cost of coverage.

(*2*) *Lowest cost bronze plan does not cover all individuals included in the taxpayer's nonexempt family*—(*i*) *In general.* If the Exchange serving the rating area where the individual resides does not offer a single bronze plan covering all individuals included in the individual's nonexempt family, the premium for the applicable plan is the sum of the premiums for the lowest cost bronze plans that are offered through the Exchanges serving the rating areas where one or more of the individuals reside that would cover in the aggregate all the individuals in the individual's nonexempt family. For instance, coverage offered through the Exchange in a rating area might not cover a family member living in different rating area or a single policy might not cover all the members in a taxpayer's household.

(*ii*) *Optional simplified method for applicable plan identification.* [Reserved]

(C) *Credit allowable under section 36B.* For purposes of paragraph (e)(4)(ii)(A) of this section, *maximum amount of any credit allowable under section 36B* means the maximum amount of the credit that would be allowable to the individual, or to the taxpayer who can properly claim the individual as a dependent, under section 36B if all members of the individual's nonexempt family enrolled in a qualified health plan through the Exchange serving the rating area where the individual resides.

(D) *Required contribution for part-year period.* For each individual described in paragraph (e)(4)(ii)(A) of this section, affordability under paragraph (e)(4) of this section is determined separately for each period described in paragraph (e)(4)(ii)(E) of this section that is less than a 12-month period. Coverage under a plan is affordable for a part-year period if the annualized required contribution for coverage under the plan for the part-year period does not exceed the required contribution percentage of the individual's household income for the taxable year. The annualized required contribution is the required contribution determined under paragraph (e)(4)(ii)(A) of this section for the part-year period times a fraction, the numerator of which is 12 and the denominator of which is the number of months in the part-year period during the individual's taxable year. Only full calendar months are included in the computation under this paragraph (e)(4)(ii)(D).

(iii) *Examples.* The following examples illustrate the provisions of this paragraph (e)(4). Unless stated otherwise, in each example the taxpayer's taxable year is a calendar year, the rate of premium growth has not exceeded the rate of income growth since 2013, and the taxpayer is ineligible for any of the exemptions described in paragraphs (b) through (i) of this section for a month.

Example 1. Unmarried employee with no dependents. (i) Taxpayer G is an unmarried individual with no dependents. G is ineligible to enroll in any minimum essential coverage other than coverage in the individual market for all months in 2016. The annual premium for the lowest cost bronze self-only plan in G's rating area (G's applicable plan) is $5,000. The adjusted annual premium for the second lowest cost silver self-only plan in G's rating area (G's applicable benchmark plan within the meaning of § 1.36B–3(f)) is $5,500. In 2016 G's household income is $40,000, which is 358% of the Federal poverty line for G's family size for the taxable year.

(ii) Under paragraph (e)(4)(ii)(C) of this section, the credit allowable under section 36B is determined pursuant to section 36B. With household income at 358% of the Federal poverty line, G's applicable percentage is 9.5. Because each month in 2016 is a coverage month (within the meaning of § 1.36B–3(c)), G's maximum credit allowable under section 36B is the excess of G's premium for the applicable benchmark plan over the product of G's household income and G's applicable percentage ($1,700). Therefore, under paragraph (e)(4)(ii)(A) of this section, G's required contribution is $3,300. Under paragraph (e)(1) of this section, G lacks affordable coverage for 2016 because G's required contribution ($3,300) exceeds 8% of G's household income ($3,200).

Example 2. Family. (i) In 2016 Taxpayers M and N are married and file a joint return. M and N have two children, P and Q. M, N, P, and Q are ineligible to enroll in minimum essential coverage other than coverage in the individual market for a month in 2016. The annual premium for M, N, P, and Q's applicable plan is $20,000. The adjusted annual premium for M, N, P, and Q's applicable benchmark plan (within the meaning of § 1.36B–3(f)) is $25,000. M and N's household income is $80,000, which is 347% of the Federal poverty line for a family size of 4 for the taxable year.

(ii) Under paragraph (e)(4)(ii)(C) of this section, the credit allowable under section 36B is determined pursuant to section 36B. With household income at 347% of the Federal poverty line, the applicable percentage is 9.5. Because each month in 2016 is a coverage month (within the meaning of § 1.36B–3(c)), the maximum credit allowable under section 36B is the excess of the premium for the applicable benchmark plan over the product of the household income and the applicable percentage ($17,400). Therefore, under paragraph (e)(4)(ii)(A) of this section, the required contribution for M, N, P, and Q is $2,600. Under paragraph (e)(1) of this section, M, N, P, and Q have affordable coverage for 2016 because their required contribution ($2,600) does not exceed 8% of their household income ($6,400).

Example 3. Family with some members eligible for government-sponsored coverage. (i) In 2016 Taxpayers U and V are married and file a joint return. U and V have two children, W and X. U and V are ineligible to enroll in minimum essential coverage other than coverage in the individual market for all months in 2016; however, W and X are eligible for coverage under CHIP for 2016. The annual premium for U, V, W, and X's applicable plan is $20,000. The adjusted annual premium for the second lowest cost silver plan that would cover U and V (the applicable benchmark plan within the meaning of § 1.36B–3(f)) is $12,500. U and V's household income is $50,000, which is 217% of the Federal poverty line for a family size of 4 for the taxable year. W and X do not enroll in CHIP coverage.

(ii) Under paragraph (e)(4)(ii)(C) of this section, the credit allowable under section 36B is determined pursuant to section 36B. With household income at 217% of the Federal poverty line, the applicable percentage is 6.89. Each month in 2016 is a coverage month (within the meaning of § 1.36B–3(c)) for U and V, but no months in 2016 are coverage months for W and X because they are eligible for CHIP coverage. The maximum credit allowable under section 36B is the excess of the premium for the applicable benchmark plan over the product of the household income and the applicable percentage ($9,055). Therefore, under paragraph (e)(4)(ii)(A) of this section, the required contribution is $10,945. Under paragraph (e)(1) of this section, U, V, W, and X lack affordable coverage for 2016 because their required contribution ($10,945) exceeds 8% of their household income ($4,000).

Example 4. Family with some members enrolled in government-sponsored minimum essential coverage. The facts are the same as *Example 3,* except W and X enroll in CHIP coverage on January 1, 2016. Under paragraph (e)(4)(ii)(B), U, V, W, and X are members of U and V's nonexempt family for 2016. Therefore, the annual premium for the applicable plan is the same as in *Example 3* ($20,000). The maximum credit allowable under section 36B is also the same as in *Example 3* ($9,055). Under paragraph (e)(4)(ii)(A) of this section, the required contribution is $10,945. Under paragraph (e)(1) of this section, U and V lack affordable coverage for 2016 because their required contribution ($10,945) exceeds 8% of their household income ($4,000).

(f) *Household income below filing threshold*—(1) *In general.* An individual is an exempt individual for any taxable year for which the individual's household income is less than the applicable filing threshold.

(2) *Applicable filing threshold*—(i) *In general.* For purposes of this section, *applicable filing threshold* means the amount of gross income that would trigger an individual's requirement to file a Federal income tax return under section 6012(a)(1).

(ii) *Certain dependents.* The applicable filing threshold for an individual who is properly claimed as a dependent by another taxpayer is equal to the other taxpayer's applicable filing threshold.

(3) *Manner of claiming the exemption.* A taxpayer is not required to file a Federal income tax return solely to claim the exemption described in this paragraph (f). If a taxpayer has a household income below the applicable filing threshold and nevertheless files a Federal income tax return, the taxpayer may claim the exemption described in this paragraph (f) on the return.

(g) *Members of Indian tribes.* An individual is an exempt individual for a month that includes a day on which the individual is a member of an Indian tribe. For purposes of this section, *Indian tribe* means a group or community described in section 45A(c)(6).

(h) *Individuals with hardship exemption certification*—(1) *In general.* An individual is an exempt individual

for a month that includes a day on which the individual has in effect a hardship exemption certification described in paragraph (h)(2) of this section.

(2) *Hardship exemption certification.* A hardship exemption certification is issued by an Exchange under section 1311(d)(4)(H) of the Affordable Care Act (42 U.S.C. 18031(d)(4)(H)), 45 CFR 155.605(g)(1), (g)(2), (g)(4) and (g)(6), 45 CFR 155.610(i), and 45 CFR 155.615(f), and certifies that an individual has suffered a hardship (as that term is defined in 45 CFR 155.605(g)) affecting the capability to obtain minimum essential coverage.

(3) *Hardship exemptions that may be claimed on a return.* A taxpayer who meets the requirements of 45 CFR 155.605(g)(3) or 45 CFR 155.605(g)(5) may claim a hardship exemption for a calendar year on a Federal income tax return.

(i) [Reserved]

(j) *Individuals with certain short coverage gaps*—(1) *In general.* An individual is an exempt individual for a month the last day of which is included in a short coverage gap.

(2) *Short coverage gap*—(i) *In general. Short coverage gap* means a continuous period of less than three months in which the individual is not covered under minimum essential coverage. If the individual does not have minimum essential coverage for a continuous period of three or more months, none of the months included in the continuous period are treated as included in a short coverage gap.

(ii) *Coordination with other exemptions.* For purposes of this paragraph (j), an individual is treated as having minimum essential coverage for a month in which an individual is exempt under any of paragraphs (a) through (h) of this section.

(iii) *More than one short coverage gap during calendar year.* If a calendar year includes more than one short coverage gap, the exemption provided by this paragraph (j) only applies to the earliest short coverage gap.

(3) *Continuous period*—(i) *In general.* Except as provided in paragraph (j)(3)(ii) of this section, the number of months included in a continuous period is determined without regard to the calendar years in which months included in that period occur. For purposes of paragraph (j) of this section, a continuous period begins no earlier than January 1, 2014.

(ii) *Continuous period straddling more than one taxable year.* If an individual does not have minimum essential coverage for a continuous period that begins in one taxable year and ends in the next, for purposes of applying this paragraph (j) to the first taxable year, the months in the second taxable year included in the continuous period are disregarded. For purposes of applying this paragraph (j) to the second taxable year, the months in the first taxable year included in the continuous period are taken into account.

(4) *Examples.* The following examples illustrate the provisions of this paragraph (j). Unless stated otherwise, in each example the taxpayer's taxable year is a calendar year and the taxpayer is ineligible for any of the exemptions described in paragraphs (a) through (h) of this section for a month.

Example 1. Short coverage gap. Taxpayer D has minimum essential coverage in 2016 from January 1 through March 2. After March 2, D does not have minimum essential coverage until D enrolls in an eligible employer-sponsored plan effective June 15. Under § 1.5000A–1(b), for purposes of section 5000A, D has minimum essential coverage for January, February, March, and June through December. D's continuous period without coverage is 2 months, April and May. April and May constitute a short coverage gap under paragraph (j)(2)(i) of this section.

Example 2. Continuous period of 3 months or more. The facts are the same as in *Example 1,* except D's coverage is not effective until July 1. D's continuous period without coverage is 3 months, April, May, and June. Under paragraph (j)(2)(i) of this section, April, May, and June are not included in a short coverage gap.

Example 3. Short coverage gap following exempt period. Taxpayer E is incarcerated from January 1 through June 2. E enrolls in an eligible employer-sponsored plan effective September 15. Under paragraph (d) of this section, E is exempt for the period January through June. Under paragraph (j)(2)(ii) of this section, E is treated as having minimum essential coverage for this period, and E's continuous period without minimum essential coverage is 2 months, July and August. July and August constitute a short coverage gap under paragraph (j)(2)(i) of this section.

Example 4. Continuous period covering more than one taxable year. Taxpayer F, an unmarried individual with no dependents, has minimum essential coverage for the period January 1 through October 15, 2016. F is without coverage until February 15, 2017. F files his Federal income tax return for 2016 on March 10, 2017. Under paragraph (j)(3)(ii) of this section, November and December of 2016 are treated as a short coverage gap. However, November and December of 2016 are included in the continuous period that includes January 2017. The continuous period for 2017 is not less than 3 months and, therefore, January is not a part of a short coverage gap.

Example 5. Enrollment following loss of coverage. The facts are the same as in *Example 4* except F loses coverage on June 15, 2017. F enrolls in minimum essential coverage effective September 15, 2017. The continuous period without minimum essential coverage in July and August of 2017 is two months and, therefore, is a short coverage gap. Because January 2017 was not part of a short coverage gap, the earliest short coverage gap occurring in 2017 is the gap that includes July and August.

Example 6. Multiple coverage gaps. (i) The facts are the same as in *Example 5* except F has minimum essential coverage for November 2016. Under paragraph (j)(3)(ii) of this section, December 2016 is treated as a short coverage gap.

(ii) December 2016 is included in the continuous period that includes January 2017. This continuous period is two months and, therefore, January 2017 is the earliest month in 2017 that is included in a short coverage gap. Under paragraph (j)(2)(iii) of this section, the exemption under this paragraph (j) applies only to January 2017. Thus, the continuous period without minimum essential coverage in July and August of 2017 is not a short coverage gap.

§ 1.5000A–4 Computation of shared responsibility payment.

(a) *In general.* For each taxable year the shared responsibility payment is the lesser of—

(1) The sum of the monthly penalty amounts for each individual in the shared responsibility family; or

(2) The sum of the monthly national average bronze plan premiums for the shared responsibility family.

(b) *Monthly penalty amount*—(1) *In general. Monthly penalty amount* means, for a month that a nonexempt individual is not covered under minimum essential coverage, 1/12 multiplied by the greater of—

(i) The flat dollar amount; or

(ii) The excess income amount.

(2) *Flat dollar amount*—(i) *In general. Flat dollar amount* means the lesser of—

(A) The sum of the applicable dollar amounts for all individuals included in the taxpayer's shared responsibility family; or

(B) 300 percent of the applicable dollar amount (determined without regard to paragraph (b)(2)(iii) of this section) for the calendar year with or within which the taxable year ends.

(ii) *Applicable dollar amount.* Except as provided in paragraphs (b)(2)(iii) and (b)(2)(iv) of this section, the applicable dollar amount is—

(A) $95 in 2014;

(B) $325 in 2015; or

(C) $695 in 2016.

(iii) *Special applicable dollar amount for individuals under age 18.* If an individual has not attained the age of 18 before the first day of a month, the applicable dollar amount for the individual is equal to one-half of the applicable dollar amount (as expressed in paragraph (b)(2)(ii) of this section) for the calendar year in which the month

occurs. For purposes of this paragraph (b)(2)(iii), an individual attains the age of 18 on the anniversary of the date when the individual was born. For example, an individual born on March 1, 1999, attains the age of 18 on March 1, 2017.

(iv) *Indexing of applicable dollar amount.* In any calendar year after 2016, the applicable dollar amount is $695 as increased by the product of $695 and the cost-of-living adjustment determined under section 1(f)(3) for the calendar year. For purposes of this paragraph (b)(2)(iv), the cost-of-living adjustment is determined by substituting ''calendar year 2015'' for ''calendar year 1992'' in section 1(f)(3)(B). If any increase under this paragraph (b)(2)(iv) is not a multiple of $50, the increase is rounded down to the next lowest multiple of $50.

(3) *Excess income amount*—(i) *In general. Excess income amount* means the product of—

(A) The excess of the taxpayer's household income over the taxpayer's applicable filing threshold (as defined in § 1.5000A–3(f)(2)); and

(B) The income percentage.

(ii) *Income percentage.* For purposes of this section, *income percentage* means—

(A) 1.0 percent for taxable years beginning in 2013;

(B) 1.0 percent for taxable years beginning in 2014;

(C) 2.0 percent for taxable years beginning in 2015; or

(D) 2.5 percent for taxable years beginning after 2015.

(c) *Monthly national average bronze plan premium. Monthly national average bronze plan premium* means, for a month for which a shared responsibility payment is imposed, 1/12 of the annual national average premium for qualified health plans that have a bronze level of coverage, would provide coverage for the taxpayer's shared responsibility family members who do not have minimum essential coverage for the month, and are offered through Exchanges for plan years beginning in the calendar year with or within which the taxable year ends.

(d) *Examples.* The following examples illustrate the provisions of this section. In each example the taxpayer's taxable year is a calendar year and all members of the taxpayer's shared responsibility family are ineligible for any of the exemptions described in § 1.5000A–3 for a month.

Example 1. Unmarried taxpayer without minimum essential coverage. (i) In 2016, Taxpayer G is an unmarried individual with no dependents. G does not have minimum essential coverage for any month in 2016. G's household income is $120,000. G's applicable filing threshold is $12,000. The annual national average bronze plan premium for G is $5,000.

(ii) For each month in 2016, under paragraph (b)(2)(ii) of this section, G's applicable dollar amount is $695. Under paragraph (b)(2) of this section, G's flat dollar amount is $695 (the lesser of $695 and $2,085 ($695 × 3)). Under paragraph (b)(3) of this section, G's excess income amount is $2,700 (($120,000 − $12,000) × 0.025). Therefore, under paragraph (b)(1) of this section, the monthly penalty amount is $225 (the greater of $58 ($695/12) or $225 ($2,700/12)).

(iii) The sum of the monthly penalty amounts is $2,700 ($225 × 12). The sum of the monthly national average bronze plan premiums is $5,000 ($5,000/12 × 12). Therefore, under paragraph (a) of this section, the shared responsibility payment imposed on G for 2016 is $2,700 (the lesser of $2,700 or $5,000).

Example 2. Part-year coverage. The facts are the same as in *Example 1,* except G has minimum essential coverage for January through June. The sum of the monthly penalty amounts is $1,350 ($225 × 6). The sum of the monthly national average bronze plan premiums is $2,500 ($5,000/12 × 6). Therefore, under paragraph (a) of this section, the shared responsibility payment imposed on G for 2016 is $1,350 (the lesser of $1,350 or $2,500).

Example 3. Family without minimum essential coverage. (i) In 2016, Taxpayers H and J are married and file a joint return. H and J have three children: K, age 21, L, age 15, and M, age 10. No member of the family has minimum essential coverage for any month in 2016. H and J's household income is $250,000. H and J's applicable filing threshold is $24,000. The annual national average bronze plan premium for a family of 5 (3 adults, 2 children) is $15,000.

(ii) For each month in 2016, under paragraphs (b)(2)(ii) and (b)(2)(iii) of this section, the applicable dollar amount is $2,780 (($695 × 3 adults) + (($695/2) × 2 children)). Under paragraph (b)(2)(i) of this section, the flat dollar amount is $2,085 (the lesser of $2,780 and $2,085 ($695 × 3)). Under paragraph (b)(3) of this section, the excess income amount is $5,650 (($250,000 − $24,000) × 0.025). Therefore, under paragraph (b)(1) of this section, the monthly penalty amount is $470.83 (the greater of $173.75 ($2,085/12) or $470.83 ($5,650/12)).

(iii) The sum of the monthly penalty amounts is $5,650 ($470.83 × 12). The sum of the monthly national average bronze plan premiums is $15,000 ($15,000/12 × 12). Therefore, under paragraph (a) of this section, the shared responsibility payment imposed on H and J for 2016 is $5,650 (the lesser of $5,650 or $15,000).

Example 4. Change in shared responsibility family during the year. (i) The facts are the same as in *Example 3,* except J has minimum essential coverage for January through June. The annual national average bronze plan premium for a family of 4 (2 adults, 2 children) is $10,000.

(ii) For the period January through June 2016, under paragraphs (b)(2)(ii) and (b)(2)(iii) of this section the applicable dollar amount is $2,085 (($695 × 2 adults) + (($695/2) × 2 children)). Under paragraph (b)(2)(i) of this section, the flat dollar amount is $2,085 (the lesser of $2,085 or $2,085 ($695 × 3)).

(iii) For the period July through December 2016, the applicable dollar amount is $2,780 (($695 × 3 adults) + (($695/2) × 2 children)). Under paragraph (b)(2) of this section, the flat dollar amount is $2,085 (the lesser of $2,780 or $2,085 ($695 × 3)). Under paragraph (b)(3) of this section, the excess income amount is $5,650 (($250,000 − $24,000) × 0.025). Therefore, under paragraph (b)(1) of this section, for January through June the monthly penalty amount is $470.83 (the greater of $173.75 ($2,085/12) or $470.83 ($5,650/12)). The monthly penalty amount for July through December is $470.83 (the greater of $173.75 ($2,085/12) or $470.83 ($5,650/12)).

(iv) The sum of the monthly penalty amounts is $5,650 ($470.83 × 12). The sum of the monthly national average bronze plan premiums is $12,500 ((($10,000/12) × 6) + (($15,000/12) × 6))). Therefore, under paragraph (a) of this section, the shared responsibility payment imposed on H and J for 2016 is $5,650 (the lesser of $5,650 or $12,500).

Example 5. Eighteenth birthday during the year. (i) In 2016 Taxpayers S and T are married and file a joint return. S and T have one child, U, who turns 18 years old on June 28. S, T, and U do not enroll in, and as a result are not eligible to receive benefits under, affordable employer-sponsored coverage offered by T's employer for 2016. S and T's household income is $60,000. S and T's applicable filing threshold is $24,000. The annual national average bronze plan premium for a family of 3 (2 adults, 1 child) is $11,000.

(ii) For the period January through June 2016, under paragraphs (b)(2)(ii) and (b)(2)(iii) of this section, the applicable dollar amount is $1,737.50 (($695 × 2 adults) + ($695/2) × 1 child)). Under paragraph (b)(2) of this section, the flat dollar amount is $1,737.50 (the lesser of $1,737.50 or $2,085 ($695 × 3)).

(iii) For the period July through December 2016, the applicable dollar amount is $2,085 ($695 × 3). Under paragraph (b)(2) of this section, the flat dollar amount is $2,085 (the lesser of $2,085 or $2,085 ($695 × 3)). Under paragraph (b)(3) of this section, the excess income amount is $900 (($60,000 − $24,000) × 0.025). Therefore, under paragraph (b)(1) of this section, for January through June the monthly penalty amount is $144.79 (the greater of $144.79 ($1,737.50/12) or $75 ($900/12)). The monthly penalty amount for July through December is $173.75 (the greater of $173.75 ($2,085/12) or $75 ($900/12)).

(iv) The sum of the monthly penalty amounts is $1,911.24 (($144.79 × 6) + ($173.75 × 6)). The sum of the monthly national average bronze plan premiums is $11,000 ($11,000/12 × 12). Therefore, under paragraph (a) of this section, the shared responsibility payment imposed on H and J for 2016 is $1,911.24 (the lesser of $1,911.24 or $11,000).

§ 1.5000A–5 Administration and procedure.

(a) *In general.* A taxpayer's liability for the shared responsibility payment for a month must be reported on the taxpayer's Federal income tax return for the taxable year that includes the month. The period of limitations for assessing the shared responsibility payment is the same as that prescribed by section 6501 for the taxable year to which the Federal income tax return on which the shared responsibility payment is to be reported relates. The shared responsibility payment is payable upon notice and demand by the Secretary, and except as provided in paragraph (b) of this section, is assessed and collected in the same manner as an assessable penalty under subchapter B of chapter 68 of the Internal Revenue Code. The shared responsibility payment is not subject to deficiency procedures of subchapter B of chapter 63 of the Internal Revenue Code. Interest on this payment accrues in accordance with the rules in section 6601.

(b) *Special rules.* Notwithstanding any other provision of law—

(1) *Waiver of criminal penalties.* In the case of a failure by a taxpayer to timely pay the shared responsibility payment, the taxpayer is not subject to criminal prosecution or penalty for the failure.

(2) *Limitations on liens and levies.* If a taxpayer fails to pay the shared responsibility payment imposed by this section and §§ 1.5000A–1 through 1.5000A–4, the Secretary will not file notice of lien on any property of the taxpayer, or levy on any property of the taxpayer for the failure.

(3) *Authority to offset against overpayment.* Nothing in this section prohibits the Secretary from offsetting any liability for the shared responsibility payment against any overpayment due the taxpayer, in accordance with section 6402(a) and its corresponding regulations.

(c) *Effective/applicability date.* This section and §§ 1.5000A–1 through 1.5000A–4 apply for months beginning after December 31, 2013.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

■ **Par. 5.** The authority citation for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805.

■ **Par. 6.** In § 602.101, paragraph (b) is amended by adding an entry in numerical order to the table to read as follows:

§ 602.101 OMB Control numbers.

* * * * *

(b) * * *

CFR part or section where identified and described	Current OMB Control No.
* * * * *	
1.5000A–3	1545–0074
1.5000A–4	1545–0074
* * * * *	

Heather C. Maloy,

Acting Deputy Commissioner for Services and Enforcement.

Approved: August 26, 2013.

Mark J. Mazur,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2013–21157 Filed 8–27–13; 11:15 am]

BILLING CODE 4830–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0775]

Drawbridge Operation Regulations; Long Island, New York Inland Waterway From East Rockaway Inlet to Shinnecock Canal, NY

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Loop Parkway Bridge, mile 0.7, across Long Creek, and the Meadowbrook Parkway Bridge, mile 12.8, across Sloop Channel, both at Hempstead, New York. This deviation is necessary to facilitate the 2013 Dee Snider's Ride to Fight Hunger on Long Island. The deviation allows the two bridges to remain in the closed position during this public event.

DATES: This deviation is effective from 11 a.m. through 1 p.m. on September 8, 2013.

ADDRESSES: Documents mentioned in this preamble as being available in the docket are part of docket USCG–2013–0775 and are available online at *www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140, on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC, 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 668–7165, *judy.k.leung-yee@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Loop Parkway Bridge, mile 0.7, across Long Creek has a vertical clearance in the closed position of 21 feet at mean high water and 25 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.799(f).

The Meadowbrook Parkway Bridge, mile 12.8, across Sloop Channel has a vertical clearance in the closed position of 22 feet at mean high water and 25 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.799(h). Long Creek and Sloop Channel are transited by commercial fishing and recreational vessel traffic.

The bridge owner for both bridges, the State of New York Department of Transportation, requested bridge closures to facilitate a public event, the 2013 Dee Snider's Ride to Fight Hunger.

Under this temporary deviation the Loop Parkway and the Meadowbrook Parkway Bridges may remain in the closed position between 11 a.m. and 1 p.m. on September 8, 2013, to facilitate a public event, the 2013 Dee Snider's Ride.

There are no alternate routes for vessel traffic; however, vessels that can pass under the closed draws during this closure may do so at any time. The bridges may be opened in the event of an emergency. The Coast Guard will inform the users of the waterways through our Local and/or Broadcast Notices to Mariners of the change in operating schedule for the bridges so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: August 21, 2013.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. 2013–21182 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0783]

Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), at Atlantic City, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the draw of the US40–322 (Albany Avenue) Bridge across Inside Thorofare, NJICW mile 70.0, at Atlantic City, NJ. The deviation allows the bridge to remain in the closed position to vessels requesting a bridge opening in order to accommodate the 3rd Annual Atlantic City Triathlon.

DATES: This deviation is effective 6 a.m. until 12 p.m. September 15, 2013.

ADDRESSES: The docket for this deviation [USCG–2013–0783] is available at *http://www.regulations.gov*. Type the docket number in the ''Search'' box and click ''Search.'' Click on the Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140, on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Kashanda L. Booker, Bridge Management Specialist, Fifth Coast Guard District, telephone (757) 398–6227, email *Kashanda.l.booker@uscg.mil.* If you have questions on reviewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The New Jersey Department of Transportation, on behalf of the Atlantic City Emergency Management Office, has requested a temporary deviation from the current operating regulations of the US40–322 (Albany Avenue) Bridge across Inside Thorofare, NJICW mile 70.0, at Atlantic City. The closure has been requested to ensure the safety of the runners and spectators that will be participating in the triathlon, on Sunday September 15, 2013.

Under this temporary deviation, the US40–322 (Albany Avenue) Bridge will remain in the closed position from 6 a.m. through 12 p.m., on Sunday, September 15, 2013.

In the closed position to vessels, the available vertical clearance of this bascule bridge is approximately 10 feet, above mean high water. The current operating regulation is outlined at 33 CFR 117.733(f), which requires that on the weekdays during this time of year, the bridge shall open on signal; except that from 11 p.m. to 7 a.m., the draw need only open if at least four hours of notice is given, from 9 a.m. to 4 p.m. and from 6 p.m. to 9 p.m., the draw need only open on the hour and half hour, and from 4 p.m. to 6 p.m. the draw need not open.

Vessels that can pass under the drawbridge without an opening may do so at all times. In the event of an emergency, the drawbridge will be able to open for vessels.

The Atlantic Ocean is an alternate route for vessels with mast heights greater than 10 feet. The Coast Guard will inform the users of the waterway through our Local and Broadcast Notices to Mariners of the closure periods so that vessels can plan their transits to minimize any impact caused by the temporary deviation. At all other times during the effected period, the bridge will operate as outlined at 33 CFR 117.733(f).

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: August 21, 2013.

Waverly W. Gregory, Jr.,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2013–21172 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0677]

Drawbridge Operation Regulation; Snohomish River, Everett, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the SR 529 twin bridges across the Snohomish, mile 3.6, near Everett, WA. The deviation is necessary to facilitate heavy maintenance and equipment upgrades on the bridges. This deviation allows the bridges to remain in the closed position during maintenance activities.

DATES: This deviation is effective from 12:01 a.m. on September 3, 2013 to 11:59 p.m. on October 18, 2013.

ADDRESSES: The docket for this deviation, [USCG–2013–0677] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Lieutenant Commander Steven M. Fischer, Bridge Specialist, Coast Guard Thirteenth District; telephone 206–220–7277, email *Steven.M.Fischer2@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Washington State Department of Transportation (WSDOT) has requested that the SR 529 twin bridges across the Snohomish River remain closed to vessel traffic to facilitate heavy maintenance and equipment upgrades on the bridges. The SR 529 twin bridges cross the Snohomish River at mile 3.6 and provide 38 feet of vertical clearance above mean high water elevation while in the closed position. Vessels which do not require a bridge opening may continue to transit beneath the bridges

during this closure period. Under normal conditions the SR 529 Bridges crossing the Snohomish River operate in accordance with 33 CFR 117.1059(c) which requires advance notification of one-hour when a bridge opening is needed. This deviation period is from 12:01 a.m. on 3 September 2013 to 11:59 p.m. on 18 October 2013. The deviation allows the SR 529 Bridges crossing the Snohomish River, to remain in the closed position and need not open for maritime traffic from 12:01 a.m. on 3 September 2013 to 11:59 p.m. on 18 October 2013. The bridges shall operate in accordance to 33 CFR 117.1059 at all other times. Waterway usage on the Snohomish River includes vessels ranging from commercial tug and barge to small pleasure craft. Mariners will be notified and kept informed of the bridges' operational status via the construction contractor performing the maintenance as well as via the Coast Guard Notice to Mariners publication and Broadcast Notice to Mariners as appropriate. The bridges will not be able to open during this maintenance activity because the lifting mechanisms will be inoperable.

In accordance with 33 CFR 117.35(e), the drawbridges must return to their regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: August 19, 2013.

Daryl R. Peloquin,

Acting Bridge Administrator, Thirteenth Coast Guard District.

[FR Doc. 2013–21174 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0252]

RIN 1625–AA09

Drawbridge Operation Regulation; Wolf River, Gills Landing and Winneconne, WI

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is revising the operating schedule that governs the Winneconne Highway Bridge at Mile 2.4, and the Canadian National Railroad Bridge at mile 27.8, both over the Wolf River. A review of the current regulation was requested by the Wisconsin Department of Transportation (WDOT) and the Canadian National Railroad.

DATES: This rule is effective on September 30, 2013.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2013–0252. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Lee Soule, Bridge Management Specialist, Ninth Coast Guard District; telephone (216) 902–6085, email *Lee.D.Soule@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section Symbol
U.S.C. United States Code

A. Regulatory History and Information

On May 10, 2013, we published a notice of proposed rulemaking (NPRM) entitled, ''Drawbridge Operation Regulation; Wolf River, Gills Landing and Winneconne, WI'' in the **Federal Register** (78 FR 27336). We did not receive any comments on the proposed rule. No public meeting was requested, and none was held.

B. Basis and Purpose

The Wolf River extends from its head of navigation in New London, WI and travels south to Winneconne, WI where it confluences with the Upper Fox River. The Wolf River has two drawbridges over the waterway. The Winneconne Highway Bridge at mile 2.4 is a bascule bridge that provides 70 feet horizontal clearance, 7 feet vertical clearance in the closed position, and an unlimited vertical clearance in the open position. The Canadian National Railroad Bridge at Mile 27.8 is a former swing bridge that was converted to a vertical lift bridge in 2012 that provides 56 feet horizontal clearance, 7 feet vertical clearance in the closed position, and a vertical clearance of 16 feet in the raised position. Marine traffic on the waterway consists of small commercial vessels, and both power and sail recreational vessels. The existing drawbridge regulation for Wolf River, 33 CFR 117.1107, includes only the Winneconne Highway Drawbridge and requires the bridge to open on signal; except from 11 p.m. to 7 a.m., between May 1 and October 31, the bridge will open if at least two hours advance notice is provided, and from November 1 through April 30, the bridge will open if at least 12-hours advance notice is provided. The Coast Guard has been advised of updated navigation needs on Wolf River, including reports there has been an increase in recreational vessel usage of the waterway due to improvements to the lock system, dredging projects, and restored drawbridges over the Fox River that connect directly with the Wolf River. This rule will establish consistent operating schedules that will meet the needs of current and future navigation on the Wolf River and provide consistency in regulations for the rest of the connecting waterways.

C. Discussion of Comments, Changes and the Final Rule

The existing regulation for Wolf River (33 CFR 117.1107) addresses only one of the two drawbridges over Wolf River, and has not been revised since the overall recodification of federal drawbridge regulations in 1984.

This rule was developed in conjunction with locally applied bridge schedules implemented by WDOT and Fox River Valley Navigation Authority for the past 10 to 15 years. These agencies, along with Canadian National Railroad, have reviewed and approved this rule.

The current regulation does not include the Canadian National Railroad Bridge. The Canadian National Railroad Bridge is in a remote location and the only access to the bridge by the drawtender is by boat. Bridge logs were not available for review. The Coast Guard has coordinated with local stakeholders and the Fox River Valley Navigation Authority and determined a 6-hour advance notice for the Canadian National Railroad Bridge from April 20 to October 15 would meet the needs of current navigation. A 12-hour advance notice from October 16 to April 19 would be required for openings.

Currently, the Winneconne Bridge opens on signal between the hours of 7 a.m. and 11 p.m., daily, and requires a 2-hour advance notice of arrival for openings from May 1 to October 31

between the hours of 11 p.m. to 7 a.m., daily. From November 1 to April 30 mariners are required to provide a 12-hour advance notice for openings. WDOT has operated the Winneconne Highway Bridge during the navigation season in recent years from April 20 to October 7, with 2-hours advance notice between midnight and 8 a.m. Slight adjustments to this schedule were made in the development of this rule. Bridge openings will occur on signal from April 20 through October 15, except from midnight to 8 a.m. when 2-hours advance notice is required for openings, and from October 16 through April 19 if a 12-hour advance notice is received. No comments were received to the NPRM and this final rule adopts the proposed rule without changes.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. This rule incorporates the locally applied bridge schedules that have been employed in recent years, with only small variations. The schedule was reviewed and approved by the bridge owners and representatives of local boating organizations. This rule is expected to improve access to the waterway and establish operating regulations that meet the needs of the boating public in an easy to read language.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard did not receive any comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule would affect the following entities, some of which might be small entities: the owners or operators of vessels needing to transit the Winneconne Bridge from midnight to 8 a.m. will need to provide a 2-hour advance notice of arrival for bridge openings, and at all hours a 6-hour advance notice for openings at the Canadian National Railroad Bridge. These operating hours would affect both drawbridges throughout the boating season from April 20 to October 15. Impacts to small entities are not expected to be significant as these schedules have effectively been in place for numerous years and are accepted by local vessel operators. During the winter when the waterway is typically ice covered, mariners will be required to provide a 12-hour advance notice for openings for both bridges, as applicable.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the

Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This rule is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule revises existing operating regulations or procedures for drawbridges. This rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 117.1107 to read as follows:

§ 117.1107 Wolf River.

(a) The draw of the Winneconne Highway bridge, mile 2.4 at Winneconne, shall open on signal; except that, between the hours of midnight and 8 a.m., from April 20 through October 15, at least 2-hours of advance notice is required, and from October 16 through April 19, at least 12-hours of advance notice is required. Advance notice shall be provided to the Winnebago County Highway Department.

(b) The draw of the Canadian National Railroad Bridge, mile 27.8 at Gill's Landing, shall open on signal if at least 6-hours advance notice is provided from April 20 through October 15, and if at least 12-hours advance notice is provided from October 16 through April 19.

Dated: August 16, 2013.

F.M. Midgette,

Rear Admiral, U. S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 2013–21175 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2013–0329]

RIN 1625–AA11

Regulated Navigation Area; Maine Kennebec Bridge Construction Zone, Kennebec River, Richmond, ME

AGENCY: Coast Guard, DHS.

ACTION: Temporary interim rule with request for comments.

SUMMARY: The Coast Guard is establishing a regulated navigation area (RNA) on the navigable waters of the Kennebec River surrounding the Maine Kennebec Bridge between Richmond, ME, and Dresden, ME. This RNA allows the Coast Guard to enforce speed and wake restrictions and prohibit all vessel traffic through the RNA during bridge replacement operations, both planned and unforeseen, that could pose an imminent hazard to persons and vessels operating in the area. This rule is necessary to provide for the safety of life on the navigable waters during the replacement of the bridge. The Coast Guard is issuing this temporary rule due to the exigent circumstances and invites comments to modify or amend the rule as necessary.

DATES: This rule is effective and will be enforced from September 1, 2013, through December 31, 2016.

Comments and related material may be received by the Coast Guard through the effective period.

Requests for public meetings must be received by the Coast Guard on or before September 20, 2013.

ADDRESSES: Documents mentioned in this preamble are part of Docket Number USCG–2013–0329. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on ''Open Docket Folder'' on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may submit comments, identified by docket number, using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Ensign Elizabeth V. Morris, Waterways Management Division at Coast Guard Sector Northern New England, telephone 207–741–5440, email *Elizabeth.V.Morris@uscg.mil;* or Chief Craig D. Lapiejko, Waterways Management at Coast Guard First District, telephone 617–223–8385, email *Craig.D.Lapiejko@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

ACOE Army Corps of Engineers
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
MEDOT Maine Department of Transportation
RNA Regulated Navigation Area

A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted

without change to *http://www.regulations.gov* and will include any personal information you have provided.

1. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online at *http://www.regulations.gov*, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov*, type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on ''Submit a Comment'' on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number (USCG–2013–0329) in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

4. Public Meeting

We currently do not plan to hold a public meeting. You may, however, submit a request for one, using one of the methods specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid in this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

B. Regulatory History and Information

The Coast Guard is issuing this temporary interim rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because publishing an NPRM would be impracticable for the reasons described below. The Coast Guard will consider comments in issuing a subsequent temporary interim rule or temporary final rule.

On April 26, 2013, Coast Guard conducted a meeting with the Maine Department of Transportation (MEDOT) to discuss the Maine Kennebec Bridge. During that meeting, the Coast Guard was informed that the contract for construction and demolition of the bridge was out to bid and work was expected to start September 1, 2013. This late submission did not give the Coast Guard enough time to publish an NPRM, take public comments, and issue a final rule before work begins in September 2013.

It would be impracticable to delay promulgating this rule, as work is scheduled to begin on September 1, 2013, as it is necessary to protect the safety of both the construction crew and the waterway users operating in the vicinity of the bridge construction zone. A delay or cancellation of the currently ongoing bridge rehabilitation project in order to accommodate a full notice and comment period would delay necessary operations, result in increased costs, and delay the date when the bridge is expected to reopen for normal operations. The Coast Guard believes it would be impracticable to delay this regulation. At any time, the Coast Guard may publish an amended rule if necessary to address public concerns.

For the same reasons mentioned above, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

C. Basis and Purpose

Under the Ports and Waterways Safety Act, 33 U.S.C. 1221 et. seq., and Department of Homeland Security Delegation No. 0170.1, the Coast Guard has the authority to establish RNAs in defined water areas that are determined to have hazardous conditions and in which vessel traffic can be regulated in the interest of safety.

This rulemaking is prompted by the navigation safety situation created by demolition and subsequent reconstruction of the Maine Kennebec Bridge. The Coast Guard has discussed this project with MEDOT to determine whether the project can be completed without channel closures. While the majority of construction activities during the span of this project will not require waterway closures, there are certain tasks that can only be completed in the channel and will require closing the waterway. The demolition and construction of the bridge will be extremely complex and presents many safety hazards including overhead crane operations, overhead cutting operations, potential falling debris, and barges positioned in the channel with a restricted ability to maneuver. At present, MEDOT has not submitted a plan for waterway closures as the bridge contract is still under negotiation.

The purpose of this rulemaking is to provide for safety on the navigable waters in the regulated area during bridge reconstruction.

D. Discussion of the Interim Rule

The Coast Guard is establishing an RNA on the navigable waters of the Kennebec River surrounding the Maine Kennebec River Bridge which spans from Richmond to Dresden, ME. This RNA allows the Captain of the Port Sector Northern New England (COTP) to establish speed and wake restrictions and to prohibit vessel traffic on this portion of the river for limited periods

when necessary for the safety of vessels and workers during construction work in the channel. The Coast Guard will enforce a six knot speed limit as well as a ''NO WAKE'' zone and will be able to close the designated area to all vessel traffic under any circumstances, planned or unforeseen, that pose an imminent threat to waterway users or construction operations in the area. Complete waterway closures will be minimized to that period absolutely necessary and made with as much advanced notice as possible. During closures, mariners may request permission from the COTP to transit through the RNA.

Entry into, anchoring, or movement within this RNA during a closure is prohibited unless authorized by the COTP or a designated representative.

If the project is completed before December 31, 2016, the COTP will suspend enforcement of the RNA. The COTP will ensure that any notice of the suspension of enforcement reaches affected segments of the public by all appropriate means. Such means of notification could include, but would not be limited to, Broadcast Notice to Mariners and Local Notice to Mariners.

E. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The Coast Guard determined that this rulemaking will not be a significant regulatory action for the following reasons: vessel traffic will only be restricted from the RNA for limited durations and the RNA covers only a small portion of the navigable waterway. Advanced public notifications will also be made to local mariners through appropriate means, which could include, but would not be limited to, Local Notice to Mariners and Broadcast Notice to Mariners. Finally, during closures, mariners may request permission from the COTP to transit through the RNA.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to enter or transit within the RNA during a vessel restriction period.

The RNA will not have a significant economic impact on a substantial number of small entities for the following reasons: the RNA would be of limited size and any waterway closure of short duration. Additionally before the effective period of a waterway closure, advanced public notifications will be made to local mariners through appropriate means, which could include, but would not be limited to, Local Notice to Mariners and Broadcast Notice to Mariners.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the ''For Further Information Contact'' section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children From Environmental Health Risks

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health

Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This rule is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves restricting vessel movement within a regulated navigation area. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T01–0329 to read as follows:

§ 165.T01–0329 Regulated Navigation Area; Maine Kennebec Bridge Construction and Removal, Kennebec River, Richmond, ME.

(a) *Location.* The following area is a Regulated Navigation Area (RNA): All navigable waters, surface to bottom, on the Kennebec River within a 300 yard radius of position 44°05'27'' N, 069°46'57'' W in the vicinity of the Maine Kennebec River Bridge between Richmond, ME and Dresden, ME.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.11 and 165.13 apply within the RNA.

(2) In accordance with the general regulations, entry into or movement within this zone, during periods of enforcement, is prohibited unless authorized by the COTP Sector Northern New England.

(3) Persons and vessels may request permission to enter the RNA during periods of enforcement by contacting the COTP or the COTP's on-scene representative on VHF–16 or via phone at 207–767–0303.

(4) During periods of enforcement, a speed limit of six (6) knots will be in effect within the regulated area. All vessels must proceed through the area with caution and operate in such a manner as to produce no wake.

(5) Vessels must comply with all directions given to them by the COTP or the COTP's on-scene representative. The ''on-scene representative'' of the COTP is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel; Maine State Police, Maine Marine Patrol or other designated craft; or may be on shore and communicating with vessels via VHF–FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(6) Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(7) All other relevant regulations, including but not limited to the Rules of the Road (33 CFR part 84—Subchapter E, Inland Navigational Rules) remain in effect within the regulated area and must be strictly followed at all times.

(c) *Enforcement Period.* This regulation is enforceable 24 hours a day from 5:00 a.m. on September 1, 2013 until 11:59 p.m. on December 31, 2016.

(1) Prior to commencing or suspending enforcement of this regulation, the COTP will give notice by appropriate means to inform the affected segments of the public, to include dates and times. Such means of notification will include constructive notice by publication in the **Federal Register**, actual notice, as well as Broadcast Notice to Mariners and Local Notice to Mariners.

(2) Violations of this RNA may be reported to the COTP at 207–767–0303 or on VHF-Channel 16.

Dated: August 15, 2013.

D.B. Abel,

Rear Admiral, U.S. Coast Guard Commander, First Coast Guard District.

[FR Doc. 2013–21180 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2012–0202]

RIN 1625–AA11; 1625–AA87

Regulated Navigation Areas, Security Zones: Dignitary Arrival/Departure and United Nations Meetings, New York, NY

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending its regulation establishing security zones that are enforceable in connection with the arrival or departure of international leaders for United Nations meetings in New York, NY. This rule establishes new regulated navigation areas, modifies certain security zones, and better organizes the regulation. The amendments will assist the Coast Guard in protecting public safety and visiting dignitaries during these events, and thus promote the Coast Guard's maritime safety and maritime security missions.

DATES: This rule is effective September 30, 2013.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2012–0202]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Jeff Yunker, Coast Guard Sector New York, Waterways Management Division; telephone 718–354–4195, email *Jeff.M.Yunker@uscg.mil* or Chief Craig Lapiejko, Coast Guard First District Waterways Management Branch, telephone 617–223–8381, email *Craig.D.Lapiejko@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
SNPRM Supplemental Notice of Proposed Rulemaking
RNA Regulated Navigation Area
UN United Nations
UNGA United Nations General Assembly

A. Regulatory History and Information

On September 11, 2012, we published a notice of proposed rulemaking (NPRM) entitled ''Security Zones; Dignitary Arrival/Departure and United Nations Meetings, New York, NY'' in the **Federal Register** (77 FR 55777). We received seven comments on the NPRM.

After publication of the NPRM we determined that an RNA is the more appropriate means to regulate the movement of vessels or individuals instead of the security zones originally proposed or already codified at 33 CFR 165.164. On April 19, 2013, we published a supplemental notice of proposed rulemaking (SNPRM) entitled ''Regulated Navigation Areas, Security Zones: Dignitary Arrival/Departure and United Nations Meetings, New York, NY in the **Federal Register** (78 FR 23515). We received one comment on the SNPRM.

B. Basis and Purpose

The legal basis for the proposed rule is 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish RNAs and security zones.

On five occasions since March 2011, the United States Secret Service has requested that the Coast Guard establish a temporary security zone on the waters of the East River and Bronx Kill during the arrival and departure of the President of the United States to and from Randalls and Wards Islands, New York.

This regulation carries out three related actions: (1) Establishes new regulated navigation areas in the waters near the United Nations (UN) during UN visits by international leaders; (2) revises the Wall Street Heliport security zone to identify the northern boundary of the security zone on the Manhattan shoreline at Wall Street, which is necessary due to the removal of Pier 13 that is currently referenced in 33 CFR 165.164(a)(1); and (3) revises the United Nations security zone to clarify enforcement times for the security zone, provide a more detailed description of the security zone, and provide a better understanding of the transit restrictions that would be enacted.

C. Discussion of Comments, Changes and the Final Rule

After publication of the SNPRM in the **Federal Register** (78 FR 23515) the National Oceanic and Atmospheric Administration (NOAA) submitted a comment recommending that 33 CFR 165.164(a)(4) be revised to state the United Nations Security Zone extends about 180 yards offshore of Manhattan instead of the currently published 175 yards. This recommendation only changes the description of the security zone's boundaries without changing its geographical coordinates. The Coast Guard agrees and has made this change to the final rule.

The Coast Guard is amending the existing security zone regulation relating to the arrival and departure of dignitaries for UN meetings in New York City, 33 CFR 165.164. Our amendments are substantively similar to the proposals contained in our 2012 NPRM, but we are reorganizing and making a non-substantive revision of § 165.164, and we are redesignating three existing security zones as regulated navigation areas. Please see the NPRM for a further discussion of how we have enforced § 165.164 security zones in the past. We have now determined that an RNA is the more appropriate means to regulate the movement of vessels or individuals instead of the security zones originally proposed or already codified at 33 CFR 165.164. We are designating the Wall Street Heliport, Randalls and Wards Islands, and United Nations Full River Closure security zones as RNAs. The Marine Air Terminal, United Nations, and United Nations West Channel Closure security zones will remain designated as security zones as they do not completely restrict vessel traffic on that portion of the Bowery Bay and East River during enforcement of the security zones.

We are reorganizing § 165.164 and adding descriptive designations to name each of the several locations covered by that regulation.

We are revising § 165.164(a)(1) relating to the Wall Street Heliport. We are removing a reference to Pier 13, which no longer exists, but otherwise the boundaries of the designated area will not change. The existing security zone is now designated a regulated navigation area.

We are adding a new § 165.164(a)(2) and establishing an RNA on the waters of the East River and Bronx Kill in the vicinity of Randalls and Wards Islands. The RNA is approximately 2,150 yards long and 860 yards wide, and encompasses approximately 0.21 square nautical miles. It will be enforced from 30 minutes before a dignitary's arrival until 15 minutes after the dignitary's departure from the area.

We are making no changes to § 165.164(a)(3), other than to designate it as the Marine Air Terminal, La Guardia Airport Security Zone.

We are designating the security zone created by § 165.164(a)(4) as the United Nations Security Zone, and we are rewording the description of this zone's boundaries for clarity, without changing its geographical coordinates. In new paragraph (d), we state that this zone is in force at all times.

We are transferring the security zone described in existing § 165.164(a)(5) to paragraph (a)(6), and designating it the United Nations Full River Closure RNA. The content of existing paragraph (a)(6) is addressed in new paragraph (d). When enforced, the UN Full River Closure RNA will fully close the East River to vessel traffic within its boundaries. We are creating a new security zone in paragraph (a)(5), to be designated the United Nations West Channel Closure Security Zone. When in force, it will close only a portion of the western channel of the river. Vessels

capable of transiting the shallower waters of the eastern channel can do so.

The content of existing paragraph (a)(7) is addressed in new paragraph (d).

We are adding a new § 165.164(b) to define terms used in the regulation. The content of existing paragraph (b) is being moved to paragraph (c).

We are adding a new § 165.164(d) to describe how and when each regulated navigation area or security zone will be enforced, and how the public will be notified that enforcement is in effect.

Finally, we are adding a new § 165.164(e) to describe how vessel operators may obtain permission to enter or operate within a regulated navigation area or security zone.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

This determination is based on the limited time that vessels will be restricted from the Randalls and Wards Islands RNA. The RNA will be activated for approximately 60 minutes approximately six times per year or when necessary. The Coast Guard expects minimal adverse impact to mariners from the RNA's activation based on the limited duration of the enforcement period, the limited geographic area affected and because affected mariners may request authorization from the COTP or the designated on-scene representative to transit the RNA.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received zero comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to transit or anchor in a portion of the East River or Bronx Kill, in the vicinity of Randalls or Wards Islands, NY during the enforcement periods.

These RNAs will not have a significant economic impact on a substantial number of small entities for the following reasons: The RNA is of limited size and duration. Persons or vessels may request permission to transit the RNA from the COTP or the designated on-scene representative.

Additionally, before and during the enforcement period, the Coast Guard will issue maritime advisories widely available to users of the waterway, including marine information broadcasts, and distribute a written notice online at *http://homeport.uscg.mil/newyork.*

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order

13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of an RNA and revisions to current RNAs and security zones. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREA

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 165.164 to read as follows:

§ 165.164 Regulated Navigation Areas, Security Zones: Dignitary Arrival/Departure and United Nations Meetings, New York, NY.

(a) *Location.* The following areas are regulated navigation areas (RNA) or security zones:

(1) *Wall Street Heliport RNA.* All waters of the East River within the following boundaries: East of a line drawn between approximate position 40°42′01″ N, 074°00′39″ W (east of The Battery) to 40°41′36″ N, 074°00′52″ W (point north of Governors Island) and north of a line drawn from the point north of Governors Island to the southwest corner of Pier 7 North, Brooklyn; and south of a line drawn between 40°42′14.8″ N, 074°00′20.3″ W (Wall Street, Manhattan), and the northwest corner of Pier 2 North, Brooklyn (NAD 1983).

(2) *Randalls and Wards Islands RNA:* All waters of the East River between the Hell Gate Rail Road Bridge (mile 8.2), and a line drawn from a point at approximate position 40°47′27.12″ N, 073°54′35.14″ W (Lawrence Point, Queens) to a point at approximate position 40°47′52.55″ N, 073°54′35.25″ W (Port Morris Stacks), and all waters of the Bronx Kill southeast of the Bronx Kill Rail Road Bridge (mile 0.6) (NAD 1983).

(3) *Marine Air Terminal, La Guardia Airport Security Zone:* All waters of Bowery Bay, Queens, New York, south of a line drawn from the western end of La Guardia Airport at approximate position 40°46′47″ N, 073°53′05″ W to the Rikers Island Bridge at approximate position 40°46′51″ N, 073°53′21″ W and east of a line drawn between the point at the Rikers Island Bridge to a point on the shore in Queens, New York, at approximate position 40°46′36″ N, 073°53′31″ W (NAD 1983).

(4) *United Nations Security Zone.* All waters of the East River bound by the following points: 40°44′37″ N, 073°58′16.5″ W (the base of East 35th Street, Manhattan), then east to 40°44′34.5″ N, 073°58′10.5″ W (about 180 yards offshore of Manhattan), then northeasterly to 40°45′29″ N, 073°57′26.5″ W (about 125 yards offshore of Manhattan at the Queensboro Bridge), then northwesterly to 40°45′31″ N, 073°57′30.5″ W (Manhattan shoreline at the Queensboro Bridge), then southerly along the shoreline to the starting point at 40°44′37″ N, 073°58′16.5″ W (NAD 1983).

(5) *United Nations West Channel Closure Security Zone.* All waters of the East River north of a line drawn from approximate position 40°44′37″ N, 073°58′16.5″ W (the base of East 35th Street, Manhattan), to approximate position 40°44′31.04″ N, 073°58′03.10″ W (approximately 400 yards east of the Manhattan shoreline), all waters west of a line drawn from approximate position 40°44′31.04″ N, 073°58′03.10″ W (approximately 400 yards east of the Manhattan shoreline), to the southern tip of Roosevelt Island at approximate position 40°44′57.96″ N, 073°57′41.57″ W, then along the western shoreline of Roosevelt Island to the Queensboro Bridge, and all waters south of the Queensboro Bridge (NAD 1983).

(6) *United Nations Full River Closure RNA.* All waters of the East River north of a line drawn from approximate position 40°44′37″ N, 073°58′16.5″ W (the base of East 35th Street, Manhattan), to approximate position 40°44′23″ N, 073°57′44.5″ W (Hunters Point, Long Island City), and south of the Queensboro Bridge (NAD 1983).

(b) *Definitions.* As used in this section—

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP to act on the COTP's behalf. The designated representative may be on a Coast Guard vessel, or onboard a federal, state, or local agency vessel that is authorized to act in support of the Coast Guard.

Dignitary means the President or Vice President of the United States, or visiting heads of foreign states or governments.

(c) *Regulations.* In accordance with the general regulations in 33 CFR part 165, no person or vessel may enter or move within a RNA or security zone created by this section during enforcement periods unless granted permission to do so by the COTP New York or the designated representative. Vessel operators and persons given permission to enter or operate in the RNA or security zone must comply with all directions given to them by the COTP or the designated representative. Upon being hailed by a U.S. Coast Guard or New York City police vessel by siren, radio, flashing lights, or other means, the operator of a vessel must proceed as directed, and follow any instructions to anchor or moor up to a waterfront facility.

(d) *Enforcement.* The security zone described in paragraph (a)(4) of this section is effective and will be enforced at all times. Coast Guard Sector New York will provide actual notice to mariners for the purpose of enforcement for the regulated navigation areas and security zones described in paragraphs (a)(1), (a)(2), (a)(3), (a)(5), and (a)(6). The Captain of the Port will also provide notice to the maritime public regarding

the activation of these RNAs and security zones by appropriate means, which may include but are not limited to a Local Notice to Mariners or marine information broadcasts, and at *http://homeport.uscg.mil/newyork*.

(e) *Contact Information*. Vessel operators desiring to enter or operate within a RNA or security zone shall telephone the COTP at (718) 354–4356 or the designated representative via VHF channel 16 to obtain permission to do so.

Dated: August 7, 2013.

D.B. Abel,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 2013–21171 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2013–0717]

RIN 1625–AA00

Eighth Coast Guard District Annual Safety Zones; Boomsday Festival; Tennessee River 646.0–649.0; Knoxville, TN

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a Safety Zone for the Boomsday Festival Fireworks on the Tennessee River 646.0–649.0 from 9:30 p.m. until 10:30 p.m. on September 1, 2013. This action is necessary to safeguard participants and spectators, including all crews, vessels, and persons on navigable waters, during the Boomsday Festival Fireworks. During the enforcement period, entry into, transiting or anchoring in the Safety Zone is prohibited to all vessels not registered with the sponsor as participants or official patrol vessels, unless specifically authorized by the Captain of the Port (COTP) Ohio Valley or a designated representative.

DATES: The regulations in 33 CFR 165.801 will be enforced from 9:30 p.m. until 10:30 p.m. on September 1, 2013.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice of enforcement, call Petty Officer James Alter, Coast Guard Marine Safety Detachment Nashville at 615–736–5421, or *james.r.alter@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the Safety Zone for the annual Boomsday Festival Fireworks listed in 33 CFR 165.801 Table 1, Table No. 36; Sector Ohio Valley, No. 39 on September 1, 2013 from 9:30 p.m. until 10:30 p.m.

Under the provisions of 33 CFR 165.801, entry into the safety zone listed in Table 1, Table No. 36; Sector Ohio Valley, No. 39 is prohibited unless authorized by the Captain of the Port or a designated representative. Persons or vessels desiring to enter into or passage through the Safety Zone must request permission from the Captain of the Port or a designated representative. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or designated representative.

This notice is issued under authority of 5 U.S.C. 552 (a); 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1. In addition to this notice in the **Federal Register,** the Coast Guard will provide the maritime community with advance notification of this enforcement period via Local Notice to Mariners and Marine Information Broadcasts.

If the Captain of the Port Ohio Valley or Patrol Commander determines that the Safety Zone need not be enforced for the full duration stated in this notice of enforcement, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: August 2, 2013.

R.V. Timme,

Captain, U.S. Coast Guard, Captain of the Port Ohio Valley.

[FR Doc. 2013–21179 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2013–0546]

RIN 1625–AA00

Safety Zone; Lake Erie Heritage Foundation, Battle of Lake Erie Reenactment; Lake Erie, Put-in-Bay, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the waters of Lake Erie in the vicinity of Put-In-Bay, OH. This safety zone is intended to restrict vessels from a portion of Lake Erie during Battle of Lake Erie Reenactment near Put-In-Bay. This temporary safety zone is necessary to protect people and vessels from the hazards associated with this event.

DATES: This rule will be effective and enforced from 8 a.m. until 6 p.m. on September 2, 2013.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2013–0546 and are available online by going to *www.regulations.gov*, inserting USCG–2013–0546 in the ''Keyword'' box, and then clicking ''search.'' They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground floor, Room W12–140, 1200 New Jersey Avenue SE., Washington DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary final rule, contact or email MST1 Ian M. Fallon, U.S. Coast Guard Marine Safety Unit Toledo, at (419) 418–6036 or *Ian.M.Fallon@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
TFR Temporary Final Rule

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable and contrary to the public interest. The details of this emergent event were not received in sufficient time for the Coast Guard to solicit public comments before the start of the maritime event. Thus, waiting for a notice and comment period to run

would inhibit the Coast Guard from protecting the public and vessels from the hazards associated with this marine event.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, waiting for a 30 day notice period to run would be impracticable and contrary to the public interest.

B. Basis and Purpose

To mitigate the dangers presented by this event, the Captain of the Port Detroit has determined that a safety zone is necessary. This safety zone will be effective and enforced in Lake Erie on Monday, September 2, 2013 from 8 a.m. until 6 p.m. while participants sail tall ships to the site of the Battle of Lake Erie Reenactment at position 41°45′24.0″ N; 082° 57′45.0″ W. These coordinates are North American Datum of 1983 (NAD 83). Black powder charges will be fired from cannons as the ships reenact the original battle fought in 1813. This reenactment is intended for public viewing, and as such poses a significant risk to public safety and property due to the proximity of spectator vessels. Thus, the Captain of the Port Detroit has determined it necessary to establish a safety zone centered on the battle reenactment support vessels to ensure the safety of persons and property and help minimize the associated risks.

C. Discussion of Rule

Because of the aforementioned safety concerns, the Captain of the Port Detroit has determined a temporary safety zone is necessary to ensure the safety of spectators and vessels during the maritime battle reenactment. The Battle of Lake Erie Reenactment safety zone will encompass all U.S. navigable waters of Lake Erie within a 500-yard radius of the reenactment support vessels located near position 41° 45′24.0″ N; 082°57′45.0″ W (NAD 83).

This temporary rule creates a safety zone for each Battle of Lake Erie Reenactment support vessel. In a separate temporary rule (78 FR 44014, July 23, 2013), the Coast Guard created a safety zone around each Tall Ship during the Battle of Lake Erie Reenactment.

Entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on-scene representative. The Captain of the Port or his on-scene representative may be contacted via VHF Channel 16. All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the on-scene representative.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS). We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for relatively short time. Also, the safety zone is designed to minimize their impact on navigable waters. Furthermore, restrictions on vessel movement within the area of the safety zone expected to be minimal. Under certain conditions, vessels may still transit through the safety zone when permitted by the Captain of the Port.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in designated portions of Lake Erie, OH from 8 a.m. through 6 p.m. on September 2, 2013.

The safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: the safety zone will be activated, and thus subject to enforcement, for only a short period of time. Traffic may be allowed to pass through the zone with the permission of the Captain of the Port. The Captain of the Port can be reached via VHF channel 16. Before the activation of the zone, the Coast Guard will issue a Broadcast Notice to Mariners.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a temporary safety zone that is less than one week in duration. Therefore, it is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. Nonetheless, we have prepared an environmnental analysis checklist supporting this determination and Categorical Exclusion Determination which are both available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0546 to read as follows:

§ 165.T09–0546 Safety Zone; Lake Erie Heritage Foundation, Battle of Lake Erie Reenactment; Lake Erie, Put-in-Bay, OH.

(a) *Location.* The following area is a temporary safety zone: All U.S. navigable waters of Lake Erie within a 500-yard radius of each Battle of Lake Erie Reenactment support vessel located near position 41°45′24″ N, 082°57′45″ W. All coordinates are North American Datum 1983 (NAD83).

(b) *Effective and enforcement period.* This section will be effective and enforced from 8 a.m. through 6 p.m. on September 2, 2013.

(c) *Regulations.* (1) In accordance with the general regulations in section 165.23 of this part, entry into, transiting, or anchoring within these safety zone is prohibited unless authorized by the Captain of the Port, Sector Detroit or his designated on-scene representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Sector Detroit or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port, Sector Detroit is any Coast Guard commissioned, warrant or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port, Sector Detroit to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Sector Detroit or his on-scene representative to obtain permission to do so. The Captain of the Port, Sector Detroit or his on-scene representative may be contacted via VHF Channel 16 or at 313–568–9464. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port, Sector Detroit, or his on-scene representative.

Dated: August 15, 2013.

J.E. Ogden,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2013–21176 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2013–0697]

RIN 1625–AA00

Safety Zone; Battle of Lake Erie Fireworks, Lake Erie, Put-In-Bay, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary safety zone in the waters of Lake Erie, Put-In-Bay, Ohio. This zone is intended to restrict vessels from a portion of Lake Erie during the Battle of Lake Erie Fireworks.

This temporary safety zone is necessary to protect people and vessels from the hazards associated with this event.

DATES: This rule will be effective and enforced from 9:25 p.m. until 10:05 p.m. on September 1, 2013.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2013–0697 and are available online by going to *www.regulations.gov,* inserting USCG–2013–0697 in the ''Keyword'' box, and then clicking ''search.'' They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground floor, Room W12–140, 1200 New Jersey Avenue SE., Washington DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary final rule, contact or email MST1 Ian M. Fallon, U.S. Coast Guard Marine Safety Unit Toledo, at (419) 418–6036 or *Ian.M.Fallon@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
TFR Temporary Final Rule

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable and contrary to the public interest. The details of this emergent event were not received in sufficient time for the Coast Guard to solicit public comments before the start of the fireworks. Thus, waiting for a notice and comment period to run would inhibit the Coast Guard from protecting the public and vessels from the hazards associated with the maritime fireworks displays.

Under 5 U.S.C. 553(d)(3), The Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, waiting for a 30 day notice period to run would be impracticable and contrary to the public interest.

B. Basis and Purpose

To commemorate the War of 1812, a series of events will be held along the Great Lakes during the summer of 2013. One such event will be the reenactment of the Battle of Lake Erie. This reenactment will take place on September 2, 2013 and will be preceded by the launching of fireworks in the vicinity of Put-In-Bay, OH on September 1, 2013. The Captain of the Port Detroit has determined that maritime fireworks displays pose serious hazards to the boating public, such as obstructions to the waterway, explosive dangers, and debris falling into the water. Thus, pursuant to 33 U.S.C. 1226, the Captain of the Port Detroit has determined that a safety zone around the location of the launch platform is necessary to control vessel movement and ensure the safety of persons and property on the water in the vicinity of Put-In-Bay, OH.

C. Discussion of Rule

Because of the aforementioned safety concerns, the Captain of the Port Detroit has determined a temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Battle of Lake Erie Fireworks. The Battle of Lake Erie Fireworks safety zone will encompass those U.S. navigable waters of Lake Erie within a 1000-ft radius of the fireworks primary launch site located at position 41°39′28.92″ N, 082°48′52.98″ W (NAD 83).

Entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on-scene representative. The Captain of the Port or his on-scene representative may be contacted via VHF Channel 16. All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the on-scene representative.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS). We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for relatively short time on each day of the fireworks event. Also, the safety zone is designed to minimize their impact on navigable waters. Furthermore, restrictions on vessel movement within the area of the safety zone expected to be minimal. Under certain conditions, vessels may still transit through the safety zone when permitted by the Captain of the Port.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in designated portions of Lake Erie from 9:25 p.m. through 10:05 p.m. on September 1, 2013.

The safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: the safety zone will be activated, and thus subject to enforcement, for only a short period of time on September 1, 2013. Traffic may be allowed to pass through the zone with the permission of the Captain of the Port. The Captain of the Port can be reached via VHF channel 16. Before the activation of the zone, the Coast Guard

will issue a Broadcast Notice to Mariners.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a temporary safety zone that is less than one week in duration. Therefore, it is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. Nonetheless, we have prepared an environmental analysis checklist supporting this determination and Categorical Exclusion Determination which are both available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0697 to read as follows:

§ 165.T09–0697 Safety zone; Battle of Lake Erie Fireworks, Put-In-Bay, OH.

(a) *Location.* The following area is a safety zone: all waters of Lake Erie within a 1000-foot radius of the fireworks launch site located at position 41°39′28.92″ N, 082°48′52.98″ W (NAD 83). There will be a barge at the center of the safety zone that will be utilized as the fireworks launching platform.

(b) *Effective and enforcement period.* The section will be effective and enforced from 9:25 p.m. until 10:05 p.m. on September 1, 2013.

(c) *Regulations.* (1) Under the general regulations in § 165.23, entry into, transiting, or anchoring within these safety zone is prohibited unless authorized by the Captain of the Port, Sector Detroit or his designated on-scene representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port,

Sector Detroit or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port, Sector Detroit is any Coast Guard commissioned, warrant or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port, Sector Detroit to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Sector Detroit or his on-scene representative to obtain permission to do so. The Captain of the Port, Sector Detroit or his on-scene representative may be contacted via VHF Channel 16 or at 313–568–9464. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port, Sector Detroit, or his on-scene representative.

Dated: August 15, 2013.

J.E. Ogden,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2013–21177 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2013–0453; FRL–9835–4]

Revisions to the California State Implementation Plan, Placer, Santa Barbara and Ventura County Air Pollution Control Districts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Placer County Air Pollution Control District (PCAPCD), Santa Barbara County Air Pollution Control District (SBCAPCD) and Ventura County Air Pollution Control District (VCAPCD) portions of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from adhesives and sealants. We are approving local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: This rule is effective on October 29, 2013 without further notice, unless EPA receives adverse comments by September 30, 2013. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2013–0453, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.
2. *Email: steckel.andrew@epa.gov.*
3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at *www.regulations.gov*, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Adrianne Borgia, EPA Region IX, (415) 972–3576, *borgia.adrianne@epa.gov.*

SUPPLEMENTARY INFORMATION:

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I. The State's Submittal

A. What rules did the State submit?

Table 1 lists the rules we are approving with the dates that they were adopted by the local air agencies and submitted by the California Air Resources Board (CARB).

TABLE 1—SUBMITTED RULES

Local agency	Rule No.	Rule title	Amended/revised	Submitted
PCAPCD	235	Adhesives	Amended 10/11/12	02/06/13
SBCAPCD	353	Adhesives and Sealants	Revised 06/21/12	09/21/12
VCAPCD	74.20	Adhesives and Sealants	Revised 09/11/12	04/22/13

B. Are there other versions of these rules?

We approved an earlier version of PCAPCD Rule 235 into the SIP on July 18, 1996 (61 FR 37390). A previous version of SBCAPCD 353 was approved into the SIP on April 5, 2000 (65 FR 17771). The most recent version of VCAPCD Rule 74.20 was approved into the SIP on 11/24/2008 (70 FR 70883, November 23, 2005).

C. What is the purpose of the submitted rules?

VOCs help produce ground-level ozone and smog, which harm human health and the environment. Section 110(a) of the CAA requires States to submit regulations that control VOC

emissions by limiting VOC content in adhesives and sealants. EPA's technical support documents (TSDs) have more information about these rules.

II. EPA's Evaluation and Action

A. How is EPA evaluating the rules?

Generally, SIP rules must be enforceable (see section 110(a) of the Act), and must not relax existing requirements (see sections 110(1) and 193). In addition, SIP rules must implement Reasonably Available Control Measures (RACM), including Reasonably Available Control Technology (RACT), in moderate and above ozone nonattainment areas. Guidance and policy documents that we use to evaluate enforceability and RACT requirements consistently include the following:

1. ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations'' EPA, May 25, 1988 (the Bluebook),
2. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies'' EPA, Region 9, August 21, 2001 (the Little Bluebook),
3. ''Control Techniques Guidelines for Control Techniques Guidelines for Miscellaneous Industrial Adhesives'' EPA, December 1977 (EPA–453/R–08–005),
4. ''Control Techniques Guidelines for Control of Volatile Organic Compound Emissions from Industrial Cleaning Solvents'', EPA, September 2006 (EPA–453/R–06–001)

B. Do the rules meet the evaluation criteria?

We believe these rules are consistent with the relevant policy and guidance regarding enforceability, RACT and SIP relaxations. The TSDs have more information on our evaluation.

C. EPA Recommendations To Further Improve the Rules

The TSDs describe additional rule revisions that we recommend for the next time the local agency modifies the rules.

D. Public Comment and Final Action

As authorized in section 110(k)(3) of the Act, EPA is fully approving the submitted rules because we believe they fulfill all relevant requirements. We do not think anyone will object to this approval, so we are finalizing it without proposing it in advance. However, in the Proposed Rules section of this **Federal Register**, we are simultaneously proposing approval of the same submitted rules. If we receive adverse comments by September 30, 2013, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on October 29, 2013. This will incorporate these rules into the federally enforceable SIP.

Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

III. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 29, 2013. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 28, 2013.

Alexis Strauss,

Acting Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.220, is amended by adding paragraphs (c)(423)(i)(E)(*2*), (c)(428), and (c)(429) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(423) * * *

(i) * * *

(E) * * *

(*2*) Rule 353, ''Adhesives and Sealants,'' revised on June 21, 2012.

* * * * *

(428) New and amended regulations for the following APCDs was submitted on February 6, 2013, by the Governor's Designee.

(i) Incorporation by Reference.

(A) Placer County Air Pollution Control District.

(*1*) Rule 235, ''Adhesives,'' amended on October 11, 2012.

(429) New and amended regulations for the following APCDs was submitted on April 22, 2013, by the Governor's Designee.

(i) Incorporation by Reference.

(A) Ventura County Air Pollution Control District.

(*1*) Rule 74.20, ''Adhesives and Sealants,'' revised on September 11, 2012.

[FR Doc. 2013–20917 Filed 8–29–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2011–0360; FRL–9394–9]

Tetrachlorvinphos; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation amends the existing time-limited interim tolerances by converting them to permanent tolerances for the combined residues of the insecticide tetrachlorvinphos, including its metabolites, in or on multiple commodities identified in this document, under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective August 30, 2013. Objections and requests for hearings must be received on or before October 29, 2013, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2011–0360, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Lois Rossi, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's eCFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2011–0360 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before October 29, 2013. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2011–0360, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/

DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

• *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.htm.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Background

A detailed summary of the background related to EPA's extension of the time-limited interim tolerances for the combined residues of the insecticide tetrachlorvinphos, including its metabolites, in or on multiple commodities can be found in the **Federal Register** documents of August 14, 2002 (67 FR 52985) (FRL–7192–4); February 6, 2008 (73 FR 6867) (FRL–8345–2); September 17, 2008 (73 FR 53732) (FRL–8375–2); June 8, 2011 (76 FR 33184) (FRL–8874–7); September 16, 2011 (76 FR 57657) (FRL–8887–5); March 6, 2013 (78 FR 14487) (FRL–9380–8); March 13, 2013 (78 FR 15880) (FRL–9380–9); and in the proposed rule for this action on June 12, 2013 (78 FR 35189) (FRL–9390–3). The referenced documents in this unit are available in the docket for the proposed rule under docket ID number EPA–HQ–OPP–2011–0360 at *http://www.regulations.gov.* There were no substantive comments received in response to the proposed rule of June 12, 2013 (78 FR 35189).

III. Conclusion

For the reasons stated in the Agency's proposed rule of June 12, 2013 (78 FR 35189) (FRL–9390–3), EPA is now finalizing its proposal to amend the existing time-limited interim tolerances by making them permanent for the combined residues of the insecticide tetrachlorvinphos [(Z)-2-chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate], including its metabolites, 1-(2,4,5-trichlorophenyl)-ethanol (free and conjugated forms), 2,4,5-trichloroacetophenone, and 1-(2,4,5-trichlorophenyl)-ethanediol: in or on cattle, fat (of which no more than 0.1 parts per million (ppm) is tetrachlorvinphos *per se*) at 0.2 ppm; cattle, kidney (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 1.0 ppm; cattle, liver (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 0.5 ppm; cattle, meat (of which no more than 2.0 ppm is tetrachlorvinphos *per se*) at 2.0 ppm; cattle, meat byproducts, except kidney and liver at 1.0 ppm; egg (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 0.2 ppm; hog, fat (of which no more than 0.1 ppm is tetrachlorvinphos *per se*) at 0.2 ppm; hog, kidney (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 1.0 ppm; hog, liver (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 0.5 ppm; hog, meat (of which no more than 2.0 ppm is tetrachlorvinphos *per se*) at 2.0 ppm; hog, meat byproducts, except kidney and liver at 1.0 ppm; milk, fat (reflecting negligible residues in whole milk and of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 0.05 ppm; poultry, fat (of which no more than 7.0 ppm is tetrachlorvinphos *per se*) at 7.0 ppm; poultry, liver (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) at 2.0 ppm; poultry, meat (of which no more than 3.0 ppm is tetrachlorvinphos *per se*) at 3.0 ppm; and poultry, meat byproducts, except liver at 2.0 ppm.

IV. Statutory and Executive Order Reviews

This final rule amends tolerances under FFDCA section 408(e) of FFDCA. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this final rule has been exempted from review under Executive Order 12866, this final rule is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

In addition, under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency previously assessed whether establishing tolerances, exemptions from tolerances, raising tolerance levels, or expanding exemptions might adversely impact small entities and concluded, as a generic matter, that there is no adverse economic impact. The factual basis for the Agency's generic certification for tolerance actions was published on May 4, 1981 (46 FR 24950), and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

This final rule directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this final rule. In addition, this final rule does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA) (15 U.S.C. 272 note).

V. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: August 14, 2013.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.252, revise the table in paragraph (a) to read as follows:

§ 180.252 Tetrachlorvinphos; tolerances for residues.

(a) * * *

Commodity	Parts per million
Cattle, fat (of which no more than 0.1 ppm is tetrachlorvinphos *per se*) ..	0.2
Cattle, kidney (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	1.0
Cattle, liver (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	0.5
Cattle, meat (of which no more than 2.0 ppm is tetrachlorvinphos *per se*) ..	2.0
Cattle, meat byproducts, except kidney and liver	1.0
Egg (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	0.2
Hog, fat (of which no more than 0.1 ppm is tetrachlorvinphos *per se*) ..	0.2
Hog, kidney (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	1.0
Hog, liver (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	0.5
Hog, meat (of which no more than 2.0 ppm is tetrachlorvinphos *per se*) ..	2.0
Hog, meat byproducts, except kidney and liver	1.0
Milk, fat (reflecting negligible residues in whole milk and of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	0.05
Poultry, fat (of which no more than 7.0 ppm is tetrachlorvinphos *per se*) ..	7.0
Poultry, liver (of which no more than 0.05 ppm is tetrachlorvinphos *per se*) ..	2.0
Poultry, meat (of which no more than 3.0 ppm is tetrachlorvinphos *per se*) ..	3.0
Poultry, meat byproducts, except liver	2.0

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket Nos. 13–24 and 03–123; FCC 13–118]

Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission adopts permanent rules addressing marketing, labeling, registration and default equipment-setting requirements for internet protocol captioned telephone relay service (IP CTS). This action is necessary to ensure that persons with hearing disabilities have access to telecommunications relay services (TRS) that address their needs in an efficient manner, in furtherance of the objectives of section 225 of the Communications Act of 1934, as amended (Act), to provide relay services enabling communication that is functionally equivalent to conventional telephone voice services, while at the same time protecting the TRS Fund for all forms of TRS.

DATES: Effective September 30, 2013, except for §§ 64.604(c)(9), (c)(10)(iv), (c)(11)(iii) and (iv), and 64.606(a)(2)(ii)(F) of the Commission's rules, which contain information collection requirements that have not been approved by the Office of Management and Budget (OMB). The Commission will publish a separate document in the **Federal Register** announcing the effective date.

FOR FURTHER INFORMATION CONTACT: Eliot Greenwald, Consumer and Governmental Affairs Bureau, Disability Rights Office, at (202) 418–2235 or email *Eliot.Greenwald@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities,* Report and Order (*Order*), document FCC 13–118, adopted on August 26, 2013 and released on August 26, 2013, in CG Docket Nos. 13–24 and 03–123. In document FCC 13–118, the Commission also seeks comment in an accompanying Further Notice of Proposed Rulemaking (FNPRM), which is summarized in a separate **Federal Register** Publication. The full text of document FCC 13–118 will be available for public inspection and copying via ECFS, and during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. It also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone: (800) 378–3160, fax: (202) 488–5563, or Internet: *www.bcpiweb.com.* Document FCC 13–118 can also be downloaded in Word or Portable Document Format (PDF) at: *http://www.fcc.gov/encyclopedia/telecommunications-relay-services-trs*. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

Final Paperwork Reduction Act of 1995 Analysis

Document FCC 13–118 contains new and revised information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, will invite the general public to comment on the information collection requirements contained in document FCC 13–118 as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104–13, in a separate notice that will be published in the **Federal Register**.

Synopsis

1. Title IV of the Americans with Disabilities Act (ADA) requires the Commission to ensure that TRS is available to the extent possible and in the most efficient manner, to people with hearing or speech disabilities. The Act defines TRS as services that enable an individual with a hearing or speech disability to communicate with other individuals ''in a manner that is functionally equivalent'' to a hearing individual's ability to communicate using voice communications services. This requirement is currently accomplished through TRS facilities staffed by communications assistants (CAs) who relay conversations between persons using various types of assistive communication devices and persons using end user telephone equipment, such as a standard phone, smartphone, or computer.

2. Captioned Telephone Service (CTS) is one type of TRS that works by having

a person who is hard of hearing dial the number she or he wishes to call. The CTS user's phone is automatically connected to a captioned telephone CA at the same time she or he reaches the called party. Once connected, the CA re-voices everything the called party says into a voice recognition program that automatically transcribes those words into captions. The captions then are transmitted directly to the caller and are displayed on a captioned telephone device, a computer, or a smartphone. The service also provides captions for incoming calls that are placed using designated phone numbers. The Commission approved compensation for CTS, which allows calls to be made over wireless or wireline devices using the public switched telecommunications network (PSTN) or voice over Internet protocol (VoIP), in Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Declaratory Ruling, CC Docket No. 98–67, published at 68 FR 55898, September 29, 2003 (*CTS Declaratory Ruling*). IP CTS, by which the user utilizes an Internet Protocol-enabled device or Internet-enabled software to simultaneously listen to the other party and read captions of what that party is saying, was approved in 2007. Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03–123, Declaratory Ruling, published at 72 FR 6960, February 14, 2007 (*IP CTS Declaratory Ruling*).

3. In 2012, the Commission witnessed an unusually steep increase in the growth of IP CTS minutes. This sudden and unprecedented escalation raised serious concerns for the Commission that threatened to overwhelm and, therefore, jeopardize the Fund for all forms of TRS if not immediately addressed. In order to protect the Fund, on January 25, 2013, the Commission took swift and immediate action, in Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 13–24 and 03–123, Order and Notice of Proposed Rulemaking, published at 78 FR 8032, February 5, 2013 (*IP CTS Interim Order*) to prohibit, on an interim basis, provider practices that appeared to be directly causing the sharp increase in IP CTS usage by individuals who did not need this service to communicate in a functionally equivalent manner. The interim rules also included a requirement that providers set equipment to a default captions-off setting, and certain registration and certification requirements. In an accompanying Notice of Proposed Rulemaking (NPRM), published at 78 FR 8090, February 5, 2013, the Commission sought comment on whether to make permanent, revise, or eliminate the interim rules. In addition, the NPRM sought comment on a range of additional matters pertaining to the provision of IP CTS, including whether to extend the self-certification requirements to existing users; whether to adopt quantitative threshold requirements for IP CTS eligibility; whether professional certification by individuals attesting to their eligibility in order to get a free IP CTS device should be made under penalty of perjury; whether to prohibit the free or significantly subsidized distribution of end user equipment by IP CTS providers; whether to adopt a labeling requirement for end user equipment restricting its use to eligible persons with hearing disabilities; whether the Commission should amend its speed of answer rules for IP CTS in light of the default-off rule; whether to require potential IP CTS providers to describe how they will ensure compliance with the self-certification rules as a pre-condition to receiving certification; and whether the Commission should link provider compensation to compliance with the Commission's new rules on certification and restrictions on rewards and free equipment.

4. *Legal Authority.* Section 225(b) of the Act directs the Commission to ensure that relay services are available to persons with hearing and speech disabilities ''to the extent possible and in the most efficient manner.'' 47 U.S.C. 225(b)(1) of the Act. Further, section 225(d) of the Act instructs the Commission to adopt regulations implementing section 225, including regulations ''establish[ing] functional requirements, guidelines, and operations procedures for [TRS],'' 47 U.S.C. 225(d)(1)(A), as well as mandatory ''minimum standards'' governing the provision of TRS, 47 U.S.C. 225(d)(1)(B). The Commission found that these provisions authorized the interim rules adopted for IP CTS, and the Commission now concludes that they likewise authorize the final rules adopted in this order.

5. In directing the Commission, ''[i]n order to carry out the purposes established under section 151 of the Act,'' to ensure the availability of TRS ''to the extent possible and in the most efficient manner,'' Congress qualified the objective of making TRS ''available'' by using the caveats ''to the extent possible'' and ''in the most efficient manner,'' granting the Commission discretion in implementing that provision. 47 U.S.C. 225(b)(1). Moreover, the Commission has authority to balance the goals of section 225 of the Act when implementing that provision. Likewise, in ''establish[ing] functional requirements, guidelines, and operations procedures,'' 47 U.S.C. 225(d)(1)(A), and mandatory ''minimum standards,'' for TRS, 47 U.S.C. 225(d)(1)(B), the Commission must act, consistent with its mandate, to ensure that TRS is made available ''in the most efficient manner.'' 47 U.S.C. 225(b)(1). In this regard, the Commission can take steps to ensure that federal funding for usage of a particular relay service is limited to users that genuinely need that relay service, and preclude federal funding for users that do not have such a need-whether because they can use ordinary voice telephone service or because an alternative (such as amplification) would meet their needs.

6. In the *IP CTS Interim Order,* the Commission described various marketing practices by which an IP CTS provider had been offering monetary rewards for the referral of customers who signed up for the installation of the provider's IP CTS equipment. These rewards were being given by the provider to its customers, members of the general public, and to hearing and health care professionals, such as audiologists. The Commission found in the *IP CTS Interim Order* that such incentive programs, the growth of which appears to have coincided with the sudden and unexpected spike in IP CTS usage, may well have been incenting consumers to use the service whether or not it was actually needed. More specifically, by enabling potential customers and third parties to earn money or any other reward either directly or for their friends or charitable organizations, these incentive programs would, if not prohibited, continue to encourage IP CTS use by individuals who do not need it to obtain functionally equivalent telephone service. The Commission found good cause to justify the immediate adoption of an interim rule prohibiting these referrals for rewards programs and any other form of direct or indirect inducements, to subscribe to or use, or encourage subscription to or use of, IP CTS. The rule is consistent with the types of actions the Commission previously has taken to restrict financial incentives determined to be impermissible, including those made in exchange for signing up for or using

TRS. *See, e.g.,* Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98–67 and CG Docket No. 03–123, Declaratory Ruling, published at 70 FR 9239, February 25, 2005 (*2005 Financial Incentives Declaratory Ruling*).

7. In document FCC 13–118, the Commission adopts on a permanent basis this interim rule prohibiting IP CTS providers from providing referrals for rewards programs, as well as any other provider programs that offer or provide payments or incentives to sign up or use this service, although it revises the language of the interim rule in certain important respects. The Commission finds that registration incentives raise particular concerns for IP CTS due to the unique characteristics of this service. As IP CTS does not require special skills such as sign language, is generally automated and invisible to the calling parties, and allows a conversation to flow without interruption, and as IP CTS phones offer many, if not all, of the same features and functions of conventional phones, consumers can subscribe to and use IP CTS without sacrificing any ordinary voice communication functionality. As a result, consumers are less likely to ''self-screen'' in choosing whether to subscribe to IP CTS, than in choosing whether to subscribe to other forms of TRS. Ensuring that IP CTS is made available ''in the most efficient manner'' to those consumers who actually need it requires special attention to the manner in which this unusually transparent service is marketed to consumers. The rule also prohibits the offering or provision of incentives to third parties, such as audiologists and other hearing health professionals, to increase consumer registration for or use of IP CTS. These incentives are likely to waste the Fund's resources on payments for services used by individuals who may not need the service and therefore are inconsistent with the goals and objectives of section 225 of the Act. The final rule is written, however, to ensure that the rule cannot be construed to prohibit advertising and noncommercial speech-something the Commission never intended to prohibit. The rule also adjusts the terminology to prohibit direct or indirect ''incentives'' ''register for'' rather than ''inducements'' for ''subscription to'' or use of IP CTS. The term ''incentives'' is more consistent with the *2005 Financial Incentives Declaratory Ruling* and better captures the Commission's intent to prohibit any kind of reward for signing up such users or getting them to use the service, rather than prohibit outreach and advertising conducted to educate potential users about this service. The term ''register'' more accurately describes the way a consumer signs up to use IP CTS than does the term ''subscription.'' The final rule also clarifies that the incentives prohibition does not apply to the relationship between an IP CTS provider or equipment distributor and an equipment retailer, where the retailer is not a hearing health professional. Where the retailer is not a professional on whom a consumer may rely for objective advice on solutions for hearing loss, consumers are less likely to be unduly influenced to purchase equipment that they do not need.

8. The Commission also finds that joint marketing arrangements between IP CTS providers and professionals upon whom consumers potentially rely for advice in regard to their hearing loss violate the prohibition of referrals for rewards and other incentives. The Commission finds that joint marketing arrangements between IP CTS providers and such hearing health professionals are akin to a reward for a referral. Moreover, the joint marketing campaigns themselves could be perceived by the consumer as an endorsement of the IP CTS provider by his or her hearing health professional.

9. Finally, the Commission declines, in document FCC 13–118, to make a general determination regarding the scope of provider payments that will be denied when a provider fails to comply with the incentives prohibition. Instead, the Commission will make case-by-case determinations of the appropriate amount of withholdings. Moreover, the Commission will not allow third party certification to serve as a means of curing a provider's failure to comply with its prohibition of referrals for rewards and other incentives. The Commission advises that such providers may also be subject to other remedies, including but not limited to forfeitures and revocation of their certification to provide IP CTS pursuant to § 64.606(e)(2) of its rules.

10. Document FCC 13–118 also adopts on a permanent basis, with some modification, the interim rules relating to registration, certification, equipment and eligibility requirements. First, Commission amends the interim rule requiring that providers that give away, or sell at a cost of less than $75, equipment to potential or existing IP CTS users must require such users to submit to the provider a certification from a professional that the user needs IP CTS in order to achieve functionally equivalent telephone service. The rule adopted in document FCC 13–118 prohibits TRS providers from receiving compensation from the Fund for any IP CTS minutes of use generated by IP CTS equipment that they distribute, directly or indirectly, for free or for less than $75 to consumers after the effective date of the rule. The alternative of professional certification is thus eliminated. The prohibition also applies to any officer, director, partner, employee, agent, subcontractor, or sponsoring organization or entity (collectively ''affiliate'') of any TRS provider. Further, any type of arrangement by an IP CTS provider, directly or indirectly through any third party (other than through a state or local equipment distribution program), to distribute equipment at no charge or for less than $75 to consumers is likewise prohibited. The Commission notes that many IP CTS devices are modern and attractive, and often provide enhanced sound amplification—features that are likely to entice consumers with or without hearing loss to seek their acquisition if they are given away for free or at low cost. Once the device is in a consumer's possession, consumers may routinely use the device with captions—as might others in the consumer's household—even if they do not actually need the service for effective communication. In fact, the unobtrusive nature of IP CTS is such that consumers may not even be aware that captions are turned on or that they have the ability to turn them off. In this manner, the free distribution of such devices is likely to contribute to IP CTS usage by persons who do not have a sufficient degree of hearing loss to require this service to understand conversation over the phone. Paying at least $75 for IP CTS equipment, by contrast, provides a concrete indication that the consumer has thought the transaction through sufficiently to have concluded that she or he needs IP CTS for effective communication.

11. In adopting this rule, the Commission also concludes that overall, as a practical matter, consumer self-screening based on having to make a significant investment in equipment is likely to be a more effective approach to screening than is third-party certification. The Commission's interim rule, requiring certification by an independent professional when equipment is provided for free or for less than $75, had been designed to prevent the distribution of IP CTS equipment to individuals who do not actually need IP CTS. However, experience with this approach suggests that it may not be very effective in achieving adequate screening of such individuals. Under the interim rule,

determining whether a person qualifies for free or low-cost distribution of IP CTS necessarily involves the exercise of professional judgment by numerous individuals about whom the Commission has little information. The Commission cannot effectively oversee the performance of this important gatekeeping function by hundreds or thousands of hearing health and other professionals. Further, where free IP CTS phones have been offered directly or indirectly by a provider under the interim rules, the advertising for such phones continues to focus on the availability of a ''free'' IP CTS phone, with the need for third-party certification alluded to only vaguely, if at all. Thus, the professional's role is likely to change from helping the consumer select on their merits from a number of alternative assistive technologies, to accepting or vetoing a choice already made by the consumer, based on exposure to ads promoting the free availability of an IP CTS phone. Moreover, contrary to the Commission's clearly stated intent that the screening third party professional be independent of any provider, the Commission is aware of numerous instances in which sessions are arranged by a provider, to which consumers are invited to obtain a free hearing analysis and a free IP CTS phone at the same time and location. Professionals who participate in such sessions, whether for compensation, the prospect of meeting potential new clients, or for other reasons, are linked to the sponsoring provider (or are so perceived by potential customers and clients), and thus are not ''independent'' as contemplated by the interim rules.

12. Setting $75 as the minimum price threshold represents a reasonable balancing of interests. There is record support for this amount, and it is high enough to deter a consumer from purchasing an item if he or she does not need it for communication, but not so high as to make the purchase of equipment overly burdensome. It is below the listed retail prices for the captioned telephones used with several IP CTS offerings. In addition, $75 may be roughly comparable to the price of a good-quality ''specialty'' phone such as an enhanced amplification phone. The $75 minimum price is also low enough to take into account the different financial circumstances of those who need IP CTS.

13. To ensure that information supporting provider compliance with this requirement is maintained and available for Commission review, providers must maintain, with each consumer's registration records, records describing any IP CTS equipment provided, directly or indirectly, to such consumer and the amount paid for such equipment. Such records shall be maintained for a minimum of five years after the consumer ceases to obtain service from the provider.

14. The Commission finds this rule to be consistent with functional equivalence and the statutory goal to achieve full communications access by people with disabilities. The Commission has consistently distinguished between the provision of relay service, which is explicitly mandated under 47 U.S.C. 225, and the provision of equipment, which is not. Moreover, since users of voice communications services pay for equipment, there is no plausible basis for reading into the statute a restriction against requiring users of TRS to also pay for equipment. The Commission, however, places no restriction on the free distribution of equipment by state or local governmental programs, which are relatively neutral parties that can objectively screen consumers for their eligibility in the program. The availability of such free or discounted equipment in most states will help to fulfill Congress's and the Commission's goals of ensuring the widespread availability of IP CTS to individuals who can benefit from the service.

15. The Commission also applies this restriction to software and applications, *e.g.,* for mobile phone or computer users of IP CTS. As with hardware, because of the ease and convenience of using IP CTS, persons who do not have a sufficient degree of hearing loss to require this service to understand conversation over the phone (or who do not have any hearing loss at all) could find this service desirable for reasons such as creating a transcript or making calls in noisy locations. Absent the restriction, free or *de minimis* cost IP CTS software would be widely promoted by IP CTS providers in the same way as free IP CTS equipment has been. From the providers' perspective, the more users that sign up to acquire IP CTS software and applications, the more compensation the provider may seek to collect from the Fund, at no cost to the user. The Commission thus disagrees with commenters who argue that consumers would not download and use applications and software that they do not need, and that because software, updates, and applications are generally free or available at a low cost, the incentive for a consumer to accept a valuable phone for free generally does not apply to software. Offering such software for free or for less than $75 has the potential effect of attracting customers who might not need to use the service, which is inconsistent with the purpose of the TRS program. The Commission does not, however, consider it necessary to proscribe the provider practice of permitting consumers who are already registered users of their service to download mobile applications or other software for free. Once the user has made the initial investment in an IP CTS device, or has been deemed eligible for the provision of a device by a state EDP, the Commission believes that the risk that such a user is ineligible for IP CTS is substantially reduced. New users without IP CTS telephones will be required, however, to make a one-time payment of at least $75 for the initial software or application in order for IP CTS service to that user to be compensable from the Fund.

16. The rules adopted in document FCC 13–118 also require each IP CTS provider, in order to be eligible for compensation from the Fund for providing service to new IP CTS users, to register each new IP CTS user. Specifically, the rule requires, as part of a registration process required for both new and existing consumers, that each provider secure from each consumer the consumer's name, address and telephone number and a self-certification form, signed under penalty of perjury, stating that the consumer (1) has a hearing loss that necessitates use of captioned telephone service, (2) understands that the captions on captioned telephone service are provided by a live communications assistant who listens to the other party on the line and provides the text on the captioned phone, (3) understands that the cost of captioning each IP CTS call is funded through a federal program, and (4) will not permit, to the best of the consumer's ability, persons who have not registered to use IP CTS to make captioned telephone calls on the consumer's registered IP captioned telephone service or device. Document FCC 13–118 amends slightly the language needed for self-certification from that in the interim rule, to ensure that IP CTS consumers fully understand the certification, and to have the consumer certify that he or she will not permit individuals who are not registered to use the service. The Commission further makes permanent the requirements that such self-certification be made on a form separate from any other user agreement (such as on a separate page); that it bear a separate signature specific to the self-certification; and that the signature be made under penalty of perjury. The interim rule's requirements for self-

certification are also modified to permit a user's spouse or person with legal custody or power of attorney for the user to sign the certificate, for users who are not competent to sign a legal document. The Commission finds that the registration required in the *IP CTS Interim Order* for new users, together with the mandate that consumers self-certify under penalty of perjury their eligibility to use IP CTS, will help prevent the registration of individuals who do not need captions to obtain functionally equivalent telephone service. Such registration is already required of other IP-enabled forms of TRS, and is a logical and useful means to ensure that only those individuals who are truly eligible for different forms of TRS are allowed to use these services.

17. The Commission also adopts a new rule requiring providers to register all existing IP CTS consumers within 180 days. Although the Commission proposed in the *IP CTS Interim Order* that all existing IP CTS users must be registered within a 90-day period, the rule adopted in document FCC 13–118 requires providers to register and obtain certification from their existing users within 180 days of the rule's effective date. A 180-day deadline will strike the appropriate balance between removing ineligible individuals from this service and allowing eligible individuals to continue using it. The longer registration period of 180 days will allow providers the time necessary to complete the registration process and prevent the loss of eligible users because of an inability to register on time. IP CTS providers that fail to register existing users within this period will not be compensated for service to any unregistered users, or to any users who fail to provide the required self-certification, immediately upon expiration of this period. For existing consumers who received their equipment for free or at a price below $75 directly from an IP CTS provider, prior to the effective date of the interim rules, the Commission also requires that the provider obtain from the consumer either a payment of $75 or a certification from an independent, third party professional, made under penalty of perjury, that (1) the consumer has a hearing loss that necessitates use of captioned telephone service, and (2) the third party professional understands that the captioning on captioned telephone service is performed by a live CA and is funded through a federal program. In addition, providers must require consumers to obtain and provide the professional's name, title, address, telephone number, and email address. If the equipment was obtained from a source other than a provider or an equipment distribution program administered by a state or local government) for free or at a price below $75, prior to the effective date of the interim rules, the provider must obtain the above third party professional certification and related information about the third party professional. Third party professionals must be qualified to evaluate hearing loss. The third party professional may not have been referred to the IP CTS user directly or indirectly by any TRS provider or affiliate. The third party professional also may have no relationship with a TRS provider, and the TRS provider may play no role in acquisition of the third party professional certificate.

18. Registration and certification must be obtained from existing users within 180 days of the effective date. Providers that do not meet these deadlines will not be compensated for services to unregistered users. To ensure that information supporting the eligibility of users continues to be available for Commission review, the rule requires that records of all new and existing consumers' registration and self-certification, with all the information required to be included in such certifications, be maintained for a minimum of five years after the consumer ceases to obtain service from the provider. The Commission also makes permanent its interim rule requiring each IP CTS provider to maintain the confidentiality of registration and certification information that it acquires, and to not disclose such registration and certification information except as required by law. Finally, the Commission rule requires that applicants seeking certification as IP CTS providers must submit to the Commission a description of how they will ensure that they do not request or collect payment from the TRS Fund for service to users who do not satisfy the registration and certification requirements, and establish that they have adequate measures and procedures in place to ensure that they will seek payment for serving only eligible users who satisfy the registration and certification requirements.

19. The Commission declines to adopt a specific quantitative threshold to determine eligibility to use IP CTS. The majority of commenters, including providers, consumers, and telecommunications carriers contributing to the Fund, express opposition to quantitative threshold eligibility requirements based on decibel levels to determine IP CTS eligibility. The Commission is persuaded by the commenters' concerns that the use of a specified decibel level of hearing loss does not take into account all other factors that may contribute to an individual's difficulty in understanding speech on a telephone. Thus, at this time, the Commission is not persuaded that it can readily identify bright-line eligibility thresholds for which the benefits in protecting the Fund outweigh the costs, including the potential for excluding users for whom use of IP CTS otherwise would be consistent with section 225 of the Act and Commission policy. Nevertheless, the Commission will continue to monitor IP CTS provider practices and usage.

20. The Commission concludes in Document FCC 13–118 that a printed label to be adhered to the IP CTS device itself is the best approach for supplementing other information made available to IP CTS users on the need to limit use of the device only to registered IP CTS users, and is appropriate to further prevent casual or inadvertent use of IP CTS. However, for software-based IP CTS on mobile phones, laptops, tablets, computers or other similar devices, the Commission concludes that a printed label is impractical. Instead, IP CTS providers must ensure that, each time the consumer logs into the application, the notification language shown above appears in a conspicuous location on the device screen immediately after log-in. The Commission rule adopts a shorter notice than that proposed in the NPRM, and requires that IP CTS providers ensure that any newly distributed IP CTS equipment has affixed to its face and in a conspicuous location, and in a clearly legible font, a label that contains the following brief statement:

Federal Law Forbids Anyone But Registered Users With Hearing Loss From Using This Phone With the Captions On

The rule also requires any IP CTS provider that already has distributed IP CTS equipment to users as of the effective date of the final rule, to distribute the above equipment labels to such users within thirty (30) days after the effective date of the final rule, along with clear and specific instructions directing the users to place such labels on the face of their IP CTS equipment in a conspicuous location. Each IP CTS provider shall maintain, with each consumer's registration records, records stating whether the required label was affixed to such equipment prior to its provision to the consumer. Such records

shall be maintained for a minimum period of five years after the consumer ceases to obtain service from the provider.

21. In the *IP CTS Interim Order,* the Commission expressed concerns that IP CTS equipment with a default of automatically displaying captions (''default captions-on'') presented the risk that individuals who do not need CTS to communicate in a functionally equivalent manner might inadvertently use IP CTS when using the IP CTS telephone of an eligible IP CTS user, resulting in improper billing of the TRS Fund. To avoid such misuse and to safeguard the Fund, the Commission required, on an interim basis, that all providers ensure that equipment and software used in conjunction with their IP CTS have captions turned off as the default setting, and that users be required to affirmatively turn on the captions for each call. The Commission sought comment on whether it should make this interim rule permanent, and if so, whether it should be changed in any way. Despite opposition to the captions default off requirement, the Commission finds that, given the unusual characteristics of IP CTS relative to other relay services, it is reasonable and prudent to protect the viability of the Fund by requiring that equipment, software, and mobile applications used in conjunction with IP CTS have a default setting of ''captions off'' at the beginning of each call. Especially in light of the history of this service prior to the adoption of the interim rules, it may be that some currently registered IP CTS users do not actually need IP CTS for effective communication. Others may need captions in some circumstances, but not others. Accordingly, and because IP CTS is provided without interruption in the normal conversational flow and the captions do not interfere in any way with the consumer's ability to conduct a telephone call by voice in the ordinary manner, defaulting captions to ''on'' would mean that IP CTS may be provided to individuals who do not need it and the TRS Fund is inappropriately billed for the cost. The Commission concludes that a requirement to push one additional button when dialing or when receiving a call will become habit and will not interfere with the functional equivalence of the IP CTS experience for most users. The Commission recognizes, however, that the certain modifications to the interim rule are appropriate, as supported by extensive comments. The Commission is sensitive to comments that highlight the difficulties that some users, especially users with a cognitive or mobility disability, are reportedly having with the default captions off requirement, and the concern that the rule might undermine the functional equivalence requirement of the ADA for these users. The Commission therefore amends the interim rule, to adopt a process for this unique group of users to obtain an exemption from the default-off requirement if the user has a cognitive or physical disability that significantly impairs the ability of the user to turn on captioning at the start of each call. To prevent abuse of this exception, the rule requires applicants seeking this exception to submit to their provider (1) a self-certification, dated and made under penalty of perjury, that the requirement to activate captioning at the start of each call significantly impedes the user's ability to make use of the captioned telephone service; and (2) a certification from an independent, third party licensed physician in good standing, dated and made under penalty of perjury, that the consumer has a physical or mental disability or functional limitation that significantly impedes the consumer's ability to activate captioning at the start of each call, including a brief description of the basis for such statement. In the event that the user is not competent to provide the required self-certification, such certification shall be made by the user's consumer's spouse or legal guardian or a person with power of attorney. A third-party, independent physician certification must include the physician's name, title, area of specialty or expertise, address, telephone number, and email address. In addition, the rule prohibits providers from accepting a certification from any physician who has been referred to the IP CTS user, either directly or indirectly, by any provider of TRS or any officer, director, partner, employee, agent, subcontractor, or sponsoring organization or entity of any TRS provider. In addition, the physician making such certification shall not have any relationship with and shall not have received any payment or other thing of value from the TRS provider or any affiliate of the TRS provider, with whom the individual seeking the exemption is requesting service. Additionally, the rule prohibits any provider from facilitating or otherwise playing a role, in any way, in the acquisition of such physician certifications. If any IP CTS provider facilitates certification by a third party physician, such IP CTS provider shall be subject to the potential array of consequences that arise from violations of TRS rules, including revocation of its certification to provide IP CTS or other enforcement actions. IP CTS providers must maintain detailed records of all consumers who have submitted such certifications for five years, and report to the Commission on a monthly basis subject to confidentiality requirements, and such records shall include a list of all newly exempted consumers (with names redacted), the dates on which each consumer registered for IP CTS with the provider and was provided with IP CTS equipment with a default setting of captions on, the area of specialty or expertise of the certifying physician accompanying each hardship certification, and the basis for granting each hardship exception. The Commission requires each IP CTS provider to maintain the confidentiality of such exemption certification information, and shall also maintain the confidentiality of such information itself, and shall carefully review it to ensure that this exception to the rule is not abused.

22. For the purpose of limiting as much as possible the delay between when a user answers an incoming call and pushes the button to initiate captioning, the Commission modifies the interim rule by requiring that providers ensure that each IP CTS telephone they distribute includes a button, icon, or other comparable feature that is easily operable and requires only one step for the user to turn on captioning.

23. The Commission concludes that IP CTS software applications when used on mobile phones, laptops, tablets, and computers meet the underlying purpose of the captions off requirement because of the way these software products operate and how they are likely to be used. The Commission therefore rules that the captions off requirement is met by IP CTS software applications when used on mobile phones, laptops, tablets, and computers, provided that the following two conditions are satisfied: (1) Consumers must actively set up the IP CTS software feature by individually logging in with a unique ID and password that is provided only to the registered user; and (2) the default setting switches to ''captions on'' only for the limited session during which the user is logged on, rather than remaining on indefinitely. The Commission reserves the right to reconsider the manner in which it will apply the captions off requirement to these devices.

24. Several commenters raise concerns that in an emergency situation, individuals may not remember to activate the caption functionality when calling 911 services. The Commission

finds that the record does not provide sufficient data to enable it to evaluate the extent of this hazard or the technical feasibility of configuring equipment so that captions are defaulted to ''on'' solely for 911 calls. The Commission will continue to monitor and seek comment on this issue. In order to address immediate concerns about 911 calling, the Commission permits, in document FCC 13–118, providers to turn on captions automatically for 911 calls if it is technically feasible to do so while maintaining captions defaulted to off for other calls. In the Notice accompanying document FCC 13–118, the Commission seeks comment on other issues related to its default caption-off rule, including whether the rule should apply to answering machines and similar devices. The Notice also asks whether an exemption should be provided for consumers with IP CTS phones that are available only to registered IP CTS users, or whether there should be any other exemptions to the captions default off rule. The Commission declines, at this time to create any further exemption to the default caption-off rule, such as for IP CTS users who live alone, live only with other individuals who are hard of hearing, or who are in an office setting with sole access to the IP CTS phone. The Commission remains concerned that even a consumer living alone may not need captioning for every call, and that a default off setting may be needed to prevent unneeded use of the captioning. The Commission remains open, however, to revisiting this conclusion in the future, and for this reason solicits comments on the issue.

25. The interim rules adopted in the *IP CTS Interim Order* are set to expire on September 3, 2013, which will be less than 30 days after these rule extensions will be published in the **Federal Register**. The Commission therefore extends the effectiveness of each interim rule until the final rule replacing it becomes effective.

Final Regulatory Flexibility Certification

26. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that a regulatory flexibility analysis be prepared for rulemaking proceedings, unless the agency certifies that ''the rule will not have a significant economic impact on a substantial number of small entities.'' The RFA generally defines ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A small business concern is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA).

27. Internet protocol captioned telephone relay service (IP CTS) is a form of telecommunications relay service (TRS) that permits people who can speak, but who have difficulty hearing over the telephone, to speak directly to another party on a telephone call and to use an Internet Protocol-enabled device to simultaneously listen to the other party and read captions of what that party is saying. During the spring and fall of 2012, the Commission witnessed an unusually steep increase in the growth of IP CTS minutes. This sudden and unprecedented escalation raised serious concerns for the Interstate Telecommunications Relay Services (TRS) Fund (Fund) that, if not immediately addressed, threatened to overwhelm and, therefore, jeopardize the Fund for all forms of TRS. In order to protect the Fund, on January 25, 2013, the Commission took swift and immediate action, in the *IP CTS Interim Order,* to terminate, on an interim basis, provider practices that appeared to be resulting in the use of IP CTS by individuals who did not need this service to communicate in a functionally equivalent manner.

28. In document FCC 13–118, the Commission modifies and makes permanent certain of those interim rules. The Commission therefore permanently prohibits all referrals for rewards programs and any other form of direct or indirect incentives, financial or otherwise, to register for or use IP CTS or for referral of IP CTS customers. The Commission also adopts as a final rule its interim requirement that each IP CTS provider, in order to be eligible for compensation from the Fund for providing service to new IP CTS users, (i) to register each new IP CTS user, and, (ii) as part of the registration process, to obtain from each user a self-certification that the user has a hearing loss that necessitates IP CTS to communicate in a manner that is functionally equivalent to communication by conventional voice telephone users. The Commission further makes permanent its interim rule requiring IP CTS providers to ensure that equipment and software used in conjunction with their service have a default setting of captions off at the beginning of each call, so that the consumer must take an affirmative step to turn on the captions each time the consumer wishes to use IP CTS, while allowing IP CTS users to apply for an exception to this provision upon a showing of hardship. Document FCC 13–118 also adopts rules: (1) Requiring each IP CTS provider, as a condition of continuing to offer service to existing IP CTS users, (a) to register each such user with the IP CTS provider and (b) as part of the registration process, to obtain from each user self-certification that the user has a hearing loss that necessitates IP CTS to communicate in a manner that is functionally equivalent to communication by conventional voice telephone users and that the user understands the nature and restrictions of IP CTS; (2) requiring IP CTS equipment to have labels informing consumers that IP CTS may be used only by the person(s) registered to use the equipment; (3) prohibiting all providers from receiving compensation from the Fund for minutes of use generated from IP CTS users receiving IP CTS equipment, at no cost or below $75 on or after the effective date of this rule; and (4) making provider compensation contingent on compliance with the requirements for user self-certification.

29. The Commission believes that none of these requirements would impose a significant economic impact on providers, including small businesses. Specifically, each of the new requirements is either already in place, or entails only minor operational changes that can be accomplished at minimal cost to each provider of IP CTS, including small businesses, and each requirement is necessary to help to ensure that IP CTS is as immune as possible from waste, fraud and abuse that could otherwise threaten the long-term viability of this program. In particular, the hardship exemption adopted in document FCC 13–118 will impose new reporting and recordkeeping obligations on all IP CTS providers, including small entities. However, the reporting and recordkeeping requirements will not be substantial, because each IP CTS provider will have a one-time requirement for each consumer who qualifies for the hardship exemption. Moreover, the hardship exemption was supported by all commenters, including all IP CTS providers. Because the exemption will allow the impacted consumers to be able to make use of the service, the hardship exemption should result in additional legitimate compensable minutes for IP CTS providers, and thereby benefit such providers, including small entities. The Commission thus finds that the hardship exemption will not cause any significant economic impact on

providers, including those which are small entities. Additionally, although the 911 exception will require a one-time software change on the part of providers, it is only required if technically feasible, and the requirement to implement such software change is outweighed by the public safety benefit of better access to 911 service. Therefore, the Commission finds that the 911 exception will not cause any significant economic impact on providers, including those which are small entities.

30. Therefore, the Commission concludes that there will be no significant economic impact on the small entities affected by the changes adopted in document FCC 13–118.

31. In analyzing whether a substantial number of small entities will be affected by the requirements adopted in document FCC 13–118, the Commission notes that the SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such firms having 1,500 or fewer employees. Four providers currently receive compensation from the Interstate TRS Fund for providing IP CTS: Hamilton Relay, Inc.; Purple Communications, Inc.; Sorenson Communications, Inc. and its wholly-owned subsidiary CaptionCall; and Sprint Nextel Corporation. In addition, Miracom USA, Inc. has applied to the Commission for certification to be authorized to receive compensation from the Interstate TRS Fund (Fund) to provide IP CTS. The Commission concludes that two of the five IP CTS providers and applicants that would be affected by the proposed rules are deemed to be small entities under the SBA's small business size standard. Because each of the new requirements adopted in the in document FCC 13–118 is either already in place or has no, or minimal, economic impact upon small entities, the Commission concludes that there will be no significant economic impact on the small entities affected by the changes adopted in document FCC 13–118, and adopts these rules as necessary to help to ensure that IP CTS is as immune as possible from waste, fraud and abuse that could otherwise threaten the long-term viability of this program.

32. Therefore, for all of the reasons stated above, the Commission certifies that the requirements of document FCC 13–118 will not have a significant economic impact on a substantial number of small entities.

33. The Commission will send a copy of document FCC 13–118, including a copy of the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the SBA.

Congressional Review Act

34. The Commission will send a copy of document FCC 13–118 in a report to be sent to Congress and the Governmental Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

Ordering Clauses

Pursuant to the authority contained in sections 1, 2, 4(i), (4)(j) and 225 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(j) and 225, document FCC 13–118 Report and Order is hereby *adopted.*

The final rules on referrals for rewards, 47 CFR 64.604(c)(8) of the Commission's rules, *shall be* effective September 30, 2013, pursuant to 5 U.S.C. 553(d) and § 1.427(a) of the Commission's rules, 47 CFR 1.427(a).

The interim rules on referrals for rewards, 47 CFR 64.604(c)(8) of the Commission's rules, adopted in the Commission's *IP CTS Interim Order,* document FCC 13–13, *shall continue to be effective* until the final rules on referrals for rewards adopted herein become effective.

The interim rules on new user registration and certification, 47 CFR 64.604(c)(9) of the Commission's rules, adopted in the Commission's *IP CTS Interim Order,* document FCC 13–13, *shall continue to be effective* until the final rules on user registration and certification adopted herein become effective.

The final rules requiring a default setting of captions off, 47 CFR 64.604(c)(10)(i), (c)(10)(ii), (c)(10)(iii) and (c)(10)(v) of the Commission's rules, *shall be effective* September 30, 2013, pursuant to 5 U.S.C. 553(d) and 1.427(a) of the Commission's rules, 47 CFR 1.427(a).

The interim rules requiring a default setting of captions off, 47 CFR 64.604(c)(10) of the Commission's rules, adopted in the Commission's *IP CTS Interim Order,* document FCC 13–118, *shall continue to be effective* until the final rules requiring a default setting of captions off adopted herein become effective.

The final rules regarding compensation of IP CTS providers in regard to minutes of use generated by consumers receiving certain IP CTS equipment and the final rules prohibiting persons who have not registered for IP CTS from using IP CTS equipment with captions turned on, 47 CFR 64.604(c)(11)(i) and (ii) of the Commission's rules, *shall be effective* September 30, 2013, pursuant to 5 U.S.C. 553(d) and § 1.427(a) of the Commission's rules, 47 CFR 1.427(a).

The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of document FCC 13–118 Report and Order, including the Final Regulatory Flexibility Certification, to the Chief Counsel for advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 64

Individuals with disabilities, Reporting and recordkeeping requirements, Telecommunications.

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 64 as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 1. The authority citation to part 64 continues to read as follows:

Authority: 47 U.S.C. 154, 254(k); 403(b)(2)(B), (c), Pub. L. 104–104, 110 Stat. 56. Interpret or apply 47 U.S.C. 201, 218, 222, 225, 226, 227, 228, 254(k), 616, 620, and the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112–96, unless otherwise noted.

■ 2. Amend § 64.604 by revising paragraphs (c)(8), (9), and (10), and by adding paragraph (c)(11) as follows:

§ 64.604 Mandatory minimum standards.

* * * * *

(c) * * *

(8) *Incentives for use of IP CTS.* (i) An IP CTS provider shall not offer or provide to any person or entity that registers to use IP CTS any form of direct or indirect incentives, financial or otherwise, to register for or use IP CTS.

(ii) An IP CTS provider shall not offer or provide to a hearing health professional any direct or indirect incentives, financial or otherwise, that are tied to a consumer's decision to register for or use IP CTS. Where an IP CTS provider offers or provides IP CTS equipment, directly or indirectly, to a hearing health professional, and such professional makes or has the opportunity to make a profit on the sale of the equipment to consumers, such IP CTS provider shall be deemed to be offering or providing a form of incentive tied to a consumer's decision to register for or use IP CTS.

(iii) Joint marketing arrangements between IP CTS providers and hearing health professionals shall be prohibited.

(iv) For the purpose of this paragraph (c)(8), a hearing health professional is any medical or non-medical professional who advises consumers with regard to hearing disabilities.

(v) Any IP CTS provider that does not comply with this paragraph (c)(8) shall be ineligible for compensation for such IP CTS from the TRS Fund.

(9) *IP CTS registration and certification requirements.* (i) IP CTS providers must first obtain the following registration information from each consumer prior to requesting compensation from the TRS Fund for service provided to the consumer. The consumer's full name, date of birth, last four digits of the consumer's social security number, address and telephone number.

(ii) *Self-certification prior to demarcation date.* IP CTS providers, in order to be eligible to receive compensation from the TRS Fund for providing IP CTS, also must first obtain a written certification from the consumer, and if obtained prior to the demarcation date, such written certification shall attest that the consumer needs IP CTS to communicate in a manner that is functionally equivalent to the ability of a hearing individual to communicate using voice communication services. The certification must include the consumer's certification that:

(A) The consumer has a hearing loss that necessitates IP CTS to communicate in a manner that is functionally equivalent to communication by conventional voice telephone users;

(B) The consumer understands that the captioning service is provided by a live communications assistant; and

(C) The consumer understands that the cost of IP CTS is funded by the TRS Fund.

(iii) *Self-certification on or after demarcation date.* IP CTS providers must also first obtain from each consumer prior to requesting compensation from the TRS Fund for the consumer, a written certification from the consumer, and if obtained on or after the demarcation date, such certification shall state that:

(A) The consumer has a hearing loss that necessitates use of captioned telephone service;

(B) The consumer understands that the captioning on captioned telephone service is provided by a live communications assistant who listens to the other party on the line and provides the text on the captioned phone;

(C) The consumer understands that the cost of captioning each Internet protocol captioned telephone call is funded through a federal program; and

(D) The consumer will not permit, to the best of the consumer's ability, persons who have not registered to use Internet protocol captioned telephone service to make captioned telephone calls on the consumer's registered IP captioned telephone service or device.

(iv) The certification required by paragraphs (c)(9)(ii) and (iii) of this section must be made on a form separate from any other agreement or form, and must include a separate consumer signature specific to the certification. Beginning on the demarcation date, such certification shall be made under penalty of perjury. For purposes of this section, an electronic signature, defined by the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. 7001 *et seq.,* as an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record, has the same legal effect as a written signature.

(v) *Third-party certification prior to demarcation date.* Where IP CTS equipment is or has been obtained by a consumer from an IP CTS provider, directly or indirectly, at no charge or for less than $75 and the consumer was registered in accordance with the requirements of paragraph (c)(9) of this section prior to the demarcation date, the IP CTS provider must also obtain from each consumer prior to requesting compensation from the TRS Fund for the consumer, written certification provided and signed by an independent third-party professional, except as provided in paragraph (c)(9)(xi) of this section.

(vi) To comply with paragraph (c)(9)(v) of this section, the independent professional providing certification must:

(A) Be qualified to evaluate an individual's hearing loss in accordance with applicable professional standards, and may include, but are not limited to, community-based social service providers, hearing related professionals, vocational rehabilitation counselors, occupational therapists, social workers, educators, audiologists, speech pathologists, hearing instrument specialists, and doctors, nurses and other medical or health professionals;

(B) Provide his or her name, title, and contact information, including address, telephone number, and email address; and

(C) Certify in writing that the IP CTS user is an individual with hearing loss who needs IP CTS to communicate in a manner that is functionally equivalent to telephone service experienced by individuals without hearing disabilities.

(vii) *Third-party certification on or after demarcation date.* Where IP CTS equipment is or has been obtained by a consumer from an IP CTS provider, directly or indirectly, at no charge or for less than $75, the consumer (in cases where the equipment was obtained directly from the IP CTS provider) has not subsequently paid $75 to the IP CTS provider for the equipment prior to the date the consumer is registered to use IP CTS, and the consumer is registered in accordance with the requirements of this paragraph (c)(9) on or after the demarcation date, the IP CTS provider must also, prior to requesting compensation from the TRS Fund for service to the consumer, obtain from each consumer written certification provided and signed by an independent third-party professional, except as provided in paragraph (c)(9)(xi) of this section.

Note to paragraphs (c)(9)(ii), (iii), (iv), (v) and (vii): The date demarking which certification obligations apply to which consumers shall be the date when notice of OMB approval of the amendments to the registration and certification requirements is published. The FCC will publish a notice of the effective date along with a corrective amendment to specify the demarcation date.

(viii) To comply with paragraph (c)(9)(vii) of this section, the independent third-party professional providing certification must:

(A) Be qualified to evaluate an individual's hearing loss in accordance with applicable professional standards, and must be either a physician, audiologist, or other hearing related professional. Such professional shall not have been referred to the IP CTS user, either directly or indirectly, by any provider of TRS or any officer, director, partner, employee, agent, subcontractor, or sponsoring organization or entity (collectively ''affiliate'') of any TRS provider. Nor shall the third party professional making such certification have any business, family or social relationship with the TRS provider or any affiliate of the TRS provider from which the consumer is receiving or will receive service.

(B) Provide his or her name, title, and contact information, including address, telephone number, and email address.

(C) Certify in writing, under penalty of perjury, that the IP CTS user is an individual with hearing loss that necessitates use of captioned telephone service and that the third party professional understands that the captioning on captioned telephone service is provided by a live communications assistant and is funded through a federal program.

(ix) In instances where the consumer has obtained IP CTS equipment from a local, state, or federal governmental program, the consumer may present documentation to the IP CTS provider demonstrating that the equipment was

obtained through one of these programs, in lieu of providing an independent, third-party certification under paragraphs (c)(9)(v) and (vii) of this section.

(x) Each IP CTS provider shall maintain records of any registration and certification information for a period of at least five years after the consumer ceases to obtain service from the provider and shall maintain the confidentiality of such registration and certification information, and may not disclose such registration and certification information or the content of such registration and certification information except as required by law or regulation.

(xi) IP CTS providers must obtain registration information and certification of hearing loss from all IP CTS users who began receiving service prior to March 7, 2013. Notwithstanding any other provision of paragraph (c)(9) of this section, IP CTS providers shall be compensated for compensable minutes of use generated prior to the registration deadline by any such users, but shall not receive compensation for minutes of IP CTS use generated on or after the registration deadline by any IP CTS user who has not been registered.

Note to paragraph (c)(9)(xi): The deadline for compliance with the requirement for IP CTS providers to register consumers who began service prior to March 7, 2013 shall be 180 days after OMB approval has been obtained, and IP CTS providers shall be permitted to receive compensation for minutes of use generated by such consumers prior to the registration deadline. The FCC will publish a notice of the effective date along with a corrective amendment to specify the deadline for compliance.

(10) *IP CTS default settings.* (i) IP CTS providers must ensure that their equipment and software applications used in conjunction with their service have a default setting of captions off, so that all IP CTS users must affirmatively turn on captioning for each telephone call initiated or received before captioning is provided.

(ii) Each IP CTS provider shall ensure that each IP CTS telephone they distribute, directly or indirectly, shall include a button, icon, or other comparable feature that is easily operable and requires only one step for the consumer to turn on captioning.

(iii) For software applications on mobile phones, laptops, tablets, computers or other similar devices, the requirements of this paragraph (c)(10) are satisfied so long as:

(A) Consumers must log in to access the IP CTS software feature with a unique ID and password, and

(B) The default setting switches to captions on only while the consumer is logged in, and does not remain on indefinitely.

(iv) *Hardship exception.* If a consumer has a cognitive or physical disability that significantly impedes the ability of the consumer to turn on captioning at the start of each call, the IP CTS provider may set that consumer's IP CTS telephone to have a default of captions on, provided that the consumer submits, in addition to the self-certification required under paragraphs (c)(9)(ii) or (iii) of this section, the following to the IP CTS provider:

(A) A self-certification, dated and made under penalty of perjury, that the requirement to turn on captioning at the start of each call significantly impedes the consumer's ability to make use of captioned telephone service, provided that such certification shall be made by the consumer's spouse or legal guardian or a person with power of attorney where the consumer is not competent to provide the required self-certification; and

(B) A certification from a licensed, independent, third party physician in good standing, dated and made under penalty of perjury, that the consumer has a physical or mental disability or functional limitation that significantly impedes the consumer's ability to activate captioning at the start of each call, including a brief description of the basis for such statement. Such physician shall be the consumer's primary care physician or a physician whose specialty is such that the physician is qualified to make such certification and shall provide his or her name, title, area of specialty or expertise, and contact information, including address, telephone number, and email address on such certification. Providers shall not accept a certification from any physician referred to the IP CTS user, either directly or indirectly, by any provider of TRS or any officer, director, partner, employee, agent, subcontractor, or sponsoring organization or entity (collectively ''affiliate'') of any TRS provider. Nor shall the physician making such certification have any business, family or social relationship with and shall not have received any payment, referral, or other thing of value from the TRS provider or any affiliate of the TRS provider from which the consumer is receiving service.

(C) Each IP CTS provider shall maintain detailed records of all consumers, who, because of a showing of hardship under this section, have been permitted to receive IP CTS equipment with a setting of default captions on, including the dated and signed consumer and physician certifications submitted by each such consumer pursuant to this paragraph (c)(10)(iv), for a period of at least five years after the consumer ceases to obtain service from the provider. Each IP CTS provider shall maintain the confidentiality of such certification information, and may not disclose such certification information or the content of such certification information except as required by law or regulation.

(D) Each IP CTS provider shall submit, on a monthly basis and subject to confidentiality requirements, a report to the Commission on the consumers who have received a hardship exception pursuant to this paragraph (c)(10)(iv), which shall include a list of such newly excepted individuals (with names redacted), including the dates on which each individual registered for IP CTS with the provider and was provided with IP CTS equipment with a default setting of captions on, the area of specialty or expertise of the certifying physician accompanying each hardship certification, and the basis for granting each hardship exception.

(v) *911 Calling.* Each IP CTS provider may turn captions on automatically for 911 calls so long as the provider remains in compliance with the provisions of this paragraph (c)(10) for all other types of calls.

(11) *IP CTS Equipment.* (i) Any IP CTS provider, including its officers, directors, partners, employees, agents, subcontractors, and sponsoring organizations and entities, that provides equipment, software or applications to consumers, directly or indirectly, at no charge or for less than $75, whether through giveaway, sale, loan, or otherwise, on or after September 30, 2013 shall be ineligible to receive compensation for minutes of IP CTS use generated by consumers using such equipment. An IP CTS provider may provide software or applications at no charge or for less than $75 to a consumer who has already paid a minimum of $75 for equipment, software or applications to that IP CTS provider without affecting the IP CTS provider's eligibility to receive compensation for minutes of IP CTS use generated by that consumer. This paragraph (c)(11)(i) of this section shall not apply in instances where the consumer has obtained IP CTS equipment from a local, state, or federal governmental program.

(ii) No person shall use IP CTS equipment or software with the captioning on, unless:

(A) Such person is registered to use IP CTS pursuant to paragraph (c)(9) of this section; or

(B) Such person was an existing IP CTS user as of March 7, 2013, and either paragraph (c)(9)(xi) of this section is not yet in effect or the registration deadline in paragraph (c)(9)(xi) of this section has not yet passed.

(iii) IP CTS providers shall ensure that any newly distributed IP CTS equipment has a label on its face in a conspicuous location with the following language in a clearly legible font: ''FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING THIS DEVICE WITH THE CAPTIONS ON.'' For IP CTS equipment already distributed to consumers by any IP CTS provider as of the effective date of this paragraph, such provider shall distribute to consumers equipment labels with the same language as mandated by this paragraph for newly distributed equipment, along with clear and specific instructions directing the consumer to attach such labels to the face of their IP CTS equipment in a conspicuous location. For software applications on mobile phones, laptops, tablets, computers or other similar devices, IP CTS providers shall ensure that, each time the consumer logs into the application, the notification language required by this paragraph appears in a conspicuous location on the device screen immediately after log-in.

Note to paragraph (c)(11)(iii): The deadline for compliance with the requirement for IP CTS providers to distribute to consumers equipment labels along with instructions for applying the labels to equipment already distributed to consumers shall be thirty days after OMB approval has been obtained. The FCC will publish a notice of the effective date along with a corrective amendment to specify the deadline for compliance.

(iv) IP CTS providers shall maintain, with each consumer's registration records, records describing any IP CTS equipment provided, directly or indirectly, to such consumer, stating the amount paid for such equipment, and stating whether the label required by paragraph (c)(11)(iii) of this section was affixed to such equipment prior to its provision to the consumer. For consumers to whom IP CTS equipment was provided directly or indirectly prior to the effective date of this paragraph (c)(11), such records shall state whether and when the label required by paragraph (c)(11)(iii) of this section was distributed to such consumer. Such records shall be maintained for a minimum period of five years after the consumer ceases to obtain service from the provider.

* * * * *

■ 3. Section 64.606 is amended by adding paragraph (a)(2)(ii)(F) as follows:

§ 64.606 Internet-based TRS provider and TRS program certification.

(a) * * *

(2) * * *

(ii) * * *

(F) In the case of applicants to provide IP CTS or IP CTS providers, a description of measures taken by such applicants or providers to ensure that they do not and will not request or collect payment from the TRS Fund for service to consumers who do not satisfy the registration and certification requirements in § 64.604(c)(9), and an explanation of how these measures provide such assurance.

* * * * *

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2013–21259 Filed 8–29–13; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 78, No. 169
Friday, August 30, 2013

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 550

RIN 3206–AL55

Compensatory Time Off for Religious Observances and Other Miscellaneous Changes

AGENCY: U.S. Office of Personnel Management.

ACTION: Proposed rule with request for comments.

SUMMARY: The U.S. Office of Personnel Management is issuing proposed regulations to amend its current regulations on compensatory time off for religious observances. The proposal would clarify employee and agency responsibilities, provide timeframes for earning and using religious compensatory time off, and define key terms. In addition, we are making other miscellaneous changes in the pay and leave area.

DATES: Comments must be received on or before October 29, 2013.

ADDRESSES: You may submit comments, identified by RIN number ''3206–AL55,'' using any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Email: pay-leave-policy@opm.gov.

Mail: Jeanne Jacobson, Acting Deputy Associate Director, Pay and Leave, Employee Services, U.S. Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415–8200.

FOR FURTHER INFORMATION CONTACT: David Barash, by telephone at (202) 606–2858; by fax at (202) 606–0824; or by email at *pay-leave-policy@opm.gov.*

SUPPLEMENTARY INFORMATION: Based on comments we received on our proposed regulations issued on January 5, 2005 (70 FR 1068), recent recommendations made in the U.S. Government Accountability Office's report entitled ''Religious Compensatory Time: Office of Personnel Management Action Needed to Clarify Policies for Agencies'' (GAO–13–96, October 12, 2012), and our general experience with the adjustment of work schedules for religious observances (i.e., religious compensatory time off), the U.S. Office of Personnel Management (OPM) is proposing to amend its regulations in 5 CFR part 550, subpart J, Compensatory Time Off for Religious Observances. Under 5 U.S.C. 5550a, OPM is responsible for issuing regulations providing for work schedules under which an employee, whose personal religious beliefs require the abstention from work during certain periods of time, may elect to perform overtime work to make up for time lost for meeting those religious obligations. Any employee who elects to perform such overtime work must be granted equal compensatory time off from his or her scheduled tour of duty (in lieu of overtime pay or other pay that would otherwise apply) for such religious observances, notwithstanding any other provision of law. In summary, the religious compensatory time off authority permits an employee to rearrange work hours to fulfill his or her religious obligations. The intent of our proposal is to help agencies more effectively manage religious compensatory time off by clarifying employee and agency responsibilities, providing timeframes for earning and using religious compensatory time off, and defining key terms.

OPM's current regulations provide only limited rules and information and require agencies to provide opportunities for employees to earn and use religious compensatory time off to the extent that doing so does not interfere with the efficient carrying out of agencies' missions. The regulations also explicitly allow the religious compensatory time off to be earned either before or after the corresponding absence from work. Agencies must keep appropriate records on religious compensatory time off that is earned and used to ensure effective administration of religious compensatory time off.

Previous Proposed Regulations

In 2005, OPM issued proposed regulations to put safeguards in place to address some problems with the administration of the religious compensatory time off program that were surfacing. Those regulations proposed to expand the current regulations to provide more structure and consistency by adding new definitions, allowing agencies to require documentation of the need for religious compensatory time off, and requiring employees to perform additional work within 3 pay periods to make up for religious compensatory time off already used. In addition, the regulations proposed to place limits on an employee's accumulation of earned religious compensatory time off, and to provide rules regarding how agencies must deal with employees who have a negative or positive balance of earned religious compensatory time off when the employee's Federal employment ends or when the employee is transferred to another Federal agency.

Comments on Previous Proposed Regulations

Most of the comments we received on the 2005 proposal focused on the provisions regarding the documentation requirements related to the need for time off and the timeframe limits for earning religious compensatory time off. Several commenters expressed concern that allowing agencies to require documentation of the need for religious compensatory time off would lead to agencies making inappropriate judgments about the legitimacy of these requests for religious compensatory time off. Other commenters believed the proposed regulations were not clear enough about the nature of the documentation that could be required. Meanwhile, some commenters thought the requirement to perform overtime work for purposes of earning religious compensatory time off within 3 pay periods after using advanced compensatory time off was too restrictive. It was noted, for example, that there is a cluster of Jewish religious holidays in the fall during which an employee may need to abstain from work for at least 7 days during a 1-month period. We have reexamined our 2005 proposal and have substantially altered the provisions relating to documentation and timeframes; therefore, we are now reissuing proposed regulations with a request for comments.

Based on the comments we received in 2005, we are striving to balance the

protection of an employee's right to practice his or her religious freedoms with management's responsibility to carry out the agency's mission. We believe our proposal balances these needs, and incorporates the comments we received from our 2005 proposal to improve the proposed regulations by (1) increasing the number of pay periods within which an employee can repay advanced religious compensatory time off after using it, and (2) requiring the employee to provide the agency with specific information regarding his or her request to use religious compensatory time off.

Section-by-Section Analysis of Proposed Regulations

OPM continues to believe there is a need for a clearer regulatory structure for the earning and use of religious compensatory time off. However, we found some of the objections to our 2005 proposal were persuasive. Consequently, we are proposing to restructure subpart J of 5 CFR part 550 with eight sections as follows:

Section 550.1001 Purpose. This section sets forth the purpose of the subpart, which is to implement the statutory authority for religious compensatory time off under 5 U.S.C. 5550a.

Section 550.1002 Coverage. The proposed regulations provide that coverage applies to each employee in or under an Executive agency (as defined in 5 U.S.C. 105) who has a scheduled tour of duty.

Employees of the Federal Aviation Administration (FAA) are excluded from coverage under most title 5 provisions, including section 5550a. (See 49 U.S.C. 40122(g).) Employees of the Transportation Security Administration (TSA) are excluded from the same title 5 provisions as FAA employees; thus, they are also not covered by section 5550a. (See 49 U.S.C. 114(n).) Both FAA and TSA may adopt a religious compensatory time off program under their own personnel authorities.

The proposed new coverage section, section 550.1002, also provides that section 5550a and OPM's implementing regulations apply only to employees who have a ''scheduled tour of duty.'' In 5 U.S.C. 5550a(a), the law prescribes that an employee is granted compensatory time off ''from his scheduled tour of duty'' when the employee's personal religious beliefs require ''the abstention from work during certain periods of time.'' A further discussion of the term ''scheduled tour of duty'' is included in the definition section of this supplementary information.

Section 550.1003 Definitions. This section contains definitions of key terms used in subpart J. These terms are ''overtime work,'' ''rate of basic pay,'' ''religious compensatory time off,'' and ''scheduled tour of duty.'' All of these proposed definitions are new and are being added to this section.

We are providing further explanation of certain terms that are defined in this section. For the purposes of subpart J, ''overtime work'' is performed to earn religious compensatory time off and provides no entitlement to overtime pay or other premium pay. ''Overtime work'' earned as religious compensatory time off is a limited exception that is not considered in applying the premium pay limitations in 5 U.S.C. 5547 and 5 CFR 550.105–550.107. (See 62 Comp. Gen. 589, July 26, 1983.) In contrast, the dollar value of overtime work resulting in compensatory time off in lieu of overtime pay under 5 U.S.C. 5543 is considered to be premium pay in applying those limitations. We are clarifying in the regulations that overtime work is deemed to include (1) work performed by a part-time employee outside of his or her scheduled tour of duty, even if that work is below applicable overtime thresholds (e.g., below 40 hours in a week), and (2) work performed by an employee on a legal holiday.

The term ''rate of basic pay'' is the rate of pay fixed by law or administrative action for the position held by an employee, including any applicable locality payment under 5 CFR part 531, subpart F; special rate supplement under 5 CFR part 530, subpart C; retained rate under 5 CFR part 536; or similar payment or supplement under other legal authority, before any deductions and exclusive of additional pay of any other kind. It is used in determining the amount paid to an employee upon separation or transfer for any unused hours of religious compensatory time off earned based on the rate of basic pay in effect when the extra hours of work were performed.

''Religious compensatory time off'' is compensatory time off for an employee whose personal religious beliefs require that he or she abstain from work at certain times of the workday or workweek. To the extent that modifications in work schedules do not interfere with the efficient accomplishment of an agency's mission, an employee must be permitted to work overtime hours to meet the religious obligation, and such hours do not create any entitlement to premium pay.

A ''scheduled tour of duty'' means the regular work hours in an established full-time or part-time work schedule during which the employee is charged leave or time off when absent. The law (5 U.S.C. 5550a) specifically refers to employees using religious compensatory time off by taking time off out of their ''scheduled tour of duty.'' Only employees with an established full-time or part-time schedule have a scheduled tour of duty. Employees who do not have a scheduled tour of duty, such as intermittent employees or leave-exempt Presidential appointees (see 5 CFR 630.211), cannot use leave or other time off, including religious compensatory time off. However, in the spirit of the religious compensatory time off law, supervisors should strive to accommodate such employees in their observance of religious activities required by their personal religious beliefs.

Section 550.1004 Employee responsibilities. This section enumerates an employee's responsibilities when he or she requests to earn and use religious compensatory time off. An employee is required to provide his or her supervisor with a request for religious compensatory time off in advance of the religious observance. Under paragraph (b) of this section, at the time the religious compensatory time off is requested, the employee must provide the agency with (1) the name and/or description of the particular religious observance for which the employee's absence is required; (2) the date(s) and time(s) the employee plans to be absent for religious observances; and (3) the date(s) and time(s) the employee plans to perform overtime work to earn religious compensatory time off to make up for the absence. This information provides appropriate documentation to enable the agency to consider the request. An employee must comply with the agency's procedures for requesting, earning, and using religious compensatory time off, including time limitations, as prescribed in sections 550.1004 and 550.1005.

Section 550.1005 Agency responsibilities. This section enumerates agency responsibilities when considering an employee's request to earn and use religious compensatory time off. Paragraph (a) of this section permits an agency to require an employee to submit his or her religious compensatory time off request either orally or in writing, including the information listed in section 550.1004(b), in a manner that is administratively acceptable to the agency. Although this paragraph provides authority for an agency to

require an employee to submit his or her request in writing under section 550.1004(b), the agency may allow supervisors to approve requests on a more informal basis as long as the supervisor documents the required information regarding the employee's request.

Paragraph (b) of this section states that an agency is required to approve religious compensatory time off to the extent that modifications in work schedules do not interfere with the efficient accomplishment of its mission, consistent with 5 U.S.C. 5550(c).

Paragraph (c) of this section states that the agency must provide the employee with an opportunity to earn religious compensatory time off before the end of the 26th pay period following the use of the time off. However, the specific timing of when an employee is allowed to earn religious compensatory time off is at the agency's discretion. This is consistent with guidance in former Federal Personnel Manual Letter 550–71, September 29, 1978, which stated that ''[A]n agency is expected to accommodate to an employee's request to work compensatory overtime. If no productive overtime is available to be worked by the employee at such time as he or she may initially request, alternative times should be arranged for the performance of the compensatory overtime work.'' A key difference between using and earning religious compensatory time off is that using religious compensatory time off is tied to a specific religious observance on a fixed date, whereas greater flexibility exists regarding when religious compensatory time off may be earned. However, the agency must provide an opportunity for the employee to earn religious compensatory time off before the end of 26th pay period after it was used. Agencies have latitude in scheduling exactly when overtime hours will be worked to earn religious compensatory time off.

Section 550.1006 Scheduling time to earn and use religious compensatory time off. This section provides rules for scheduling time to earn and use religious compensatory time off to establish a consistent and effective Governmentwide approach. An employee must inform his or her agency of the date(s) and time(s) he or she plans to be absent for religious observances and the date(s) and time(s) he or she plans to work to earn religious compensatory time off to make up for the absence. The agency must consider its mission requirements when determining whether to approve changes in work schedules for scheduling religious compensatory time off, as explained in section 550.1005.

This section also empowers agencies to require employees who are submitting requests for this time off to make the requests sufficiently in advance to allow for workforce adjustments that may be required to accommodate the religious compensatory time off.

For an employee who earns religious compensatory time off prior to using it, religious compensatory time off may be earned up to 26 pay periods in advance of the pay period in which it is intended to be used, as long as the scheduling of religious compensatory time off is linked to specific dates and times and its scheduling is compatible with agency mission requirements. While most agencies may have always required employees to identify specific, future religious observances as a condition for allowing them to earn religious compensatory time off, this proposal now provides a common approach, with specific information regarding the details the employee must supply under section 550.1004.

Where an employee uses religious compensatory time off prior to earning it (i.e., spending an equal amount of time in overtime work), that employee must schedule and fulfill his or her obligation to perform overtime work in exchange for religious compensatory time off within 26 pay periods (52 weeks) after the pay period in which he or she used religious compensatory time off. The 26 pay periods are calculated beginning with the first pay period after the pay period in which the religious compensatory time off was used.

OPM believes that providing 26 pay periods before and after a religious observance is a sufficient timeframe for an employee to earn religious compensatory time, and is consistent with the 26 pay period rule for using compensatory time off in lieu of overtime pay after it is earned.

If the employee fails to perform overtime work in exchange for advanced religious compensatory time off within 26 pay periods after the pay period in which it was used, section 550.1006(c) provides that the agency may take corrective action to eliminate or reduce the negative balance by making a corresponding reduction in the employee's annual leave balance. Any remaining negative balance must be resolved by charging the employee leave without pay, which will result in an indebtedness that is subject to the agency's internal debt collection procedures. This approach is consistent with OPM's longstanding position that if an employee has taken advanced religious compensatory time off and has a negative balance, the employee must be charged annual leave or leave without pay to account for that negative balance. (See also the more detailed discussion regarding section 550.1008(b).)

OPM reminds agencies and employees of the availability of additional workforce flexibilities, including annual leave, advanced annual leave, regular compensatory time off, alternative work schedules, and leave without pay, all of which may play a part in accommodating an employee's need to abstain from work for religious observances. We believe providing 26 pay periods for employees to repay such advanced religious compensatory time off, permitting employees to perform work in advance of a religious observance, and using other existing workforce flexibilities will provide employees with several viable alternatives for meeting religious requirements, while ensuring agencies are able to carry out their missions in a timely manner.

Section 550.1007 Accumulation and documentation. This section requires agencies to keep appropriate records on the amount of religious compensatory time off each employee earns and uses. The agency must credit religious compensatory time off for work performed on a time-for-time basis, under an agency's time and attendance procedures. Except as provided in paragraph (c) of section 550.1007, an employee may accumulate only the amount of religious compensatory time off needed to cover an approved absence for a religious observance or an anticipated absence for a future religious observance for specific dates and times that the employee has identified.

Under section 550.1007(c), if the employee does not use his or her earned religious compensatory time off as planned, 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 established and documented. In other words, earned religious compensatory time off that has not been used as planned may be applied toward a future religious observance that has been properly requested and approved—even if that event is more than 26 pay periods after when the religious compensatory time off was originally earned. If the number of hours of unused religious compensatory time off is not sufficient to cover the future religious observance, the employee may

earn additional religious compensatory time off to cover extra hours—either 26 pay periods before or after the pay period in which the employee takes time off for the approved future religious observance, as provided in section 550.1006.

For example, an employee earns 16 hours of religious compensatory time off toward religious observance ''A.'' The employee is unable to use the 16 hours as planned due to unforeseen circumstances. The employee then requests and receives approval for religious observance ''B.'' The employee needs an additional 8 hours to attend the new religious observance. The 16 hours of earned religious compensatory time off from religious observance ''A'' may be applied toward 24 hours needed for religious observance ''B.'' The employee may earn the additional 8 hours of religious compensatory time off within 26 pay periods before or after religious observance ''B'' to cover the religious observance.

Agencies must monitor any accumulation to ensure that the employee is using the religious compensatory time off for the intended religious observance and is not stockpiling the compensatory time off for purposes that do not meet the intent of the law and regulations.

Section 550.1008 Employee separation or transfer. This section addresses how positive and negative balances of religious compensatory time off are to be treated when employees leave Federal service or transfer to another Federal agency. In the case of an employee with a positive balance who is separating from Federal service or transferring to another Federal agency, the losing agency pays the employee at the hourly rate of basic pay in effect when the religious compensatory time off was earned. Though OPM has published this disposition procedure as guidance on its Web site, it is now including it in the regulations to ensure compliance throughout the Federal Government.

Any earned religious compensatory time off may be paid only when an employee separates or transfers to another Federal agency. Religious compensatory time off cannot be forfeited, nor can it be paid out as compensatory time off in lieu of overtime or any other forms of time off. Since religious compensatory time off is earned and approved for specific dates and times, the amount of religious compensatory time off paid out in a lump sum should be minimal.

Regarding the case of an employee with a negative balance of religious compensatory time off who is separating from Federal service or transferring to another Federal agency under 5 CFR 550.1008(b), an agency may take corrective action to eliminate or reduce the negative balance by making a corresponding charge of annual leave. In other words, since the religious compensatory time off was never earned by working overtime hours, the prior use of religious compensatory time off was invalid. Accordingly, the hours improperly used as religious compensatory time off would be converted to annual leave hours by reducing the employee's annual leave balance. Any negative balance remaining after charging annual leave would be resolved by charging leave without pay. The resulting indebtedness is subject to the agency's internal debt collection procedures. The losing agency is required to determine the monetary value of the employee's remaining negative balance and use applicable debt collection procedures (e.g., those authorized under 5 U.S.C. 5514 and applicable agency regulations prepared consistent with subpart K of 5 CFR part 550). The same approach applies to employees covered by section 550.1006(c) who fail to earn advanced religious compensatory time off within 26 pay periods after using religious compensatory time off.

It should be noted that, unlike annual and sick leave, there is no statutory authority to provide for a transfer of unused earned religious compensatory time off when an employee transfers to another agency. Therefore, the proposed regulations do not authorize employees to transfer a balance of earned religious compensatory time off when they move to another agency.

Section 550.1009 Relationship to premium pay and overtime work. This section makes explicit that an employee who earned religious compensatory time off under subpart J will have no entitlement to overtime pay or other premium pay based on the overtime work performed. It further clarifies that religious compensatory time off under subpart J is fundamentally different from other types of compensatory time off in that religious compensatory time off is only for the purpose of adjusting an employee's work schedule so that the employee may perform overtime work to take time off for religious observances, and such time off is not considered premium pay, as defined in section 550.103.

We are also taking this opportunity to make the following miscellaneous regulatory changes that are unrelated to compensatory time off for religious observances:

Section 550.103 Miscellaneous Change to Definition of Rate of Basic Pay

We propose amending the definition of *rate of basic pay* in 5 CFR 550.103 to include a retained rate under 5 CFR part 536. This is consistent with the provision in 5 CFR 536.307(a)(3) that a retained rate is considered to be an employee's rate of basic pay for the purpose of computing premium pay under 5 U.S.C. chapter 55, subchapter V, and 5 CFR part 532 and part 550, subparts A and I.

Section 550.1302 Miscellaneous Change to Citation Referenced in the Definition of Firefighter

In section 550.1302, we are correcting a citation referencing section 362.203(e) in paragraph (2)(iii) of the definition of firefighter. The correct citation is section 362.203(f).

E.O. 13563 and E.O. 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Orders 13563 and 12866.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will apply only to Federal agencies and employees.

List of Subjects in 5 CFR Part 550

Administrative practice and procedure, Claims, Government employees, Wages.

U.S. Office of Personnel Management.

Elaine Kaplan,

Acting Director.

Accordingly, OPM is proposing to amend 5 CFR part 550 as follows:

PART 550—PAY ADMINISTRATION (GENERAL)

Subpart A—Premium Pay

■ 1. Revise the authority citation for subpart A to read as follows:

Authority: 5 U.S.C. 5304 note, 5305 note, 5504(d), 5541(2)(iv), 5545a(h)(2)(B) and (i), 5547(b) and (c), 5548, and 6101(c); sections 407 and 2316, Pub. L. 105–277, 112 Stat. 2681–101 and 2681–828 (5 U.S.C. 5545a); E.O. 12748, 56 FR 4521, 3 CFR, 1991 Comp., p. 316.

■ 2. In § 550.103, revise the definition of *rate of basic pay* to read as follows:

§ 550.103 Definitions.

* * * * *

Rate of basic pay means the rate of pay fixed by law or administrative action for the position held by an

employee, including any applicable locality payment under 5 CFR part 531, subpart F; special rate supplement under 5 CFR part 530, subpart C; retained rate under 5 CFR part 536; or similar payment or supplement under other legal authority, before any deductions and exclusive of additional pay of any other kind.

* * * * *

■ 3. Revise subpart J to read as follows:

Subpart J—Compensatory Time Off for Religious Observances

Sec.
550.1001 Purpose.
550.1002 Coverage.
550.1003 Definitions.
550.1004 Employee responsibilities.
550.1005 Agency responsibilities.
550.1006 Scheduling time to earn and use religious compensatory time off.
550.1007 Accumulation and documentation.
550.1008 Employee separation or transfer.
550.1009 Relationship to premium pay and overtime work.

Authority: 5 U.S.C. 5550a.

Subpart J—Compensatory Time Off for Religious Observances

§ 550.1001 Purpose.

This subpart implements 5 U.S.C. 5550a, which permits an employee whose personal religious beliefs require the abstention from work during certain periods of time to elect to engage in overtime work and earn a special form of compensatory time off to make up for the time lost in meeting those religious requirements. Religious compensatory time off differs from other forms of compensatory time off in that the sole purpose is to adjust an employee's work schedule to accommodate a religious observance. The employee earns religious compensatory time off by spending an equal amount of time in overtime work either before or after taking time from the employee's scheduled tour of duty to meet religious requirements.

§ 550.1002 Coverage.

This subpart applies to each employee in or under an Executive agency (as defined in 5 U.S.C. 105) who has a scheduled tour of duty.

§ 550.1003 Definitions.

In this subpart:

Overtime work means work performed by an employee outside his or her scheduled tour of duty for the purpose of making up time lost for meeting religious requirements, for which overtime pay would normally be payable. It is also deemed to include work performed by a part-time employee outside of his or her scheduled tour of duty, even if that work is below applicable overtime thresholds (e.g., below 40 hours in a week), and work performed by an employee on a legal holiday.

Rate of basic pay means the rate of pay fixed by law or administrative action for the position held by an employee, including any special rate under 5 CFR part 530, subpart C; locality rate under 5 CFR part 531, subpart F; retained rate under 5 CFR part 536; or similar rate under other legal authority, before any deductions and excluding additional pay of any other kind. For example, a *rate of basic pay* does not include additional pay such as night shift differentials under 5 U.S.C. 5343(f) or environmental differentials under 5 U.S.C. 5343(c)(4).

Religious compensatory time off means compensatory time off, as authorized by 5 U.S.C. 5550a, under which an employee whose personal religious beliefs require the abstention from work during certain periods of time may elect to perform overtime work in order to make up for time the employee takes off to meet those religious requirements. An employee approved to perform overtime work under this subpart will be granted an equal amount of compensatory time off from his or her scheduled tour of duty (in lieu of overtime pay or other pay otherwise payable) to meet his or her religious obligations.

Scheduled tour of duty means the regular work hours in an established full-time or part-time work schedule during which the employee is charged leave or time off when absent.

§ 550.1004 Employee responsibilities.

(a) An employee is required to provide his or her supervisor with a request for religious compensatory time off in advance of the religious observance by following the agency's procedures established in accordance with §§ 550.1005 and 550.1006.

(b) At the time the religious compensatory time off is requested, the employee must provide the agency with the following information:

(1) The name and/or description of the religious observance for which the employee's absence from work is required based on the employee's personal religious beliefs;

(2) The date(s) and time(s) the employee plans to be absent to participate in the religious observances identified in paragraph (b)(1) of this section; and

(3) The date(s) and time(s) the employee plans to perform overtime work to earn religious compensatory time off to make up for the absence.

(c) An employee must comply with the agency's procedures for requesting religious compensatory time off, including any time limitations prescribed under § 550.1006.

§ 550.1005 Agency responsibilities.

(a) An agency may require an employee to submit his or her request to use religious compensatory time off in writing (including electronic communications) with all the information specified in § 550.1004(b) in a manner that is administratively acceptable to the agency. If the agency accepts an oral request, the supervisor must document all the information specified in § 550.1004(b). An agency may require an employee to submit a request to use religious compensatory time off sufficiently in advance to accommodate necessary scheduling changes without interfering with the agency's ability to efficiently carry out its mission.

(b) An agency must approve an employee's request to use religious compensatory time off unless the agency determines that approving the request would interfere with the agency's ability to efficiently carry out its mission.

(c) The agency must provide the employee with an opportunity to earn religious compensatory time off before the end of the 26th pay period following the use of the time off, although the specific timing of when an employee will be allowed to earn religious compensatory time off by performing overtime work is a matter of agency discretion based on the needs of the agency.

§ 550.1006 Scheduling time to earn and use religious compensatory time off.

(a) The scheduling of time to earn and use religious compensatory time off by an employee is subject to the agency's approval as provided in § 550.1005.

(b) For an employee who earns religious compensatory time off prior to using it, religious compensatory time off may be earned up to 26 pay periods in advance of the pay period in which the targeted religious observance commences and must be linked to specific dates and times for future use, as compatible with agency mission requirements.

(c)(1) An employee who uses religious compensatory time off prior to earning it must fulfill his or her obligation to perform overtime work in exchange for the advanced religious compensatory time off within 26 pay periods after the pay period in which he or she used religious compensatory time off, or the

agency must take action as provided in paragraph (c)(3) of this section.

(2) The 26 pay periods described in paragraph (c)(1) of this section are calculated beginning with the first pay period beginning after the date on which the religious compensatory time off was used.

(3) If the employee fails to earn religious compensatory time off within 26 pay periods after taking religious compensatory time off, the agency may take corrective action to eliminate or reduce the negative balance by making a corresponding reduction in the employee's annual leave balance. Any negative balance of religious compensatory time off remaining after charging annual leave 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.

§ 550.1007 Accumulation and documentation.

(a) Agencies must keep appropriate records of the name and/or description of the religious observance, and the dates, times, and amount of religious compensatory time off each employee earns and uses. An agency must credit religious compensatory time off for work performed on a time-for-time basis, 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 26 pay periods after the compensatory time off was originally earned (notwithstanding § 550.1006(b));

(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.

§ 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 annual leave balance. Any negative balance of religious compensatory time off remaining after charging annual leave 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 of this part.

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, revise paragraph (2)(iii) of the definition of ''firefighter'' 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. 2013–21221 Filed 8–29–13; 8:45 am]

BILLING CODE 6325–39–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Docket No. SSA–2012–0075]

RIN 0960–AH54

Revised Medical Criteria for Evaluating Hearing Loss and Disturbances of Labyrinthine-Vestibular Function

AGENCY: Social Security Administration.

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: We are requesting your comments on whether and how we should revise the criteria in our Listing of Impairments (listings) for evaluating hearing loss and disturbances of labyrinthine-vestibular function in adults and children. We are requesting your comments as part of our ongoing effort to ensure that our listings reflect current medical knowledge. If we propose specific revisions, we will publish a notice of proposed rulemaking in the **Federal Register**.

DATES: To ensure that we consider your comments, we must receive them by no later than October 29, 2013.

ADDRESSES: You may submit comments by any one of three methods—Internet, fax, or mail. Do not submit the same comments multiple times or by more than one method. Regardless of which method you choose, please state that your comments refer to Docket No. SSA–2012–0075 so that we may associate your comments with this ANPRM.

Caution: You should be careful to include in your comments only information that you wish to make publicly available. We strongly urge you not to include in your comments any personal information, such as Social Security numbers or medical information.

1. *Internet:* We strongly recommend that you submit your comments via the

Internet. Visit the Federal eRulemaking portal at *http://www.regulations.gov.* Use the *Search* function to find docket number SSA–2012–0075. The system will issue you a tracking number to confirm your submission. You will not be able to view your comment immediately because we must post each comment manually. It may take up to a week for your comment to be viewable.

2. *Fax:* Fax comments to (410) 966–2830.

3. *Mail:* Address your comments to the Office of Regulations and Reports Clearance, Social Security Administration, 107 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235–6401.

Comments are available for public viewing on the Federal eRulemaking portal at *http://www.regulations.gov* or in person, during regular business hours, by arranging with the contact person identified below.

FOR FURTHER INFORMATION CONTACT: Cheryl A. Williams, Office of Medical Listings Improvement, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, (410) 965–1020. 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:

What is the purpose of this ANPRM?

We are publishing this ANPRM as part of our ongoing effort to ensure that our listing criteria reflect current medical knowledge. This ANPRM gives you an opportunity to send us your comments and suggestions on revisions to the introductory text sections 2.00B and 102.00B and the listings and other criteria in sections 2.00 and 102.00 for evaluating hearing loss and disturbances of labyrinthine-vestibular function. We last published final rules revising the criteria that we use to evaluate hearing disorders on June 2, 2010.[1] We last published final rules with the criteria we use to evaluate disturbances in labyrinthine-vestibular function on December 6, 1985.[2]

On which rules are we inviting comments and suggestions?

We are inviting comments and suggestions on our current rules which you can find in sections 2.00 and 102.00 in the listings in appendix 1 to subpart P of part 404 of our regulations, on the Internet at *http://www.ssa.gov/OP_Home/cfr20/404/404-app-p01.htm.*

Who should send us comments and suggestions?

We invite comments and suggestions from people who apply for or receive benefits from us, advocates and organizations that represent people who have hearing disorders or disturbances of labyrinthine-vestibular function, State agencies that make disability determinations for us, experts in the evaluation of hearing disorders, researchers, and other members of the general public.

What should you comment about?

We are interested in any comments and suggestions on how we might revise introductory text sections 2.00B and 102.00B, listing 2.07 for evaluating disturbances of labyrinthine-vestibular function, and listings 2.10, 2.11, 102.10, and 102.11 for evaluating hearing loss. For example:

- Do the rules for evaluating hearing loss or disturbances of labyrinthine-vestibular function contain technical language or jargon that is not clearly explained? If not clearly explained, what technical language or jargon needs further explanation?
- Are the requirements for otological examinations and audiometric testing provided in sections 2.00B and 102.00B clearly stated? If not clearly stated, what requirements need further clarification?
- What types of testing should we consider when evaluating hearing loss in adults or children who cannot cooperate in behavioral testing?
- Would it be helpful to add a sample audiogram that contains all the requirements necessary for evaluation of hearing loss in adults or children?
- What word recognition tests other than the Hearing in Noise Test (HINT) or the Hearing in Noise Test—Children (HINT–C) should we consider when we evaluate hearing loss treated with cochlear implantation?
- Should we provide examples of medical reasons for a discrepancy between the speech reception threshold and the pure tone average?
- Could we improve clarity by replacing the phrase ''disturbances in labyrinthine-vestibular function'' with the phrase ''disturbances of inner ear function''?
- Rather than evaluating disturbances in labyrinthine-vestibular function in adults under the listings, would evaluating disturbances in labyrinthine-vestibular function using residual functional capacity[3] improve the determination process?
- Should we continue to evaluate disturbances of labyrinthine-vestibular function under the Special Senses and Speech body system?
- What else could we do to make the rules for evaluating hearing or disturbances in labyrinthine-vestibular function easier to understand?
- Would a different format make the rules easier to understand (for example, changing the grouping or ordering of sections; use of headings; paragraphing; use of diagrams; use of tables)?
- Experts who study disability believe that many personal, environmental, educational, and social factors contribute in significant ways to the relationship between a person's hearing ability and the ability to work. Rather than providing criteria for evaluating hearing loss in adults under the listings, should we evaluate all hearing loss using residual functional capacity?

Will we respond to your comments from this notice?

We will consider all comments and suggestions we receive. However, we will not respond directly to the comments you send in response to this ANPRM.

What will we consider when we decide whether to propose revisions?

When we decide whether to propose revisions to our rules for evaluating hearing loss or disturbances in labyrinthine-vestibular function, we will consider:

- All comments and suggestions we receive in response to this notice;
- Information about advances in medical knowledge, treatment, and methods of evaluating hearing loss or disturbances in labyrinthine-vestibular function; and
- Our disability program experience.

In addition, we will consider the following when we decide whether to propose revisions to our rules for evaluating labyrinthine-vestibular function:

- The comments and suggestions that we received in response to an ANPRM that we published on April 13, 2005.[4]
- Information we received at a Policy Conference on Hearing Impairments and

[1] 75 FR 30693.

[2] 50 FR 50068.

[3] Residual functional capacity describes what a person can still do despite his or her impairment(s). 20 CFR 404.1545 and 416.945.

[4] Revised Medical Criteria for Evaluating Hearing Impairments and Disturbance of Labyrinthine-Vestibular Function, 70 FR 19353. The comments we received in response to this ANPRM are available at: *www.regulations.gov,* by searching for docket ''SSA–2006–0178''.

Disturbance of Labyrinthine-Vestibular Function, held November 7–8, 2005.[5]

If we decide to propose specific revisions, we will publish a notice of proposed rulemaking in the **Federal Register** and you will have a chance to comment on the revisions we propose.

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-age, Survivors and disability insurance, Reporting and recordkeeping requirements, Social security.

Dated: August 22, 2013.

Carolyn W. Colvin,

Acting Commissioner of Social Security.

[FR Doc. 2013–21143 Filed 8–29–13; 8:45 am]

BILLING CODE 4191–02–P

[5] The full transcript for the Policy Conference presentations on labyrinthine-vestibular function is available at: *http://www.regulations.gov/#!documentDetail;D=SSA–2006–0178–0003.*

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–126633–12]

RIN 1545–BL05

Computation of, and Rules Relating to, Medical Loss Ratio; Hearing Cancellation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of a notice of public hearing on proposed rulemaking.

SUMMARY: This document cancels a public hearing on proposed regulations that provide guidance to Blue Cross and Blue Shield organizations, and certain other health care organizations, on computing and applying the medical loss ratio added to the Internal Revenue Code by the Patient Protection and Affordable Care Act.

DATES: The public hearing originally scheduled for September 17, 2013 at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Oluwafunmilayo Taylor of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 622–7180 (not a toll-free number).

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking and a notice of public hearing that appeared in the **Federal Register** on May 13, 2013 (78 FR 27873) announced that a public hearing was scheduled for September 17, 2013, at 10 a.m. in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, DC. The subject of the public hearing is under section 833 of the Internal Revenue Code.

The public comment period for these regulations expired on August 12, 2013. The notice of proposed rulemaking and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Monday, August 26, 2013, no one has requested to speak. Therefore, the public hearing scheduled for September 17, 2013, is cancelled.

Martin V. Franks,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 2013–21246 Filed 8–29–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 300

[REG–144990–12]

RIN 1545–BL37

User Fees for Processing Installment Agreements and Offers in Compromise

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking and notice of public hearing.

SUMMARY: This document contains proposed amendments to the regulations that provide user fees for installment agreements and offers in compromise. The proposed amendments affect taxpayers who wish to pay their liabilities through installment agreements and offers in compromise. This document also provides a notice of public hearing on these proposed amendments to the regulations.

DATES: Written or electronic comments must be received by September 30, 2013. Outlines of topics to be discussed at the public hearing scheduled for October 1, 2013, at 10 a.m. must be received by September 30, 2013.

ADDRESSES: Send submissions to: Internal Revenue Service, CC:PA:LPD:PR (REG–144990–12), Room 5203, Post Office Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to CC:PA:LPD:PR (REG–144990–12), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20044, or sent electronically via the Federal eRulemaking Portal at *http://www.regulations.gov* (indicate IRS and REG–144990–12). The public hearing will be held in the IRS Auditorium beginning at 10 a.m. at the Internal Revenue Service Building, 1111 Constitution Avenue NW., Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Concerning submissions and/or to be placed on the building access list to attend the hearing, Oluwafunmilayo (Funmi) Taylor, at (202) 622–7180; concerning cost methodology, Eva Williams, at (202) 435–5514; concerning the proposed regulations, Girish Prasad, at (202) 622–3620 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Background and Explanation of Provisions

The Independent Offices Appropriations Act (IOAA), which is codified at 31 U.S.C. 9701, authorizes agencies to prescribe regulations that establish charges for services provided by the agencies (user fees). The charges must be fair and must be based on the costs to the government, the value of the service to the recipient, the public policy or interest served, and other relevant facts. The IOAA provides that regulations implementing user fees are subject to policies prescribed by the President. Those policies are currently set forth in the Office of Management and Budget (OMB) Circular A–25, 58 FR 38142 (July 15, 1993) (the OMB Circular).

The OMB Circular encourages agencies to charge user fees for government-provided services that confer benefits on identifiable recipients over and above those benefits received by the general public. Under the OMB Circular, an agency that seeks to impose a user fee for government-provided services must calculate its full cost of providing those services. In general, the amount of a user fee should recover the cost of providing the service, unless OMB grants an exception.

Installment Agreements

Section 6159 of the Internal Revenue Code (Code) authorizes the IRS to enter into an agreement with any taxpayer for the payment of tax in installments. 26 CFR 301.6159–1. Before entering into an installment agreement, the IRS may examine the taxpayer's financial position to determine whether such an

agreement is appropriate. Once the agreement is in effect, the IRS must process the payments and monitor compliance. Section 6331(k)(2) of the Code generally prohibits the IRS from levying to collect taxes while a request to enter into an installment agreement is pending, and if rejected for 30 days thereafter, and, if a timely appeal of rejection is filed, for the duration of the appeal. Section 6331(k)(2) of the Code also generally prohibits the IRS from levying to collect taxes while an installment agreement is in effect. A taxpayer that enters into an installment agreement therefore receives a special benefit of being allowed to pay an outstanding tax obligation over time.

Under sections 300.1 and 300.2 of the Treasury Regulations, the IRS currently charges $105 for entering into an installment agreement, except that the fee is $52 for a direct debit installment agreement, which is an agreement whereby the taxpayer authorizes the IRS to request the monthly electronic transfer of funds from the taxpayer's bank account to the IRS, and the fee is $43 if the taxpayer is a low-income taxpayer (notwithstanding the method of payment). Also, the IRS currently charges $45 for restructuring or reinstating an installment agreement that is in default. The amount of the fees has not changed since 2007. As required by the OMB Circular, the IRS recently completed a routine review of the installment agreement program and determined that the full cost of an installment agreement is $282, except that the cost is only $122 for a direct debit installment agreement. The IRS also determined that the full cost of restructuring or reinstating an installment agreement is $85.

In accordance with the OMB Circular, these proposed amendments to the regulations increase the installment agreement fees to recover more of the costs associated with such agreements. The proposed regulations propose to charge less than full cost. While agencies are generally required to charge full cost, the OMB Circular permits exceptions to this requirement when the cost of collecting the fees would represent an unduly large part of the fee for the activity or any other condition exists that, in the opinion of the agency head or his designee, justifies an exception. OMB has granted an exception to the full cost requirement of the OMB Circular. After discussions with OMB, the proposed fee for entering into an installment agreement is $120, and the proposed fee for restructuring or reinstating an installment agreement is $50. The fee for a direct debit installment agreement remains $52, and low income taxpayers, as defined in 26 CFR 300.1(b)(2), would continue to pay $43 for any new installment agreement, including a direct debit installment agreement. The proposed regulations do not increase the fee for direct debit installment agreements because these agreements have a significantly higher completion rate. The proposed fees balance the need to recover costs with the goals of encouraging the use of installment agreements in general and direct debit installment agreements in particular.

Offers in Compromise

Section 7122 of the Internal Revenue Code gives the Secretary the authority to compromise any civil or criminal case arising under the internal revenue laws, prior to the referral of that case to the Department of Justice. An offer to compromise may be accepted if there is doubt as to liability, if there is doubt as to collectibility, or if acceptance will promote effective tax administration. 26 CFR 301.7122–1(b). Before accepting an offer to compromise, the IRS must examine the taxpayer's financial position to determine whether such a compromise is appropriate unless it is an offer under section 7122(d)(3)(B) (regarding offers relating only to issues of liability). Once the IRS accepts an offer to compromise, the IRS must process the payments and monitor compliance. When the IRS accepts an offer to compromise, the taxpayer receives the benefit of resolving its tax liabilities for a compromised amount, provided the taxpayer complies with the terms of the compromise agreement. Further, section 6331(k)(1) of the Code generally prohibits the IRS from levying to collect taxes while a request to enter into an offer to compromise is pending, and if rejected for 30 days thereafter, and, if a timely appeal of a rejection is filed, for the duration of the appeal.

Under section 300.3 of the Treasury Regulations, the IRS currently charges $150 for processing an offer to compromise, except that no fee is charged if an offer is based solely on doubt as to liability, or made by a low income taxpayer, as defined in 26 CFR 300.3(b)(1)(ii). Also, the fee is generally applied to the unpaid taxes if the offer is accepted to promote effective tax administration or accepted based on doubt as to collectibility (in this latter case, a determination must be made that collection of an amount greater than the amount offered would create economic hardship). The amount of the fee has not changed since 2003. As required by the OMB Circular, the IRS recently completed a routine review of the offer to compromise program and determined that the full cost of an offer to compromise is $2,718.

In accordance with the OMB Circular, this proposed amendment to the regulations increases the offer to compromise fee to recover more of the costs associated with such offers. These proposed regulations propose to charge less than full cost. While agencies are generally required to charge full cost, the OMB Circular permits exceptions to this requirement when the cost of collecting the fees would represent an unduly large part of the fee for the activity or any other condition exists that, in the opinion of the agency head or his designee, justifies an exception. As with the installment agreement fees, OMB has granted an exception to the full cost requirement of the OMB Circular. After discussions with OMB, the proposed fee for processing an offer to compromise is $186. Low-income taxpayers and taxpayers making offers based solely on doubt as to liability will continue to pay no fee. Also, as now, the fee is generally applied to the unpaid taxes if the offer is accepted to promote effective tax administration or accepted based on doubt as to collectibility (in this latter case, a determination must be made that collection of an amount greater than the amount offered would create economic hardship). The proposed fee balances the need to recover costs with the goal of encouraging offers in compromise.

The new fee rate for both installment agreements and offers in compromise will be effective January 1, 2014.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866, as supplemented by Executive Order 13563. Therefore, a regulatory assessment is not required. It is hereby certified that these regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. This certification is based on the information that follows. The economic impact of these regulations on any small entity would result from the entity being required to pay a fee prescribed by these regulations in order to obtain a particular service. The dollar amount of the fee is not, however, substantial enough to have a significant economic impact on any entity subject to the fee. Pursuant to section 7805(f) of the Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business

Administration for comment on its impact on small business.

Comments and Public Hearing

Before these proposed amendments to the regulations are adopted as final regulations, consideration will be given to any comments that are submitted timely to the IRS as prescribed in this preamble under the ''Addresses'' heading. The IRS and Treasury Department request comments on all aspects of the proposed regulations. All comments will be available at *www.regulations.gov* or upon request.

A public hearing has been scheduled for October 1, 2013, beginning at 10 a.m. in the IRS Auditorium of the Internal Revenue Service Building, 1111 Constitution Avenue NW., Washington, DC 20044. Due to building security procedures, visitors must enter at the Constitution Avenue entrance. In addition, all visitors must present photo identification to enter the building. Because of access restrictions, visitors will not be admitted beyond the immediate entrance area more than 30 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

The rules of 26 CFR 601.601(a)(3) apply to the hearing. Persons who wish to present oral comments at the hearing must submit written or electronic comments and submit an outline of the topics to be discussed and the amount of time to be devoted to each topic (a signed original and eight (8) copies) by September 30, 2013. A period of 10 minutes will be allotted to each person for making comments. An agenda showing the scheduling of the speakers will be prepared after the deadline for receiving outlines has passed. Copies of the agenda will be available free of charge at the hearing.

Drafting Information

The principal author of these regulations is Kimberly Barsa of the Office of Associate Chief Counsel (Procedure and Administration).

List of Subjects in 26 CFR Part 300

Estate taxes, Excise taxes, Gift taxes, Income taxes, Reporting and recordkeeping requirements, User fees.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 300 is proposed to be amended as follows:

PART 300—USER FEES

■ **Paragraph 1.** The authority citation for part 300 continues to read as follows:

Authority: 31 U.S.C. 9701.

■ **Par. 2.** In § 300.1, paragraphs (b) introductory text and (d) are revised to read as follows:

§ 300.1 Installment agreement fee.

* * * * *

(b) *Fee.* The fee for entering into an installment agreement before January 1, 2014, is $105. The fee for entering into an installment agreement on or after January 1, 2014, is $120. A reduced fee applies in the following situations:

* * * * *

(d) *Effective/applicability date.* This section is applicable beginning January 1, 2014.

■ **Par. 3.** In § 300.2, paragraphs (b) and (d) are revised to read as follows:

§ 300.2 Restructuring or reinstatement of installment agreement fee.

* * * * *

(b) *Fee.* The fee for restructuring or reinstating an installment agreement before January 1, 2014, is $45. The fee for restructuring or reinstating an installment agreement on or after January 1, 2014, is $50.

* * * * *

(d) *Effective/applicability date.* This section is applicable beginning January 1, 2014.

■ **Par. 4.** In § 300.3, paragraphs (b)(1) introductory text and (d) are revised to read as follows:

§ 300.3 Offer to compromise fee.

* * * * *

(b) *Fee.* (1) The fee for processing an offer to compromise before January 1, 2014, is $150. The fee for processing an offer to compromise on or after January 1, 2014, is $186. No fee will be charged if an offer is—

* * * * *

(d) *Effective/applicability date.* This section is applicable beginning January 1, 2014.

Beth Tucker,

Deputy Commissioner for Operations Support.

[FR Doc. 2013–21243 Filed 8–29–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[REG–111837–13]

RIN 1545–BL54

Employee Retirement Benefit Plan Returns Required on Magnetic Media

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations relating to the requirements for filing certain employee retirement benefit plan statements, returns, and reports on magnetic media. The term magnetic media includes electronic filing, as well as other magnetic media specifically permitted under applicable regulations, revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. These regulations would affect plan administrators and employers maintaining retirement plans that are subject to various employee benefit reporting requirements under the Internal Revenue Code (Code).

DATES: Comments and requests for a public hearing must be received by October 29, 2013.

ADDRESSES: Send submissions relating to the proposed regulations to: CC:PA:LPD:PR (REG–111837–13), room 5205, Internal Revenue Service, PO Box 7604, Ben Franklin Station, Washington DC, 20044. Submissions may be hand delivered Monday through Friday, between the hours of 8 a.m. and 4 p.m. to CC:PA:LPD:PR (REG–111837–13), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC.

Alternately, taxpayers may submit comments relating to the proposed regulations electronically via the Federal eRulemaking Portal at *www.regulations.gov* (IRS REG–111837–13).

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, William Gibbs or Pamela Kinard at (202) 622–6060; concerning the submission of comments or to request a public hearing, Oluwafunmilayo Taylor at (202) 622–7180 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Background

Electronic filing of tax returns benefits taxpayers and the IRS by reducing errors that are more likely to occur during the manual preparation and processing of

paper returns. Electronic filing results in faster settling of accounts and better customer service. Requiring that employee retirement benefit plan statements, returns, and reports be filed electronically improves the timeliness and accuracy of the information for both the public and the employee retirement benefit plan community.

Section 6011(e)(1) authorizes the Secretary to prescribe regulations providing the standards for determining which returns must be filed on magnetic media or in other machine-readable form. Section 6011(e)(2)(A) provides that the Secretary may not require any person to file returns on magnetic media unless the person is required to file at least 250 returns during the calendar year. Section 6011(e)(2)(B) requires that the Secretary, prior to issuing regulations requiring these entities to file returns on magnetic media, take into account (among other relevant factors) the ability of the taxpayer to comply at reasonable cost with the requirements of such regulations.

A statement, return, or report filed electronically with an electronic return transmitter in the manner and time prescribed by the Commissioner is deemed to be filed on the date of the electronic postmark given by the return transmitter (that is, a record of the date and time that an authorized electronic return transmitter receives the transmission of a taxpayer's electronically filed document on its host system). Accordingly, if the electronic postmark is timely, the document is considered filed timely although it is received by the IRS after the last date prescribed for filing. See § 301.7502–1(d). Section 414(g) defines a plan administrator as a person specifically so designated by the terms of the plan or, in the event no one is designated: (a) An employer for a single employer plan; (b) an association, committee, joint board of trustees, or other similar group of representatives for a plan maintained by two or more employers or jointly by one or more employers and one or more employee organizations; or (c) such other person as the Secretary of Treasury may prescribe in regulations.

Section 6057(a) requires the plan administrator (within the meaning of section 414(g)) of each plan to which the vesting standards of section 203 of the Employee Retirement Income Security Act of 1974 (ERISA) applies for a plan year to file, within the time prescribed by regulations, a registration statement with the Secretary of the Treasury. The registration statement must set forth the following information relating to the plan: (1) The name of the plan; (2) the name and address of the plan administrator; (3) the name and identifying information of plan participants who separated from service covered by the plan and are entitled to deferred vested retirement benefits; and (4) the nature, amount, and form of deferred vested retirement benefits to which the plan participants are entitled. The form used to file this registration statement is Form 8955–SSA, ''Annual Registration Statement Identifying Separated Participants with Deferred Vested Benefits.'' Section 6057(b) requires that the plan administrator notify the Secretary of certain changes in the plan, including the name of the plan, the name and address of the plan administrator, the termination of the plan, or any merger or consolidation of the plan with another plan (or the plan's division into two or more plans).

Section 6058(a) generally requires that every employer maintaining a pension, annuity, stock bonus, profit-sharing, or other funded plan of deferred compensation, or the plan administrator within the meaning of section 414(g) of the plan, file an annual return stating such information as the Secretary may by regulations prescribe with respect to the qualification, financial condition, and operations of the plan. The reporting requirement under section 6058(a) is satisfied by filing a return on the Form 5500 series. The Form 5500, ''Annual Return/Report of Employee Benefit Plan,'' the Form 5500–SF, ''Short Form Annual Return/Report of Small Employee Benefit Plan,'' and Form 5500–EZ, ''Annual Return of One-Participant (Owners and Their Spouses) Retirement Plan,'' make up the Form 5500 series.

Section 6059(a) generally requires that a plan administrator of each defined benefit plan to which section 412 applies file the actuarial report described in section 6059(b) for the first plan year for which section 412 applies to the plan and for each third plan year thereafter (or more frequently if the Secretary determines that more frequent reports are necessary). The schedules used to file these actuarial reports are the Schedule SB, ''Single-Employer Defined Benefit Plan Actuarial Information,'' and the Schedule MB, ''Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information,'' which are required to be filed as part of the Form 5500 or Form 5500–SF.

On July 21, 2006, the Department of Labor (DOL) published a final rule in the **Federal Register** (71 FR 41359) requiring electronic filing of the Form 5500 and Form 5500–SF for plans covered by Title I of ERISA for plan years beginning on or after January 1, 2008. On November 16, 2007, the DOL published a final rule in the **Federal Register** (72 FR 64710) postponing the effective date of the electronic filing mandate so that the mandate applies to plan years beginning on or after January 1, 2009. See 29 CFR § 2520.104a–2. The electronic filing system mandated by DOL is the computerized ERISA Filing Acceptance System (EFAST2).

Filers of the Form 5500 and Form 5500–SF are required to file electronically through EFAST2. Currently, electronic filing is not available for the Form 5500–EZ. However, certain filers that would otherwise file the Form 5500–EZ on paper may instead file the Form 5500–SF electronically through EFAST2. Under the current requirements, plans that are eligible to use the Form 5500–SF to file electronically include plans that cover fewer than 100 participants at the beginning of the plan year and satisfy certain other requirements. See the Instructions to the Form 5500–EZ for information about filing the Form 5500–EZ.

In order to implement DOL's mandate for electronic filing of the Form 5500 and Form 5500–SF, certain items on these forms that relate solely to Code requirements were eliminated. Information on the forms, schedules, and attachments that were eliminated was used by the IRS for compliance purposes. By mandating electronic filing of information, the IRS can obtain valuable plan information that is not currently required to be filed through EFAST2.[1] In coordination with DOL, the IRS anticipates adding items on the Form 5500 and Form 5500–SF relating solely to Code requirements. For those filers that are not subject to IRS electronic filing requirements, the IRS plans to provide a paper-only form containing those Code-related items and an alternative method of filing with the IRS.

Explanation of Provisions

I. In General

These regulations provide that a plan administrator (or, in certain situations, an employer maintaining a plan) required by the Code or regulations to file at least 250 returns during the

[1] In its published report on September 20, 2011, the Treasury Inspector General for Tax Administration (TIGTA) recommended that the IRS explore regulatory options for mandating electronic filings of annual employee benefit returns for employee benefit retirement plans. TIGTA believed that this would assist the IRS in satisfying its tax administration responsibilities. See ''The Employee Plans Function Should Continue Its Efforts to Obtain Needed Retirement Plan Information,'' Reference Number 3011–10–108 (September 20, 2011).

calendar year that includes the first day of the plan year must use magnetic media to file certain statements, returns, and reports under sections 6057, 6058, and 6059. Magnetic media is defined as electronic filing or other media specifically permitted under applicable regulations, revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

Filers of the Form 5500 and Form 5500–SF are already required to file the returns electronically through EFAST2. In addition, many filers of the Form 8955–SSA already voluntarily file electronically with the IRS and also are required to file the Form 5500 and Form 5500–SF electronically through EFAST2. The IRS and the Treasury Department have determined that taxpayers should be able to comply at a reasonable cost with the requirement to file statements, returns, and reports on magnetic media.

The determination of whether a filer is required to file at least 250 returns is made by aggregating all returns, regardless of type, that the filer is required to file, including for example, income tax returns, returns required under section 6033, information returns, excise tax returns, and employment tax returns.

II. Registration Statements and Notifications Required Under Section 6057(a) and (b)

The proposed regulations under section 6057 provide that a registration statement under section 6057(a) or notification required under section 6057(b) must be filed on magnetic media if the filer is required by the Code or regulations to file at least 250 returns during the calendar year that includes the first day of the plan year. For purposes of the regulations under section 6057, the term filer means the plan administrator within the meaning of section 414(g).

The proposed regulations under section 6057 provide that if a filer that is required to file electronically fails to do so, the filer is deemed to have failed to file the registration statement or other notification required under section 6057. Section 6652(d)(1) imposes a penalty on the plan administrator for the failure to file a registration statement required under section 6057(a). Section 6652(d)(2) imposes a penalty on the plan administrator for the failure to file a notification required under section 6057(b). The proposed regulations under section 6057 provide that rules under § 301.6652–3(b) apply for purposes of determining whether there is reasonable cause for failure to file a registration statement required under section 6057(a) or notification required under section 6057(b). In addition, rules similar to the rules in § 301.6724–1(c)(3)(ii), regarding undue economic hardship relating to filing on magnetic media, will apply.

III. Form 5500 Series

The proposed regulations under section 6058 provide that a return required under section 6058 must be filed on magnetic media if the filer is required by the Code or regulations to file at least 250 returns during the calendar year that includes the first day of the plan year. The term filer means the employer or employers maintaining the plan and the plan administrator within the meaning of section 414(g). Thus, in applying the 250-return requirement, the returns of the employer or employers maintaining the plan and of the plan administrator are aggregated.

The proposed regulations under section 6058 also provide that, in determining the 250-return requirement, the aggregation rules of section 414(b), (c), (m), and (o) apply to a filer that is, or includes, an employer. Thus, for example, a filer that is a member of a controlled group of corporations within the meaning of section 414(b) must file the Form 5500 series on magnetic media if the aggregate number of returns required to be filed by the controlled group of corporations is at least 250. These aggregation rules also apply to the regulations under sections 6057 and 6059 if the plan administrator is the employer.

The proposed regulations under section 6058 provide that if the filer is required to file electronically but fails to do so, the filer is deemed to have failed to file the Form 5500 series. For a failure to file the Form 5500 series, a penalty under section 6652(e) applies. The proposed regulations under section 6058 provide that rules under § 301.6652–3(b) apply for purposes of determining whether there is reasonable cause for failure to file a return. In addition, rules similar to the rules in § 301.6724–1(c)(3)(ii), regarding undue economic hardship relating to filing on magnetic media, will apply.

IV. Actuarial Reports

The proposed regulations under section 6059 provide that an actuarial report required under section 6059 must be filed on magnetic media if the filer is required by the Code or regulations to file at least 250 returns during the calendar year that includes the first day of the plan year. For purposes of the regulations under section 6059, the term filer means the plan administrator within the meaning of section 414(g).

The proposed regulations under section 6059 provide that if a filer that is required to file electronically fails to do so, the filer is deemed to have failed to file the actuarial report required under section 6059. Section 6692 provides that a plan administrator that fails to file the report required under section 6059 shall pay a penalty for each such failure, unless it is shown that there is reasonable cause for the failure. The proposed regulations under section 6059 provide that rules under § 301.6692–1(c) apply for purposes of determining whether there is reasonable cause for failure to file an actuarial report. In addition, rules similar to the rules in § 301.6724–1(c)(3)(ii), regarding undue economic hardship relating to filing on magnetic media, will apply.

V. Economic Hardship Waiver

These proposed regulations also provide that the Commissioner may waive the requirement to file electronically in cases of undue economic hardship. Because the Treasury Department and the IRS believe that electronic filing will not impose significant burdens on the taxpayers covered by these regulations, the Commissioner anticipates granting waivers of the electronic filing requirement in only exceptional cases. Waivers are anticipated to be particularly rare for the filers of Form 5500 and Form 5500–SF (as well as the schedules attached to those forms), because these filers are already required to file electronically under EFAST2.

Proposed Effective Date

These regulations are proposed to apply for employee retirement benefit plan statements, notifications, returns, and reports required to be filed under sections 6057, 6058, and 6059 for plan years that begin on or after January 1, 2014, but only for filings with a filing deadline (not taking into account extensions) after December 31, 2014.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It has also been determined that 5 U.S.C. 533(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations. In addition, it is hereby certified that any collection of information contained in this regulation will not have a significant economic impact on a substantial number of small entities, and therefore no flexibility

analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is required. Pursuant to section 7805(f) of the Internal Revenue Code, these regulations have been submitted to the Office of Chief Counsel for Advocacy of the Small Business Administration for comments on its impact on small businesses.

The certification is based on the fact that §§ 301.6057–1, 301.6058–1, and 301.6059–1 currently require filing with the IRS of information under sections 6057, 6058, and 6059 in accordance with applicable forms, schedules, and accompanying instructions. These proposed regulations merely require that this information be filed electronically by persons required to file at least 250 returns for the calendar year, consistent with section 6011(e)(2)(A), which provides that, in prescribing regulations providing standards for determining which returns must be filed on magnetic media or in other machine-readable form, the Secretary shall not require any person to file returns on magnetic media unless the person is required to file at least 250 returns during the calendar year. Many small entities are unlikely to file 250 returns or more during the calendar year. Filers of the Form 5500 and Form 5500–SF are already required to file the returns electronically through EFAST2 pursuant to DOL regulations. In addition, many filers of the Form 8955–SSA already voluntarily file electronically with the IRS.

Further, if a taxpayer's operations are computerized, reporting in accordance with the regulations should be less costly than filing on paper. The IRS and the Treasury Department have determined that taxpayers should be able to comply at a reasonable cost with the requirement in these regulations to file employee retirement statements, returns, and reports on magnetic media. In addition, the proposed regulations provide that the IRS may waive the electronic filing requirements upon a showing of hardship.

Comments and Requests for Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any comments that are submitted timely to the IRS as prescribed in this preamble under the ''**ADDRESSES**'' heading. The IRS and the Treasury Department request comments on all aspects of the rules. All comments are available at *www.regulations.gov* or upon request. A public hearing will be scheduled if requested in writing by any person who timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place of the public hearing will be published in the **Federal Register**.

Drafting Information

The principal authors of these regulations are William Gibbs and Pamela R. Kinard, Office of Division Counsel/Associate Chief Counsel (Tax Exempt and Government Entities). However, other personnel from the IRS and the Treasury Department participated in the development of these regulations.

List of Subjects in 26 CFR Part 301

Administrative practice and procedure, Alimony, Bankruptcy, Child support, Continental shelf, Courts, Crime, Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Investigations, Law enforcement, Oil pollution, Penalties, Pensions, Reporting and recordkeeping requirements, Seals and insignia, Statistics and taxes.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 301 is proposed to be amended as follows:

PART 301—PROCEDURE AND ADMINISTRATION

■ **Paragraph 1.** The authority for part 301 continues to read in part as follows:

Authority: 26 U.S.C. 7508 * * *

■ **Par. 2.** Section 301.6057–3 is added to read as follows:

§ 301.6057–3 Required use of magnetic media for filing requirements relating to deferred vested retirement benefit.

(a) *Magnetic media filing requirements under section 6057.* A registration statement required under section 6057(a) or a notification required under section 6057(b) with respect to an employee benefit plan must be filed on magnetic media if the filer is required by the Internal Revenue Code or regulations to file at least 250 returns during the calendar year ending with or within the plan year. Returns filed on magnetic media must be made in accordance with applicable revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. In prescribing revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site, the Commissioner may direct the type of magnetic media filing. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

(b) *Economic hardship waiver.* The Commissioner may waive the requirements of this section in cases of undue economic hardship. The principal factor in determining hardship will be the amount, if any, by which the cost of filing the registration statements or notifications on magnetic media in accordance with this section exceeds the cost of filing the registration statements or notifications on paper or other media. A request for a waiver must be made in accordance with applicable published guidance, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.) The waiver will specify the type of filing (that is, a registration statement or notification under section 6057), and the period to which it applies, and will be subject to such terms and conditions regarding the method of filing as may be prescribed by the Commissioner.

(c) *Failure to file.* If a filer required to file a registration statement or other notification under section 6057 fails to file the statement or other notification on magnetic media when required to do so by this section, the filer is deemed to have failed to file the statement or other notification. See section 6652(d) for the amount imposed for the failure to file a registration statement or other notification under section 6057. In determining whether there is reasonable cause for the failure to file the registration statement or notification under section 6057, § 301.6652–3(b) and rules similar to the rules in § 301.6724–1(c)(3)(ii) (regarding undue economic hardship related to filing information returns on magnetic media) will apply.

(d) *Meaning of terms.* The following definitions apply for purposes of this section.

(1) *Magnetic media.* The term *magnetic media* means electronic filing, as well as other media specifically permitted under applicable regulations, revenue procedures, or publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

(2) *Registration statement required under section 6057(a).* The term *registration statement required under section 6057(a)* means a Form 8955–SSA (or its successor).

(3) *Notification required under section 6057(b).* The term *notification required under section 6057(b)* means either a Form 8955–SSA (or its successor) or a Form 5500 series (or its successor).

(4) *Determination of 250 returns*—(i) *In general.* For purposes of this section, a filer is required to file at least 250 returns if, during the calendar year that includes the first day of the plan year, the filer is required to file at least 250

returns of any type, including information returns (for example, Forms W–2 and Forms 1099), income tax returns, employment tax returns, and excise tax returns.

(ii) *Definition of filer.* For purposes of this section, the term *filer* means the plan administrator within the meaning of section 414(g). If the plan administrator within the meaning of section 414(g) is the employer, the special rules in § 1.6058–2(d)(3)(iii) will apply.

(e) *Example.* The following example illustrates the provisions of paragraph (d)(4) of this section:

Example. In 2014, P, the plan administrator of Plan B, is required to file 252 returns (including Forms 1099–R, ''Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.,'' Form 8955–SSA, ''Annual Registration Statement Identifying Separated Participants with Deferred Vested Benefits,'' Form 5500, ''Annual Return/Report of Employee Benefit Plan,'' and Form 945, ''Annual Return of Withheld Federal Income Tax''). Plan B's plan year is the calendar year. Because P is required to file at least 250 returns during the 2014 calendar year, P must file the 2014 Form 8955–SSA for Plan B electronically.

(f) *Effective/applicability date.* This section is applicable for registration statements and other notifications required to be filed under section 6057 for plan years that begin on or after January 1, 2014, but only for filings with a filing deadline (not taking into account extensions) after December 31, 2014.

■ **Par. 3.** Section 301.6058–2 is added to read as follows:

§ 301.6058–2 Required use of magnetic media for filing requirements relating to information required in connection with certain plans of deferred compensation.

(a) *Magnetic media filing requirements under section 6058.* A return required under section 6058 with respect to an employee benefit plan must be filed on magnetic media if the filer is required by the Internal Revenue Code or regulations to file at least 250 returns during the calendar year ending with or within the plan year. Returns filed on magnetic media must be made in accordance with applicable revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. In prescribing revenue procedures, publications, forms, and instructions, or other guidance on the IRS.gov Internet site, the Commissioner may direct the type of magnetic media filing. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

(b) *Economic hardship waiver.* The Commissioner may waive the requirements of this section in cases of undue economic hardship. The principal factor in determining hardship will be the amount, if any, by which the cost of filing the return on magnetic media in accordance with this section exceeds the cost of filing the returns on paper or other media. A request for a waiver must be made in accordance with applicable published guidance, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.) The waiver will specify the type of filing (that is, a return required under section 6058) and the period to which it applies, and will be subject to such terms and conditions regarding the method of filing as may be prescribed by the Commissioner.

(c) *Failure to file.* If a filer required to file a return under section 6058 fails to file the return on magnetic media when required to do so by this section, the filer is deemed to have failed to file the return. See section 6652(e) for the addition to tax for failure to file a return. In determining whether there is reasonable cause for failure to file the return, § 301.6652–3(b) and rules similar to the rules in § 301.6724–1(c)(3)(ii) (regarding undue economic hardship related to filing information returns on magnetic media) will apply.

(d) *Meaning of terms.* The following definitions apply for purposes of this section.

(1) *Magnetic media.* The term *magnetic media* means electronic filing, as well as other media specifically permitted under applicable regulations, revenue procedures, or publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

(2) *Return required under section 6058.* The term *return required under section 6058* means the Form 5500 series (or its successor).

(3) *Determination of 250 returns*—(i) *In general.* For purposes of this section, a filer is required to file at least 250 returns if, during the calendar year that includes the first day of the plan year, the filer is required to file at least 250 returns of any type, including information returns (for example, Forms W–2 and Forms 1099), income tax returns, employment tax returns, and excise tax returns.

(ii) *Definition of filer.* For purposes of this section, the term *filer* means the employer or employers maintaining the plan and the plan administrator within the meaning of section 414(g).

(iii) *Special rules relating to determining 250 returns.* For purposes of applying paragraph (d)(3)(ii) of this section, the aggregation rules of section 414(b), (c), (m), and (o) will apply to a filer that is or includes an employer. Thus, for example, a filer that is a member of a controlled group of corporations within the meaning of section 414(b) must file the Form 5500 series on magnetic media if the aggregate number of returns required to be filed by all members of the controlled group of corporations is at least 250.

(e) *Example.* The following example illustrates the provisions of paragraph (d)(3) of this section:

Example. In 2014, Employer X (the plan sponsor of Plan A) and P (the plan administrator of Plan A) are required to file 267 returns. Employer X is required to file the following: one Form 1120, ''U.S. Corporation Income Tax Return,'' 195 Forms W–2, ''Wage and Tax Statement,'' 25 Forms 1099–DIV, ''Dividends and Distributions,'' one Form 940, ''Employer's Annual Federal Unemployment (FUTA) Tax Return,'' and four Forms 941, ''Employer's Quarterly Federal Tax Return.'' P is required to file 40 Forms 1099–R, ''Distributions From Pensions, Annuities, Retirement, Profit-Sharing Plans, IRAs, Insurance Contracts, etc.'' P and Employer X are jointly required to file one Form 5500 series. Plan A's plan year is the calendar year. Because P and Employer X, in the aggregate, are required to file at least 250 returns during the calendar year, the 2014 Form 5500 for Plan A must be filed electronically.

(f) *Effective/applicability date.* This section is applicable for returns required to be filed under section 6058 for plan years that begin on or after January 1, 2014, but only for filings with a filing deadline (not taking into account extensions) after December 31, 2014.

■ **Par. 4.** Section 301.6059–2 is added to read as follows:

§ 301.6059–2 Required use of magnetic media for filing requirements relating to periodic report of actuary

(a) *Magnetic media filing requirements under section 6059.* An actuarial report required under section 6059 with respect to an employee benefit plan must be filed on magnetic media if the filer is required by the Internal Revenue Code or regulations to file at least 250 returns during the calendar year ending with or within the plan year. Actuarial reports filed on magnetic media must be made in accordance with applicable revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. In prescribing revenue procedures, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site, the Commissioner may direct the type of magnetic media filing. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

(b) *Economic hardship waiver.* The Commissioner may waive the

requirements of this section in cases of undue economic hardship. The principal factor in determining hardship will be the amount, if any, by which the cost of filing the reports on magnetic media in accordance with this section exceeds the cost of filing the reports on paper or other media. A request for a waiver must be made in accordance with applicable published guidance, publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.) The waiver will specify the type of filing (that is, an actuarial report required under section 6059) and the period to which it applies, and will be subject to such terms and conditions regarding the method of filing as may be prescribed by the Commissioner.

(c) *Failure to File.* If a filer required to file an actuarial report under section 6059 fails to file the report on magnetic media when required to do so by this section, the filer is deemed to have failed to file the report. See section 6692 for the penalty for the failure to file an actuarial report. In determining whether there is reasonable cause for failure to file the report, § 301.6692–1(c) and rules similar to the rules in § 301.6724–1(c)(3)(ii) (regarding undue economic hardship related to filing information returns on magnetic media) will apply.

(d) *Meaning of terms.* The following definitions apply for purposes of this section.

(1) *Magnetic media.* The term *magnetic media* means electronic filing, as well as other media specifically permitted under applicable regulations, revenue procedures, or publications, forms, instructions, or other guidance on the IRS.gov Internet Web site. (See § 601.601(d)(2)(ii)(*b*) of this chapter.)

(2) *Actuarial report required under section 6059*—(i) *Single employer plans.* For a single employer plan, the term *actuarial report required under section 6059* means the Schedule SB, ''Single-Employer Defined Benefit Plan Actuarial Information,'' of the Form 5500 series (or its successor).

(ii) *Multiemployer and certain money purchase plans.* For multiemployer and certain money purchase plans, the term *actuarial report required under section 6059* means the Schedule MB, ''Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information,'' of the Form 5500 series (or its successor).

(3) *Determination of 250 returns*—(i) *In general.* For purposes of this section, a filer is required to file at least 250 returns if, during the calendar year that includes the first day of the plan year, the filer is required to file at least 250 returns of any type, including information returns (for example, Forms W–2 and Forms 1099), income tax returns, employment tax returns, and excise tax returns.

(ii) *Definition of filer.* For purposes of this section, the term *filer* means the plan administrator within the meaning of section 414(g). If the plan administrator within the meaning of section 414(g) is the employer, the special rules in § 1.6058–2(d)(3)(iii) will apply.

(e) *Example.* The following example illustrates the provisions of paragraph (d)(3) of this section:

Example. In 2014, P, the plan administrator of Plan B (a single employer defined benefit plan), is required to file 266 returns (including Forms 1099–R ''Distributions From Pensions, Annuities, Retirement, Profit-Sharing Plans, IRAs, Insurance Contracts, etc.'' and one Form 5500 series). Plan B's plan year is the calendar year. Because P is required to file at least 250 returns during the calendar year, P must file the 2014 Schedule SB of the Form 5500 series for Plan B electronically.

(f) *Effective/applicability date.* This section is applicable for actuarial reports required to be filed under section 6059 for plan years that begin on or after January 1, 2014, but only for filings with a filing deadline (not taking into account extensions) after December 31, 2014.

Beth Tucker,

Deputy Commissioner for Operations Support.

[FR Doc. 2013–21159 Filed 8–29–13; 8:45 am]

BILLING CODE 4830–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2013–0408; FRL–9900–57–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Delaware; Infrastructure Requirements for the 2008 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) submittal from the State of Delaware pursuant to the Clean Air Act (CAA). Whenever new or revised national ambient air quality standards (NAAQS) are promulgated, the CAA requires states to submit a plan for the implementation, maintenance, and enforcement of such NAAQS. The plan is required to address basic program elements, including, but not limited to, regulatory structure, monitoring, modeling, legal authority, and adequate resources necessary to assure attainment and maintenance of the standards. These elements are referred to as infrastructure requirements. Delaware has made a submittal addressing the infrastructure requirements for the 2008 8-hour ozone NAAQS. This action proposes to approve portions of this submittal.

DATES: Written comments must be received on or before September 30, 2013.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R03–OAR–2013–0408 by one of the following methods:

A. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. *Email: fernandez.cristina@epa.gov.*

C. *Mail:* EPA–R03–OAR–2013–0408, Cristina Fernandez, Associate Director, Office of Air Program Planning, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R03–OAR–2013–0408. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your

comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 814–2182, or by email at *quinto.rose@epa.gov*.

SUPPLEMENTARY INFORMATION: On March 27, 2013, the Delaware Department of Natural Resources and Environmental Control (DNREC) submitted a revision to its SIP to satisfy the requirements of section 110(a)(2) of the CAA for the 2008 8-hour ozone NAAQS.

I. Background

On March 27, 2008 (73 FR 16436), EPA promulgated a revised NAAQS for ozone based on 8-hour average concentrations. EPA revised the level of the 8-hour ozone NAAQS from 0.08 parts per million (ppm) to 0.075 ppm. Pursuant to section 110(a)(1) of the CAA, states are required to submit SIPs meeting the applicable requirements of section 110(a)(2) within three years after promulgation of a new or revised NAAQS or within such shorter period as EPA may prescribe. Section 110(a)(2) requires states to address basic SIP elements such as requirements for monitoring, basic program requirements and legal authority that are designed to assure attainment and maintenance of the NAAQS. Section 110(a) imposes the obligation upon states to make a SIP submission to EPA for a new or revised NAAQS, but the contents of that submission may vary depending upon the facts and circumstances. In particular, the data and analytical tools available at the time the state develops and submits the SIP for a new or revised NAAQS affects the content of the submission. The content of such SIP submission may also vary depending upon what provisions the state's existing SIP already contains.

In the case of the 2008 8-hour ozone NAAQS, states typically have met the basic program elements required in section 110(a)(2) through earlier SIP submissions in connection with the 1997 8-hour ozone NAAQS. More specifically, section 110(a)(1) provides the procedural and timing requirements for SIPs. Section 110(a)(2) lists specific elements that states must meet for ''infrastructure'' SIP requirements related to a newly established or revised NAAQS. As mentioned above, these requirements include basic SIP elements such as requirements for monitoring, basic program requirements and legal authority that are designed to assure attainment and maintenance of the NAAQS.

II. Summary of State Submittal

On March 27, 2013, Delaware provided a submittal to satisfy section 110(a)(2) of the CAA requirements, that is the subject of this proposed rulemaking, for the 2008 8-hour ozone NAAQS. This submittal addressed the following infrastructure elements: Section 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M).

EPA has analyzed the above identified submission and is proposing to make a determination that such submittal meets the requirements of section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) of the CAA, with the exception of the Part D, Title I nonattainment planning requirements of section 110(a)(2)(I), and the portion of the submittal relating to section 110(a)(2)(D)(i)(I) on which EPA will take separate actions. A detailed summary of EPA's review and rationale for approving Delaware's submittal may be found in the Technical Support Document (TSD) for this action which is available on line at *www.regulations.gov,* Docket number EPA–R03–OAR–2013–0408.

This proposed rulemaking action does not include section 110(a)(2)(I) of the CAA which pertains to the nonattainment requirements of part D, Title I of the CAA, because this element is not required to be submitted by the 3-year submission deadline of section 110(a)(1) of the CAA, and will be addressed in a separate process. This proposed rulemaking action also does not address section 110(a)(2)(D)(i)(I) of the CAA. In accordance with the decision of the U.S. Court of Appeals for the District of Columbia (D.C. Circuit Court), EPA at this time is not treating the 110(a)(2)(D)(i)(I) SIP submission from Delaware as a required SIP submission. *See EME Homer City Generation, L.P.* v. *EPA, 696 F .3d 7* (D.C. Cir. 2012), *cert. granted,* 2013 U.S. Lexis 4801 (2013). On June 24, 2013, the Supreme Court granted the petitions of the United States and others and agreed to review this D.C. Circuit Court decision. However, at this time the D.C. Circuit Court decision remains in place and unless it is reversed or otherwise modified by the Supreme Court, states are not required to submit 110(a)(2)(D)(i)(I) SIPs until EPA has quantified their obligations under that section. EPA will address the portion of Delaware's March 27, 2013 SIP submittal addressing section 110(a)(2)(D)(i)(I) in a separate action.

III. Proposed Action

EPA is proposing to approve Delaware's submittal that provides the basic program elements specified in section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M), necessary to implement, maintain, and enforce the 2008 8-hour ozone NAAQS, with the exception of the Part D, Title I nonattainment planning requirements of section 110(a)(2)(I), and the portion of the submittal relating to section 110(a)(2)(D)(i)(I) on which EPA will take separate actions. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

• is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

• does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

• does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

• is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

• is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

• is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

• does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rulemaking action pertaining to Delaware's section 110(a)(2) infrastructure requirements for the 2008 8-hour ozone NAAQS, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 20, 2013.

W.C. Early,

Acting Regional Administrator, Region III.

[FR Doc. 2013–21270 Filed 8–29–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2013–0453; FRL–9835–3]

Revisions to the California State Implementation Plan, Placer, Santa Barbara and Ventura County Air Pollution Control Districts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the Placer County Air Pollution Control District (PCAPCD), Santa Barbara County Air Pollution Control District (SBCAPCD) and Ventura County Air Pollution Control District (VCAPCD) portions of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from adhesives and sealants. We are proposing to approve local rules to regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments on this proposal must arrive by September 30, 2013.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2013–0453, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.

2. *Email: steckel.andrew@epa.gov.*

3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at *www.regulations.gov,* some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Andy Steckel, EPA Region IX, (415) 947–4115, *Steckel.andrew@epa.gov.*

SUPPLEMENTARY INFORMATION: This proposal addresses the following local rules: PCAPCD Rule 235, Adhesives, SBCAPCD Rule 353, Adhesives and Sealants and VCAPCD Rule 74.20, Adhesives and Sealants. In the Rules and Regulations section of this **Federal Register,** we are approving these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. Please note that if we receive adverse comments on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: June 28, 2013.

Alexis Strauss,

Acting Regional Administrator, Region IX.

[FR Doc. 2013–20918 Filed 8–29–13; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 773

Federal Railroad Administration

49 CFR Part 264

Federal Transit Administration

49 CFR Part 622

[Docket No. FHWA–2013–0022]

FHWA RIN 2125–AF50
FRA RIN 2130–AC45
FTA RIN 2132–AB15

Surface Transportation Project Delivery Program Application Requirements

AGENCY: Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Railroad Administration (FRA), DOT.

ACTION: Notice of proposed rulemaking (NPRM); request for comments.

SUMMARY: This NPRM provides interested parties with the opportunity to comment on proposed regulations that would govern the application requirements for the Surface Transportation Project Delivery Program (Program). The proposed regulations are prompted by enactment of the *Moving Ahead for Progress in the 21st Century Act* (MAP–21), which converted the Surface Transportation Project Delivery Pilot Program into a permanent program, allows any State to apply for the Program, expanded the scope of the Secretary's responsibilities that may be assigned and assumed under the Program, and created a renewal process for Program participation. The FHWA, FTA, and FRA, hereinafter referred to as the ''Agencies,'' seek comments on the proposals contained in this NPRM.

DATES: Comments must be received on or before October 29, 2013.

ADDRESSES: To ensure that you do not duplicate your docket submissions, please submit them by only one of the following means:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave., SE., W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Ave., SE., between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366–9329.
- *Instructions:* You must include the agency name and docket number or the Regulatory Identification Number (RIN) for the rulemaking at the beginning of your comments. All comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

FOR FURTHER INFORMATION CONTACT: For FHWA: Carol Braegelmann, Office of Project Delivery and Environmental Review (HEPE), (202) 366–1701, or Jomar Maldonado, Office of the Chief Counsel (HCC), (202) 366–1373, Federal Highway Administration, 1200 New Jersey Ave., SE., Washington, DC 20590–0001. For FTA: Adam Stephenson, Office of Planning and Environment (TPE), (202) 366–5183, or Dana Nifosi, Office of Chief Counsel (TCC), (202) 366–4011. For FRA: David Valenstein, Office of Railroad Policy and Development (RPD), (202) 493–6368, or Zeb Schorr Office of Chief Counsel (RCC), (202) 493–6072. Office hours are from 8:00 a.m. to 4:30 p.m. e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Section 6005 of the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA–LU), 109 Public Law 59, 119 Stat. 1144, 1868–1872 (codified at 23 United States Code (U.S.C.) 327), established a pilot program allowing the Secretary to assign, and for certain States to assume, the Federal responsibilities for the review of highway projects under the National Environmental Policy Act of 1969 (NEPA) and responsibilities for environmental review, consultation or other action required under any Federal environmental law pertaining to the review. The pilot program was limited to five States and was set to expire on September 30, 2012. Pursuant to 23 U.S.C. 327(b)(2), FHWA promulgated regulations in part 773 of title 23 of the Code of Federal Regulations (CFR) on the information that States must submit as part of their applications to participate in the pilot program (72 FR 6470 (Feb. 12, 2007)).

On July 6, 2012, President Obama signed into law the *Moving Ahead for Progress in the 21st Century Act* (MAP–21), Public Law 112–141, 126 Stat. 405, which contains new requirements that the Secretary of Transportation (Secretary) must meet in complying with various environmental requirements. Section 1313 amended 23 U.S.C. 327, by: (1) Converting the pilot program into a permanent program (Program); (2) removing the five-State limit; (3) expanding the scope of assignment and assumption for the Secretary's responsibilities to include railroad, public transportation, and multimodal projects; and (4) allowing a renewal option for program participation. Section 1313 also amended 23 U.S.C. 327(b)(2) by requiring the Secretary to amend—within 270 days from the date of MAP–21's enactment (October 1, 2012)—the regulations concerning the information required in a State's application to participate in the Program. The Agencies are initiating this rulemaking to address that requirement.

General Discussion of the Proposals

This NPRM proposes to revise part 773 in title 23 to account for changes to the Program application process as a result of MAP–21. The NPRM also proposes to to create a new part 264 in title 49 to cross-reference the Program application procedures for the benefit of FRA applicants. Finally, the NPRM proposes to add a reference to 23 U.S.C. 327 and the Program application procedures in 49 CFR part 622, subpart A—Environmental Procedures for the benefit of FTA applicants. The NPRM is limited to the application process and the information the Agencies require from any eligible State interested in applying to the Program. Specifically, the proposal provides for applicant eligibility criteria, projects and responsibilities that are eligible or ineligible for assignment, pre-application procedures, content and submittal procedures for the application, review and approval procedures, and procedures for the renewal of participation in the Program. In addition, the proposal provides a provision on the authority for termination of Program participation. The application requirements would apply to eligible States interested in applying for the Secretary's responsibilities under NEPA and other Federal environmental laws with respect to certain highway, railroad, public transportation, and multimodal projects. As part of this NPRM, the Agencies are seeking input on options for implementing MAP–21's direction to provide for assignment and assumption of environmental review responsibilities with respect to multimodal projects.

Under the Program, an eligible State may apply for the assignment and assumption of the Secretary's responsibilities under NEPA for eligible surface transportation projects. The Secretary's responsibilities under NEPA

include making categorical exclusion determinations, developing and issuing environmental assessments (EA), issuing Findings of No Significant Impacts (FONSI), and engaging in the environmental impact statement (EIS) process, including, but not limited to, developing and issuing draft, final, and supplemental EISs, issuing Records of Decision, and engaging in re-evaluations. States also may request the assignment and assumption of the Secretary's responsibilities for environmental reviews, consultations, or other actions required by other Federal environmental requirements pertaining to the review of the eligible surface transportation projects. Examples of such other Federal environmental requirements include evaluations, determinations, and consultations under section 106 of the National Historic Preservation Act (NHPA), section 7 of the Endangered Species Act, and 23 U.S.C. 138 and 49 U.S.C. 303 (section 4(f)). The Secretary has delegated NEPA and other Federal environmental review responsibilities pertaining to the review and approval of highway, railroad, and public transportation projects, as well as the administration and implementation of this Program to the Agencies pursuant to 49 CFR 1.81.

Although a State may submit simultaneous applications, obtaining assignment for the Secretary's environmental review responsibilities for highway projects is a precondition for obtaining assignment of environmental review responsibilities for non-highway projects (i.e., railroad, public transportation, and multimodal projects). Termination of assignment and assumption for responsibilities with respect to highway projects also would terminate assignment and assumption for responsibilities with respect to non-highway projects.

It is important to note that this NPRM is focused on the application procedures for eligible States as required in 23 U.S.C. 327(b)(2). The Agencies have determined that, with the exception of the termination provision, regulations on the implementation of the Program are not needed at this time. As a result, this NPRM does not address other aspects of the Program, such as the auditing and monitoring requirements, content of Memoranda of Understanding (MOU), or responsibilities associated with litigation. The Agencies anticipate developing guidance on these issues in the future.

Section-by-Section Discussion of Changes

This section provides an overview of the proposed changes to 23 CFR part 773 and 49 CFR part 622, and proposed new part 264 in 49 CFR. The Agencies have relied heavily on FHWA's experience in the development and implementation of the current part 773 regulations.

23 CFR Part 773 Title—Surface Transportation Project Delivery Program Application Requirements and Termination

The Agencies propose a title to this part that clearly describes the scope of the part. As discussed above, the NPRM does not address implementation procedures and requirements, other than a termination provision.

Section 773.101—Purpose

The Agencies propose a section to explain the purpose of the Program and to reflect the scope of the Secretary's responsibilities eligible for assignment and State assumption. A notable difference from the current 23 CFR 773.101 is that the proposed section recognizes the expanded responsibilities that can be assigned (i.e., railroad, public transportation, and multimodal projects).

Section 773.103—Definitions

The Agencies propose a section similar to current 23 CFR 773.103 to provide definitions for specific terms that have special significance to an application under this Program. In addition to terms that were originally defined in section 773.103, the Agencies' proposal would add definitions for MOU, multimodal project, NEPA, Operating Administration, public transportation project, and railroad project.

The Agencies propose to define the term ''classes of projects'' as ''either a defined group of projects or all projects to which Federal environmental laws apply.'' The proposal is different from the definition of ''classes of highway projects'' in the current 23 CFR 773.103 because it eliminates the ''highway'' modifier. Under the Program, a State may request assignment for particular projects and identify them in the application. However, a State also may describe a class of projects instead of or in addition to specific projects. For example, a State requesting and obtaining assignment of ''all highway projects located outside the Interstate System'' would be responsible for the environmental review of any future highway project fitting the class for the duration of the term of the agreement. The Agencies also may make assignment decisions based on classes of projects. For example, an Agency may decide to retain responsibility for a particular class of projects (e.g., multimodal projects where the State has not received assignment from the other Agencies, projects within or crossing Federal lands, projects within or crossing Tribal lands).

The proposed definition of ''Federal environmental law'' is similar to the current definition in 23 CFR 773.103. This definition includes Executive Orders, which were added to the final rule definition of ''Federal environmental law'' in 23 CFR 773.103 (72 FR at 6465). In adding Executive Orders to the current definition in § 773.103, FHWA noted that the purpose of Executive Orders was to improve the internal management and administration of the Executive Branch of the Federal Government and did not create any legally enforceable rights. In adopting this definition, the Agencies reiterate this point and note that nothing in this rulemaking process is intended to change the legal force and effect of any Federal statute, regulation, or Executive Order cited herein. Notable differences between the proposed definition and the current definition in § 773.103 are the explicit inclusion of the terms ''railroad,'' ''public transportation'' and ''multimodal projects''; deletion of specific references to non-assignability of Clean Air Act (CAA) conformity determinations and the Secretary's transportation planning responsibilities; and deletion of a provision explaining that only those laws that are inherently environmental are assignable. The Agencies propose to move the notification of restrictions (i.e., CAA conformity, transportation planning, and responsibilities that are not inherently environmental) to the eligibility section.

The Agencies propose to define ''highway projects'' as ''any undertaking to construct (including initial construction, reconstruction, replacement, rehabilitation, restoration, or other improvements) a highway, bridge, or tunnel, or any portion thereof, including environmental mitigation activities, which is authorized under title 23 U.S.C. A highway project may include an undertaking that involves a series of contracts or phases, such as a corridor, and also may include anything that may be constructed in connection with a highway, bridge, or tunnel. The term highway project does not include any project authorized under 23 U.S.C. 202, 203, or 204 unless the State will design or construct the project.'' This proposed definition is similar to the

highway definition in the current 23 CFR 773.103 with the notable difference that it eliminates limitations in the current definition for priority projects under Executive Order 13274, *Environmental Stewardship and Transportation Infrastructure Project Reviews* and projects receiving funds through chapter 53 of title 49, U.S.C. The Agencies proposed provision in § 773.105(d) would address situations where projects should be retained for various reasons, including designation of priority project status under Executive Order 13274. The exclusion of projects funded through chapter 53 of title 49, U.S.C., has been eliminated because the MAP–21 revisions now authorize the use of the Program for multimodal projects. The Agencies propose to retain the exclusion of Federal Lands Highways projects. Instead of making a reference to Federal Lands Highways, the Agencies propose to reference the provisions authorizing such projects (i.e., 23 U.S.C. 202, 203, and 204). In some limited cases, a State may design and construct a project authorized under these provisions. These would be considered highway projects under the definition, and their assignment would be subject to the conditions established in the agreement.

The proposed definition would not include the last sentence in the highway project term in the current version of 23 CFR part 773. This provision was added in the current part 773 rule to address concerns expressed by Federal agencies that the exclusion of multimodal projects in assignments under the Program would have encouraged participating States to limit the consideration of reasonable alternatives (72 FR 6465). This restriction is no longer needed since the MAP–21 revisions now authorize assignment of multimodal projects under the Program. States participating in the Program are expected to follow the same standards for environmental review as Federal agencies. This includes NEPA's requirement for lead agencies to consider, in some circumstances, reasonable alternatives that would be outside their jurisdiction (40 CFR 1502.14(c)). Participating States would be expected to consider alternatives, whenever appropriate and reasonable, that meet the purpose and need for the action, but would result in a project for which it does not have all assigned environmental review responsibilities (e.g., multimodal project).

The Agencies propose to define ''MOU'' as ''Memorandum of Understanding, a written agreement that complies with 23 U.S.C. 327(b)(4)(C) and (c), and this part.'' Section 327(b)(4)(C) of title 23, U.S.C., establishes that one of the conditions for selection is that the head of the State agency having primary jurisdiction over highway matters enters into a written agreement with the Secretary. Section 327(c) describes the requirements for the agreements.

The Agencies propose to define the term ''multimodal project'' for this part as a ''project that falls under the jurisdiction by law or special expertise of two or more DOT Operating Administrations.'' This term is broader than the statutory term of ''multimodal project'' in 23 U.S.C. 139, which limits ''multimodal projects'' to projects funded in whole or in part by either FHWA or FTA. For example, for purposes of the Program, a project funded in whole by FRA and that would receive no funding from FHWA or FTA but that would fall under the jurisdiction by law or special expertise of these Agencies would be considered a multimodal project under the proposed definition.

The Agencies propose to define ''NEPA'' as the ''National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*).''

The Agencies propose to define ''Operating Administration'' as ''any agency established within the DOT, including the Federal Aviation Administration, Federal Highway Administration (FHWA), Federal Motor Carrier Safety Administration, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Maritime Administration, National Highway Traffic Safety Administration, Office of the Secretary of Transportation, Pipeline and Hazardous Materials Safety Administration, Research and Innovative Technology Administration, and Saint Lawrence Seaway Development Corporation.''

The Agencies propose to define the ''Program'' as the '''Surface Transportation Project Delivery Program' established under 23 U.S.C. 327.''

The Agencies propose to define ''public transportation project'' as ''a capital project or operating assistance for 'public transportation,' as defined in chapter 53 of title 49, U.S.C.''

The Agencies propose to define ''railroad project'' as ''any undertaking eligible for financial assistance from FRA to construct (including initial construction, reconstruction, replacement, rehabilitation, restoration, or other improvements) a railroad, as that term is defined in 49 U.S.C. 20102, including: environmental mitigation activities; an undertaking that involves a series of contracts or phases, such as a railroad corridor; and anything that may be constructed in connection with a railroad. The term railroad project does not include any undertaking in which FRA provides financial assistance to Amtrak.''

The Agencies propose to define ''State'' to mean ''any agency under the direct jurisdiction of the Governor of any of the 50 States or Puerto Rico, or the mayor in the District of Columbia, which is responsible for implementing highway, railroad, public transportation, or multimodal projects eligible for assignment. State does not include agencies of local governments, transit authorities or commissions under their own board of directors, or State-owned corporations.''

Section 773.105—Eligibility

The Agencies propose an eligibility section to describe eligible applicants, eligible and ineligible responsibilities for assignment, and ineligible projects. Paragraph (a) proposes to establish the requirements for an Applicant to be eligible and to retain eligibility for Program participation. The proposed use of the phrase ''retain eligibility'' is intended to provide notice that any change in the State's circumstances or laws that creates a conflict with these requirements could result in termination of the State's participation in the Program. The conditions for Applicants' eligibility for the Secretary's responsibilities with respect to highway projects would be described first because highway assignment is a prerequisite for the assignment of the Secretary's responsibilities with respect to non-highway projects (23 U.S.C. 327(a)(2)(B)).

Under the proposed regulation, the State agency seeking and obtaining the assignment must be the State Department of Transportation (State DOT) for highway and railroad projects. The State must consent to accept the jurisdiction of the Federal courts for compliance, discharge, and enforcement of any responsibility of the Secretary that the State is seeking (23 U.S.C. 327(c)(3)(B)). State law would dictate how a State can achieve this waiver declaration of its sovereign immunity under the 11th Amendment of the U.S. Constitution. For example, in some States the authority to waive State sovereign immunity is reserved for the legislature. In other States, the authority may have been delegated to the State's Attorney General. In addition to these requirements, the State must have in place laws that authorize the State to take actions necessary to carry out the responsibilities it is assuming (23 U.S.C. 327(c)(3)(C)(i)); must have laws that are

comparable to the Federal Freedom of Information Act (5 U.S.C. 552) (FOIA), including providing that decisions regarding public availability of documents under the State law be reviewable by a court of competent jurisdiction (23 U.S.C. 327(c)(3)(C)(ii)); and must have the financial resources necessary to carry out the responsibilities being assumed (23 U.S.C. 327(c)(3)(D)).

The proposed regulation would require States to adhere to the same conditions for assumption of the Secretary's responsibilities with respect to non-highway projects with two exceptions: (1) For public transportation projects, the State agency applying for assignment would not have to be a State DOT and (2) as noted above, a State would be required to obtain and maintain assignment of responsibilities with respect to one or more highway projects. This latter exception would mean that termination of assignment of responsibilities with respect to highway projects for a State would be cause for termination of assignment of responsibilities with respect to that State's non-highway projects under the proposed regulation.

Paragraph (b) proposes to establish eligible and ineligible responsibilities. A State seeking participation in the Program must request and obtain assignment for all NEPA responsibilities for the project(s) or classes of projects being sought. This proposed regulation would not permit assignment of only select aspects of the NEPA responsibilities (e.g., developing and approving only EAs and FONSIs). However, in accordance with 23 U.S.C. 327(a)(2)(B)(i), a State does not have to seek all environmental review responsibilities. As an example, a State may decide to seek all environmental review responsibilities with the exception of those associated with section 106 of the NHPA.

As established by 23 U.S.C. 327(a)(2)(B)(iv), the list of ineligible responsibilities would include conformity determinations under section 176(c) of the CAA and the Secretary's responsibilities under transportation planning legal requirements (23 U.S.C. 134 and 135; 49 U.S.C. 5303 and 5304). The list also would include government-to-government consultation with Tribal governments (see Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*). Proposed paragraph (b) would clarify that the Secretary's responsibilities that are not related to the environmental review process are not eligible for assignment and assumption under this Program. For example, in the highway context, approvals of changes to Interstate access, issuance of Buy America waivers, and approval of Interstate and National Highway System design exceptions are not considered to be environmental review responsibilities that can be assigned through this Program.

In addition, proposed paragraph (b)(6) would exclude the assignment of the Secretary's environmental review responsibilities for actions of DOT Operating Administrations other than FHWA, FRA, and FTA, providing notice to potential applicant States that the Secretary's responsibilities for other portions of multimodal projects are not assignable under the Program. For example, in a situation where a highway, railroad, or public transportation project will either receive funding or require the approval of another DOT Operating Administration not covered by the Program (e.g., Maritime Administration (MARAD) or Federal Aviation Administration (FAA)), the State may request and receive assignment of the FHWA, FRA, or FTA environmental review responsibilities, but would not be able to request or receive assignment of the other Operating Administration's environmental review responsibilities. The Agencies have determined that this approach is consistent with section 1313 of MAP–21. The Agencies have denominated the proposal as option 1. The Agencies specifically request public comment on the feasibility of and interest in this proposal.

The Agencies evaluated other approaches for implementing the statute's direction to provide for assignment of environmental review responsibilities with respect to multimodal projects. Under option 2 the rule would have allowed assignment of environmental review responsibilities for elements of a multimodal project not explicitly listed in the statute (e.g., airports, motor carrier safety, port, and pipeline/hazardous materials safety). Option 2 would have allowed the assignment of environmental review responsibilities even when the largest element of the project is an element that was not specifically listed in the law. For example, under this reading a project that is in its majority an airport project, but that has a minor public transportation element, would be assignable under the Program as a multimodal project. The Agencies considered various factors in pursuing option 1 rather than option 2. The broader interpretation in option 2 could create administrative difficulties in its implementation. For example, Operating Administrations other than FHWA, FRA, and FTA would need to become familiar with, participate, and budget for the auditing and monitoring process. Furthermore, it is more common for MARAD and FAA projects to involve third-party sponsoring entities other than a State (e.g., port and airport authorities) that are ineligible for assignment and who may want DOT to retain its responsibilities. In addition, neither the MAP–21 nor its legislative history provide clear direction that the provision should be implemented in its broadest sense. Therefore, the Agencies did not believe that option 2 was reasonable or consistent with this provision. See *U.S. Telecom Ass'n* v. *F.C.C.,* 359 F. 3d 554, 566 (D.C. Cir. 2004) (holding that Federal agencies may not subdelegate to outside entities—private or sovereign—absent affirmative evidence of authority to do so).

Despite issues described in the previous paragraph, if the Agencies were to pursue option 2, the Agencies envision that the application process would proceed in the following manner: (1) A State would request the responsibilities for multimodal projects through the Office of the Secretary of Transportation (OST); (2) OST would send the request to all affected DOT Operating Administrations for their coordination, review, and approval; (3) if approved, the Operating Administrations would enter into agreements with the State and would share responsibility for the oversight (i.e., audit and monitoring requirements) with respect to the assigned environmental review responsibilities that would have otherwise been under their jurisdiction. Obtaining assignment for the Secretary's environmental review responsibilities with respect to highway projects would continue to be a precondition of obtaining assignment for the Secretary's environmental review responsibilities for non-highway projects. However, the Agencies do not consider option 2 reasonable or consistent with this provision, as outlined in the previous paragraph. The Agencies specifically request public comment on the feasibility of and interest in this option.

Under option 3, the Agencies considered a more limited approach than option 1, where the only multimodal projects considered for assignment are those made up of highway, railroad, and/or public transportation components and where the State successfully obtains assignment for all of the Secretary's environmental review responsibilities for the project. Under such scenario, a

State may obtain assignment of a highway-railroad, railroad-public transportation, highway-public transportation, or highway-railroad-public transportation project if the State successfully obtains assignment from the Operating Administrations involved. Projects that have components of other DOT Operating Administrations would not be eligible for assignment. Restricting the assignment to situations where the State successfully obtains assignment for all the environmental review responsibilities involved (i.e., highway, railroad, and/or public transportation) would address complexities that could result from having a State acting for the Secretary and a DOT Operating Administration working together in a multimodal project. Examples of such complexities include the process for handling conflict resolution when a State has assumed the Secretary's responsibilities and a DOT Operating Administration is the other party involved in the conflict; joint legal representation issues when a participating State and another DOT Operating Administration are involved; and the potential impacts on privileges, such as protections for deliberative materials. The Agencies believe that this approach may be overly restrictive. The Agencies specifically request public comment on the feasibility of and interest in this option.

Proposed paragraph (c) would describe classes of projects that are ineligible for assignment. Ineligible classes of projects would include those that cross State boundaries and those that cross or are at international boundaries. Federal interest in these types of projects would warrant the active participation and involvement of the Agencies in the environmental review. Section 1503 of MAP–21 amends 23 U.S.C. 106 by creating a category of projects—high risk category—for which FHWA may not assign its responsibilities under 23 U.S.C. 106 to a State (see 23 U.S.C. 106(c)(4)). Paragraph (c) proposes to apply this assignment limitation to assignments under the Program.

Finally, the Agencies are proposing paragraph (d) to reiterate that they have discretion to reject assignment of eligible responsibilities or projects under the Program. Under the pilot program, FHWA did not allow assignment to the State of the responsibility for environmental review of projects identified for oversight under Executive Order 13274. The Agencies have determined that Executive Order 13274 projects may not be the only projects that warrant high-level involvement from the Agencies. The proposed paragraph (d) would entitle the Agencies to reject the assignment for a project under the Program based on unique circumstances surrounding the project or group of projects. For example, responsibilities for which the Operating Administration could exercise this discretion include the Secretary's environmental review responsibilities for projects that raise unique issues or precedent-setting analyses, or for projects that are within or cross Federal or Tribal lands.

Section 773.107—Pre-application Requirements

The Agencies propose this section to discuss pre-application requirements. Paragraph (a) proposes a pre-application coordination meeting between the appropriate Division, Regional, or Headquarters office of the Operating Administration and the State requesting the assignment. The purpose of this meeting would be to understand the State's interests, to identify the responsibilities that would be the subject of the application, and to establish timelines for the application process. This coordination would be important for clarifying any issues and questions regarding the application process and Program implementation. For example, this meeting would be useful for addressing issues related to the handling of multimodal projects. The meeting could establish the State's interest in assuming responsibility for specific multimodal projects or a class of multimodal projects, procedures that may be needed for seeking assignment of multimodal projects not identified at the time of application, and discussion of classes of multimodal projects that may be best handled on a case-by-case basis. It may be useful for the State and the relevant Operating Administration(s) to discuss possible scenarios for the identification of multimodal projects, such as situations where a project can be identified as a multimodal project early in project planning or at a later stage (e.g., where a project that started out as a highway, public transportation, or railroad and changes into a multimodal project during alternatives analysis). The meeting could also be useful for discussing how the State proposes to address environmental review for special classes of projects such as those that affect Federal or Tribal lands.

Paragraph (b) proposes to establish public notification responsibilities for States applying for Program participation. The proposed language is similar to the statutory language in 23 U.S.C. 327(b)(2)(C) (requiring States to provide evidence of the notice and solicitation and copies of the comments received) and section 327(b)(3) (requiring States to provide notification 30 days before the application submission and authorizing States to provide notice and solicit comments in accordance with the State laws for public notification). The Agencies have also included a requirement for the State to seek comments from resource agencies—those Federal, State, and Tribal agencies that have oversight or interest over protected resources in their State. This information would be useful for the Agencies' compliance with section 327(b)(5) (requiring the Secretary to solicit the views of Federal agencies that would have consultation responsibilities for assigned projects).

The Agencies propose a requirement, under paragraph (b)(1), for applicant States seeking the Secretary's responsibilities with respect to public transportation, to identify and solicit comments from recipients of assistance under chapter 53 of title 49, U.S.C. This would assist FTA in identifying recipients of assistance under chapter 53 of title 49, U.S.C., who would want FTA to maintain the responsibilities for a public transportation project pursuant to section 327(a)(2)(B)(iii). The FTA would consider this information in its final assignment decision.

The Agencies propose paragraphs (c) and (d) to encourage States to identify their respective processes for consenting to Federal court jurisdiction and to cure any deficiency with respect to any State information disclosure law or regulation that would make it inconsistent with FOIA. The process for consenting to Federal court jurisdiction may vary from State to State. These paragraphs propose to clarify that States must start this process as soon as possible and must complete it before submitting the application.

Section 773.109—Application Requirements

Section 773.109 proposes to include the application requirements. The proposal includes application provisions similar to those in current regulation 23 CFR 773.106. Notable differences from current § 773.106 are the inclusion of application procedures for railroad, public transportation, and multimodal project environmental review responsibilities; a paragraph encouraging electronic submissions; a paragraph discussing the joint application process; and a paragraph authorizing the Agencies to seek additional information.

The proposal defines the application requirements for the FHWA's responsibilities with respect to highway

projects first because obtaining highway assignment is a precondition to obtaining responsibilities for non-highway projects. As specified in proposed § 773.105(a)(1)(i) the State entity seeking to participate in the Program must be the State DOT. Paragraph (a)(1) proposes to require the State to set forth in its application the highway projects or classes of highway projects for which it is seeking to obtain the Secretary's NEPA responsibilities. Proposed paragraph (a)(2) would require the State's application to identify which environmental review responsibilities, in addition to NEPA, it is seeking to obtain. As discussed in this preamble, a State must seek all NEPA responsibilities, but may seek either all, some, or none of the Secretary's responsibilities with respect to the other Federal environmental laws.

Proposed paragraph (a)(3) would require a State to discuss how it intends to carry out the responsibilities. Under the proposal, a State would need to provide a summary of that State's procedures currently in place to guide the process. A State would need to provide these procedures to FHWA either electronically or by submitting a hard copy. The proposal also would require a State to discuss any management changes it has made or will make to ensure good quality analyses. The proposal also would require a State to identify the process it will use for identifying projects that deserve higher scrutiny within that State. This requirement stems from the FHWA and FTA joint NEPA procedures at 23 CFR 771.125(c), which identifies situations where a Final EIS must be submitted from the Division or Region to Headquarters for approval. Under § 771.125(c), FHWA's Headquarters office would need to approve the Final EIS for projects where: (1) Additional coordination with other Federal, State, or local government agencies is needed; (2) the social, economic, or environmental impacts of the action may need to be explored more fully; (3) the impacts of the action are unusually great; (4) major issues remain unresolved; or (5) the action involves national policy issues. The proposed provision would require States to develop an analogous process to ensure that the State's Headquarters office approves the Final EIS for particular types of projects before they can proceed.

Proposed paragraph (a)(4) would require a State to describe its staff resources and any organizational changes it has made or will make to carry out the responsibilities sought. Proposed paragraph (a)(5) would require a State to summarize the financial resources available to carry out the responsibilities, the resource and staffing needs, and to provide a commitment that financial resources will be made available to meet these needs. These requirements stem from 23 U.S.C. 327(b)(4)(B) and (c)(3)(D).

Proposed paragraphs (a)(6) through (8) would require a State to provide evidence that it has waived its sovereign immunity with respect to the Secretary's responsibilities it is seeking to acquire, that it has laws comparable to FOIA, and that it has met the notice and solicitation of public comment requirements. The evidence sought for the sovereign immunity waiver and the FOIA requirement would take the form of a certification from the State's Attorney General or other State official legally empowered by State law to make such certification. This certification requirement stems from 23 U.S.C. 327(c)(3)(C).

Under proposed paragraph (a)(9), the Agencies would require a State to provide a point of contact for questions regarding the application and a point of contact for questions regarding the implementation of the Program in that State. These two points of contacts may be the same individual.

The Agencies propose paragraph (a)(10) to require a Governor, or the Mayor in the District of Columbia, to sign the application as acknowledgment of the commitment to provide resources for the implementation of the Program and the consent to exclusive Federal court jurisdiction for cases arising from the implementation of the Program in the State.

Proposed paragraph (b) would establish that the same information requirements apply for requests of the Secretary's environmental review responsibilities with respect to public transportation projects, but the discussion focuses on public transportation projects. In addition, the paragraph would require evidence that a State has either obtained assignment for the Secretary's environmental review responsibilities with respect to highway projects or has requested the assignment concurrently with the public transportation request. The Agencies propose a requirement for a State to provide evidence that it has notified recipients of assistance under chapter 53 of title 49, U.S.C., of the application (see 23 U.S.C. 327(a)(2)(B)(iii)).

Proposed paragraph (c) would establish that the same information requirements applicable to the request for the Secretary's environmental review responsibilities for highway projects would apply to the request for the Secretary's environmental review responsibilities for railroad projects. In addition, the paragraph would require evidence that a State has either obtained assignment for the Secretary's environmental review responsibilities with respect to highway projects or has requested the assignment concurrently with the railroad project request.

Proposed paragraph (d) would cover the application requirements for the Secretary's environmental review responsibilities with respect to multimodal projects. A State may seek assignment of the Secretary's environmental review responsibilities for the highway, railroad, and/or public transportation components of the multimodal project. As discussed above in this preamble, the Secretary's environmental review responsibilities with respect to actions of other Operating Administrations are not eligible for assignment. Under this proposal, a State would obtain the assignment for the component of the multimodal project that is eligible for assignment (i.e., highway, railroad, or public transportation) and would need to work with the Operating Administration(s) with jurisdiction by law or special expertise on the project to ensure a coordinated environmental review. This could involve the establishment of a special relationship with the DOT entity such as a joint lead agency relationship or a lead and cooperating agency relationship under NEPA.

Ideally, the identification of a multimodal project would occur early enough to allow for a joint application of the Secretary's responsibilities before the environmental review starts. However, in some situations the identification of a multimodal project may not occur until a later stage in the environmental review stage (e.g., identification of alternatives). States are encouraged to submit an application as early as possible once the project is determined to be a multimodal project. A State must submit an application to each Agency for which that State is seeking assignment of environmental review responsibilities.

Proposed paragraph (e) would authorize the electronic submittal of applications. Proposed paragraph (f) would authorize the joint submittal of applications. The Agencies believe that this provision would be particularly useful when a State is interested in seeking assignment for groups or classes of projects and multiple modal responsibilities (e.g., highway and public transportation NEPA responsibilities). Proposed paragraph (g) reminds States and the public that the

Agencies are authorized to seek more information to cure any deficiencies in a submitted Program application.

Section 773.111—Application Review and Approval

Proposed § 773.111 would establish the review and approval process. Proposed paragraph (a) would require the Operating Administration to solicit public comments and consider these comments in its evaluation of the State's application. Information made available to the public for its review may include materials such as the State's original application and any amendments to the application, and any additional supporting material that is not included in the State's application. The materials for public review also may include a list of responsibilities sought by the State that the Operating Administration proposes to retain. This information would be useful for the public and commenting agencies to understand the limits of the proposed assignment. The paragraph would allow the use of joint notices for those situations where the State seeks the environmental review responsibilities of more than one of the Agencies for a project or a class of projects.

Proposed paragraph (b) would establish that upon approving the application, the Operating Administration will invite the State to enter into an agreement in accordance with 23 U.S.C. 327(b)(4)(C) and (c). Proposed paragraph (c) would establish that the assignment would not be effective until an MOU is executed. Proposed paragraph (d) would establish that the MOUs may be renewed for a term not longer than 5 years in accordance with 23 U.S.C. 327(c)(5). Proposed paragraph (e) indicates that an MOU would be made available for public inspection.

Section 773.113—Application Amendments

Proposed § 773.113 is similar to the current regulation at 23 CFR 773.108. Proposed paragraph (a) would establish that the State may amend its application after submission of the application but prior to the execution of a MOU. These amendments may request additions to or eliminate requests for responsibilities. An amendment request is subject to the same notification and solicitation of comments procedures as an application. This includes a requirement for the State to submit the comments received and to note changes made to the request based on the comments received. It also includes the applicable Operating Administration's solicitation of comments on any amendments prior to the decision on an application. This is meant to be consistent with the requirement in § 773.111(a) for an original application.

Proposed paragraph (b) would establish that a State may amend its original application after 1 year of the executed MOU. The amendment request is subject to the same notification and solicitation of comments procedures as the application. This includes a requirement for the State to submit the comments received and to note changes made to the request based on the comments received. It also includes the Operating Administration's solicitation of comments on the proposed changes prior to the decision on the application.

Section 773.115—Renewals

Proposed § 773.115 would describe the conditions of renewal for Program participation. The proposed section would include requirements for notification to DOT, solicitation of public comments, and information needed for the Agencies' consideration.

Proposed paragraph (a) would require the participating State to notify the appropriate Operating Administration of its intent to renew no later than 1 year before the expiration of the MOU. The intent of this provision is to have a venue similar to the pre-application meeting to identify any issues and to go through the process requirements.

The Agencies propose a process similar to the original application review and approval process for the renewal. The proposal would require the submission of renewal application no later than 6 months before a MOU's expiration date. An application would need to capture any relevant changed circumstances that have taken place since the original application. The proposal would require a public participation process for any renewal that would inform the State and the Operating Administration of any modifications that may be needed in a State's implementation of the assigned responsibilities. The proposal would require the Operating Administration(s) to solicit comments on the request and make documents under its consideration available for public review. This may include an original application, a renewal application, audit and monitoring reports, and a list of responsibilities the relevant Operating Administration proposes to retain. The relevant Operating Administration must consider comments it receives, in addition to the record before it, in making a determination to renew.

Paragraph (g) proposes to permit a continuance of a State's participation in the Program after the expiration of its MOU in exceptional situations. Specifically, such a continuance would be intended to address situations where administrative delays or emergencies would not allow the timely execution of a renewal MOU. This provision would be an extraordinary measure that would be used when the only remaining step for Program continuation is the execution of signature or completion of administrative protocols. The Operating Administration would have the discretion of exercising this extraordinary measure.

Section 773.117—Termination

The Agencies are proposing to include § 773.117 to address termination of the assignment of portions or all Federal environmental review responsibilities. The Agencies believe that it is difficult to predict all circumstances where it might be necessary to terminate the assignment for portions or all of the environmental review responsibilities. Therefore, the proposed regulation does not specify criteria for termination.

Appendix A To Part 773—Example List of the Secretary's Environmental Review Responsibilities That May Be Assigned Under 23 U.S.C. 327

The Agencies propose Appendix A as a list of example Federal environmental review responsibilities that may be assigned under the Program. A similar list exists in the current Appendix A of part 773. Additional responsibilities have been added related to FRA responsibilities to recognize the broadened scope of the Program.

49 CFR Part 264—Surface Transportation Project Delivery Program Application Requirements and Termination

The Agencies propose to create a new part 264 in 49 CFR to include a reference to 23 U.S.C. 327 and the Program application procedures in 23 CFR part 773. A cross reference would assist those potential FRA applicants, State and Federal agencies, and the public.

49 CFR part 622—Environmental Impact and Related Procedures

The Agencies proposed to revise the authorities in subpart A—Environmental Procedures, to include a reference to 23 U.S.C. 327 and the application procedures in 23 CFR part 773. A cross reference would assist those potential FTA applicants, State and Federal agencies, and the public.

Rulemaking Analyses and Notices

All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. Comments received after the comment closing date will be filed in the docket and will be considered to the extent practicable. In addition to late comments, the Secretary will also continue to file relevant information in the docket as it becomes available after the comment period closing date, and interested persons should continue to examine the docket for new material. The Agencies may publish a final rule at any time after close of the comment period.

Executive Orders 12866 and 13563 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). The Agencies have determined preliminarily that this action would not be a significant regulatory action under section 3(f) of Executive Order 12866 and would not be significant within the meaning of DOT's regulatory policies and procedures (44 FR 11032).

These proposed changes are not anticipated to adversely affect, in a material way, any sector of the economy. This proposed rulemaking sets forth application requirements for the Program, which will result in only minimal costs to program applicants. In addition, these changes would not interfere with any action taken or planned by another agency and would not materially alter the budgetary impact of any entitlements, grants, user fees, or loan programs. Consequently, a full regulatory evaluation is not required.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. §§ 601-612), the Agencies have evaluated the effects of this proposed rule on small entities and anticipate that this action would not have a significant economic impact on a substantial number of small entities.

The proposed rule addresses application requirements for States wishing to participate in the Program. As such, it affects only States, and States are not included in the definition of small entity set forth in 5 U.S.C. 601. Therefore, the Regulatory Flexibility Act does not apply, and the Agencies certify that this action would not have significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

This proposed rule would not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, 109 Stat. 48). This proposed rule will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $148.1 million or more in any one year (2 U.S.C. 1532). Further, in compliance with the Unfunded Mandates Reform Act of 1995, the Agencies would evaluate any regulatory action that might be proposed in subsequent stages of the proceeding to assess the effects on State, local, and Tribal governments and the private sector. Additionally, the definition of ''Federal Mandate'' in the Unfunded Mandates Reform Act excludes financial assistance of the type in which State, local, or Tribal governments have authority to adjust their participation in the program in accordance with changes made in the program by the Federal Government.

Executive Order 13132 (Federalism Assessment)

Executive Order 13132 requires agencies to assure meaningful and timely input by State and local officials in the development of regulatory policies that may 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. This proposed action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132, and the Agencies have preliminarily determined that this proposed action would not warrant the preparation of a federalism assessment. The Agencies have also determined that this proposed action would not preempt any State law or State regulation or affect any States' ability to discharge traditional State governmental functions.

Under the Program, a State may voluntarily assume the responsibilities of the Secretary for implementation of NEPA for one or more highway projects, and one or more railroad, public transportation, or multimodal projects. Upon a State's voluntary assumption of NEPA responsibilities, a State also may assume all or part of the Secretary's responsibilities for environmental review, consultation or other action required under any Federal environmental law pertaining to the review or approval of highway, public transportation, railroad, or multimodal projects. It is expected that a State would choose to assume these Federal agency responsibilities in those cases where the State believes that such an action would enable the State to streamline project development and construction. The assumption of these Federal agency responsibilities would not preempt any State law or State regulation or affect any States' ability to discharge traditional State governmental functions. Any federalism implications arising from the States' assumption of Federal agency responsibilities are attributable to 23 U.S.C. 327. Any change in the relative role of the State is consistent with section 2(a) and 3(c) of Executive Order 13132 because the national government is granting to the States the maximum administrative discretion possible. We invite State and local governments with an interest in this proposed rulemaking to comment on the effect that adoption of specific proposals may have on State or local governments.

Executive Order 13175 (Tribal Consultation)

The Agencies have analyzed this action under Executive Order 13175 and believe that the proposed action would not have substantial direct effects on one or more Indian tribes; would not impose substantial direct compliance costs on Tribal governments; and would not preempt Tribal law. The proposed rulemaking addresses application requirements for the Program and would not impose any direct compliance requirements on Tribal governments. Therefore, a Tribal summary impact statement is not required.

Executive Order 13211 (Energy Effects)

The Agencies have analyzed this action under Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.* The Agencies have determined that the proposed action is not a significant energy action under that order because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects under Executive Order 13211 is not required.

Executive Order 12372 (Intergovernmental Review)

The DOT's regulations implementing Executive Order 12372 (49 CFR part 17) apply to this proposed rulemaking. Accordingly, the Agencies solicit comments on this issue.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for collections of information they conduct, sponsor, or require through regulations. The PRA applies to Federal agencies' collections of information imposed on ten or more persons. ''Persons'' include a State, territorial, Tribal, or local government, or branch thereof, or their political subdivisions. In this regulation, the Agencies consider the State to be the applicant/person for all types of projects covered by this regulation. A State with multiple applications would count as one person for purposes of the Agencies' PRA analysis.

The Agencies have determined that the number of States interested in the Program is very small. During FHWA's implementation of the Pilot Program in the past 7 years, only one State, California, indicated any interest and applied to participate in the Program. The FHWA twice surveyed the remaining States for any additional interest in participation and received no expressed interest. The Agencies are aware of only one additional State that has initiated legislative action to facilitate its potential application for this Program.

Based on this information, the Agencies' anticipate fewer than 10 States requesting to participate in the Program. The Agencies will initiate the clearance process for OMB's approval to collect information if they receive applications from nine States. The Agencies will contact OMB to initiate that process at that time.

Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, *Civil Justice Reform,* to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 12898 (Environmental Justice)

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,* and DOT Order 5610.2(a) (the DOT Order), 91 FR 27534 (May 10, 2012) (available online at *www.fhwa.dot.gov/enviornment/environmental_justice/ej_at_dot/order_56102a/index.cfm*), require DOT agencies to achieve environmental justice (EJ) as part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects, including interrelated social and economic effects, of their programs, policies, and activities on minority populations and low-income populations in the United States. The DOT Order requires DOT agencies to address compliance with Executive Order 12898 and the DOT Order in all rulemaking activities. In addition, FHWA and FTA have issued additional documents relating to administration of Executive Order 12898 and the DOT Order. On June 14, 2012, FHWA issued an update to its EJ order, FHWA Order 6640.23A, *FHWA Actions to Address Environmental Justice in Minority Populations and Low Income Populations* (the FHWA Order) (available online at *www.fhwa.dot.gov/legsregs/directives/orders/664023a.htm*). FTA also issued an update to its EJ policy, *FTA Policy Guidance for Federal Transit Recipients,* (the FTA Circular) 77 FR 42077 (July 17, 2012) (*available online at www.fta.dot.gov/legislation_law/12349_14740.html*).

The Agencies have evaluated this proposed rule under the Executive Order, the DOT Order, the FHWA Order, and the FTA Circular. The Agencies have determined that the proposed application regulations, if finalized, would not cause disproportionately high and adverse human health and environmental effects on minority or low income populations. States assuming NEPA responsibilities and Executive Order 12898 responsibilities must comply with the Department's and the appropriate Operating Administrations' guidance and policies on environmental justice and title VI of the Civil Rights Act of 1964.

Executive Order 13045 (Protection of Children)

The Agencies have analyzed this action under Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks.* The Agencies certify that this proposed action would not concern an environmental risk to health or safety that might disproportionately affect children.

Executive Order 12630 (Taking of Private Property)

The Agencies do not anticipate that this proposed action would affect a taking of private property or otherwise have taking implications under Executive Order 12630, *Governmental Actions and Interference with Constitutionally Protected Property Rights.*

National Environmental Policy Act

Agencies are required to adopt implementing procedures for NEPA that establish specific criteria for, and identification of, three classes of actions: Those that normally require preparation of an EIS; those that normally require preparation of an EA; and those that are categorically excluded from further NEPA review (40 CFR 1507.3(b)). This proposed action qualifies for categorical exclusions under 23 CFR 771.117(c)(20) (promulgation of rules, regulations, and directives) and 771.117(c)(1) (activities that do not lead directly to construction) for FHWA, and 23 CFR 771.118(c)(4) (planning and administrative activities which do not involve or lead directly to construction) for FTA. In addition, FRA has determined that this proposed action is not a major FRA action requiring the preparation of an environmental impact statement or environmental assessment under FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999 as amended by 78 FR 2713, Jan. 14, 2013). The Agencies have evaluated whether the proposed action would involve unusual circumstances or extraordinary circumstances and have determined that this proposed action would not involve such circumstances.

Under the Program, a selected State may voluntarily assume the responsibilities of the Secretary for implementation of NEPA for one or more highway projects, and one or more railroad, public transportation, or multimodal projects. Upon a State's voluntary assumption of NEPA responsibilities, that State also may choose to be assigned all or part of the Secretary's responsibilities for environmental review, consultation or other action required under any Federal environmental law pertaining to the review or approval of highway, public transportation, railroad, or multimodal projects. A State must follow the DOT's and the appropriate Agency's regulations, policies, and guidance with respect to NEPA and the assumed environmental law responsibilities. As a result, the Agencies find that this

proposed rulemaking would not result in significant impacts on the human environment.

Regulation Identification Number

A RIN is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects

23 CFR Part 773

Environmental protection, Highways and roads.

49 CFR Part 264

Environmental protection, Railroads.

49 CFR Part 622

Environmental protection, Grant programs—transportation, Public transit, Recreational areas, Reporting and record keeping requirements.

For the reasons discussed in the preamble, the Agencies propose to amend 23 CFR chapter I and 49 CFR chapters II and VI as follows:

Title 23

■ 1. Revise part 773 to read as follows:

PART 773—SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM APPLICATION REQUIREMENTS AND TERMINATION

Sec.
773.101 Purpose.
773.103 Definitions.
773.105 Eligibility.
773.107 Pre-application requirements.
773.109 Application requirements.
773.111 Application review and approval.
773.113 Application amendments.
773.115 Renewals.
773.117 Termination
Appendix A to Part 773—Example List of the Secretary's Environmental Review Responsibilities That May Be Assigned Under 23 U.S.C. 327.

Authority: 23 U.S.C. 315 and 327; 49 CFR 1.81(a)(4)–(6); 49 CFR 1.85

§ 773.101 Purpose.

The purpose of this part is to establish the requirements for an application by a State to participate in the Surface Transportation Project Delivery Program (Program). The Program allows, under certain circumstances, the Secretary to assign, and a State to assume, the responsibilities under, the National Environmental Policy Act of 1969 (NEPA) and for environmental review, consultation or other action required under certain Federal environmental laws with respect to one or more highway, railroad, public transportation, or multimodal projects within the State.

§ 773.103 Definitions.

Unless otherwise specified in this part, the definitions in 23 U.S.C. 101(a) and 49 U.S.C., are applicable to this part. As used in this part:

Classes of projects means either a defined group of projects or all projects to which Federal environmental laws apply.

Federal environmental law means any Federal law or Executive Order (E.O.) under which the Secretary of the U.S. Department of Transportation (DOT) has responsibilities for environmental review, consultation, or other action with respect to the review or approval of a highway, railroad, public transportation, or multimodal project. A list of the Federal environmental laws for which a State may assume the responsibilities of the Secretary under this Program include, but are not limited to, the list of laws contained in Appendix A to this part.

Highway project means any undertaking to construct (including initial construction, reconstruction, replacement, rehabilitation, restoration, or other improvements) a highway, bridge, or tunnel, or any portion thereof, including environmental mitigation activities, which is authorized under title 23 U.S.C. A highway project may include an undertaking that involves a series of contracts or phases, such as a corridor, and also may include anything that may be constructed in connection with a highway, bridge, or tunnel. The term highway project does not include any project authorized under 23 U.S.C. 202, 203, or 204 unless the State will design and construct the project.

MOU means a Memorandum of Understanding, a written agreement that complies with 23 U.S.C. 327(b)(4)(C) and (c), and this part.

Multimodal project means a project that falls under the jurisdiction by law or special expertise of two or more DOT Operating Administrations.

NEPA means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*).

Operating Administration means any agency established within the DOT, including the Federal Aviation Administration, Federal Highway Administration (FHWA), Federal Motor Carrier Safety Administration, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Maritime Administration, National Highway Traffic Safety Administration, Office of the Secretary of Transportation, Pipeline and Hazardous Materials Safety Administration, Research and Innovative Technology Administration, and Saint Lawrence Seaway Development Corporation.

Program means the ''Surface Transportation Project Delivery Program'' established under 23 U.S.C. 327.

Public transportation project means a capital project or operating assistance for ''public transportation,'' as defined in chapter 53 of title 49 U.S.C.

Railroad project means any undertaking eligible for financial assistance from FRA to construct (including initial construction, reconstruction, replacement, rehabilitation, restoration, or other improvements) a railroad, as that term is defined in 49 U.S.C. 20102, including: Environmental mitigation activities; an undertaking that involves a series of contracts or phases, such as a railroad corridor; and anything that may be constructed in connection with a railroad. The term railroad project does not include any undertaking in which FRA provides financial assistance to Amtrak.

State means any agency under the direct jurisdiction of the Governor of any of the 50 States or Puerto Rico, or the mayor in the District of Columbia, which is responsible for implementing highway, public transportation, or railroad projects eligible for assignment. State does not include agencies of local governments, transit authorities or commissions under their own board of directors, or State-owned corporations.

§ 773.105 Eligibility.

(a) *Applicants.* A State must comply with the following conditions to be eligible and to retain eligibility for the Program.

(1) For highway projects:

(i) The State must be a State Department of Transportation (State DOT) established and maintained in conformity with 23 U.S.C. 302 and 23 CFR 1.3;

(ii) The State expressly consents to accept the jurisdiction of the Federal courts for compliance, discharge, and enforcement of any responsibility of FHWA assumed by the State;

(iii) The State has laws in effect that authorize the State to take the actions necessary to carry out the responsibilities being assumed;

(iv) The State has laws in effect that are comparable to the Freedom of Information Act (FOIA) (5 U.S.C. 552), including laws providing that any decision regarding the public availability of a document under those

State laws is reviewable by a court of competent jurisdiction; and

(v) The State has the financial resources necessary to carry out the responsibilities it is assuming.

(2) For railroad, public transportation, or multimodal projects:

(i) The State must comply with paragraphs (a)(1)(ii) through (v) of this section; and

(ii) The State must have assumed the responsibilities of the Secretary under this part with respect to one or more highway projects.

(3) For railroad projects, the State must also be the State DOT.

(b) *Responsibilities.* Responsibilities eligible for Program assignment and State assumption include all NEPA responsibilities and all or part of the reviews, consultations, and other actions required under other environmental laws, regulations, and E.O.s. Appendix A contains an example list of other environmental laws, regulations, and E.O.s that may be assigned to and assumed by the State. The following responsibilities are ineligible for Program assignment and State assumption:

(1) Conformity determinations required under section 176 of the Clean Air Act (42 U.S.C. 7506);

(2) The Secretary's responsibilities under 23 U.S.C. 134 and 135;

(3) The Secretary's responsibilities under 49 U.S.C. 5303 and 5304;

(4) The Secretary's responsibilities for government-to-government consultation with Tribes; and

(5) The Secretary's responsibilities for approvals that are not considered to be part of the environmental review of a project, such as project approvals, Interstate access approvals, and safety approvals.

(6) The Secretary's responsibilities under NEPA and for reviews, consultations and other actions required under other Federal environmental laws for actions of Operating Administrations other than FHWA, FRA, and FTA.

(c) *Projects.* Environmental reviews ineligible for assignment and State assumption under the Program include reviews for the following types of projects:

(1) Projects that cross State boundaries;

(2) Projects that are at or cross international boundaries; and

(3) Projects classified as high risk under 23 U.S.C. 106(c)(4).

(d) *Discretion retained.* Nothing in this section limits an Operating Administration's discretion to withhold approval of assignment of eligible responsibilities or projects under this Program.

§ 773.107 Pre-application requirements.

(a) *Coordination meeting.* The State must request and participate in a pre-application coordination meeting with the appropriate Division, Regional, or Headquarters office of the applicable Operating Administration(s) before soliciting public comments on its application.

(b) *Public comments.* The State must give notice of its intention to participate in the Program and must solicit public comment by publishing the complete application in accordance with the appropriate State public notice laws not later than 30 days prior to submitting its application to the appropriate Operating Administration(s). If allowed under State law, publishing a notice of availability of the application rather than the application itself may satisfy the requirements of this provision so long as the complete application is made available on the internet and reasonably available to the public for inspection. Solicitation of public comments must include solicitation of the views of other State agencies, Tribal agencies, and Federal agencies that may have consultation or approval responsibilities associated with the project(s) within State boundaries.

(1) The State requesting the FTA's responsibilities with respect to public transportation projects must identify and solicit public comments from potential recipients of assistance under chapter 53 of title 49 U.S.C.

(2) The State must submit copies of all comments received with the publication of the respective application(s). The State must summarize the comments received and note any actions taken in response to the public comments.

(c) *Sovereign immunity waiver.* The State must identify and complete the process required by State law for consenting and accepting exclusive Federal court jurisdiction with respect to compliance, discharge, and enforcement of any of the responsibilities being sought.

(d) *Comparable State laws.* The State must determine that it has laws that are in effect that authorize the State to take actions necessary to carry out the responsibilities the State is seeking and laws that are comparable to FOIA. The State must ensure that it cures any deficiency before submitting its application.

§ 773.109 Application requirements.

(a) *Highway project responsibilities.* An eligible State DOT may submit an application to FHWA to participate in the Program for one or more highway projects or classes of highway projects. The application must include:

(1) The highway projects or classes of highway projects for which the State is requesting assumption of Federal environmental review responsibilities under NEPA. The State must specifically identify in its application each highway project for which a draft environmental impact statement has been issued and for which a final environmental impact statement is pending, prior to the submission of its application;

(2) Each Federal environmental law, review, consultation, or other environmental responsibility the State seeks to assume under this Program. The State must indicate whether it proposes to phase-in the assumption of these responsibilities, i.e. initially assuming only some responsibilities with a plan to assume additional responsibilities at specific future times;

(3) For each responsibility requested in paragraphs (a)(1) and (2) of this section, the State must describe how it intends to carry out these responsibilities. Such description must include:

(i) A summary of State procedures currently in place to guide the development of documents, analyses, and consultations required to fulfill the environmental review responsibilities requested. The State must submit a copy of the procedures with the application unless these are available electronically. The State may submit the procedures electronically, either through email or by providing a hyperlink;

(ii) Any changes that the State has or will make in the management of its environmental program to provide the additional staff and training necessary for quality control and assurance, appropriate levels of analysis, adequate expertise in areas where the State is requesting responsibilities, and expertise in management of the NEPA process and reviews under other Federal environmental laws;

(iii) A discussion of how the State will verify legal sufficiency for the environmental document it produces; and

(iv) A discussion of how the State will identify and address those projects that would normally require Headquarters prior concurrence of the final environmental impact statement under 23 CFR 771.125(c).

(4) A verification of the personnel necessary to carry out the authority that may be granted under the Program. The verification must contain the following information:

(i) A description of the staff positions, including management, that will be dedicated to fulfilling the additional

functions needed to accept the assigned responsibilities;

(ii) A description of any changes to the State's organizational structure that would be necessary to provide for efficient administration of the responsibilities assumed; and

(iii) A discussion of personnel needs that may be met by the State's use of outside consultants, including legal counsel provided by the State Attorney General or private counsel;

(5) A summary of the anticipated financial resources available to meet the activities and staffing needs identified in paragraphs (a)(3) and (4) of this section, and a commitment to make adequate financial resources available to meet these needs;

(6) Certification and explanation by the State's Attorney General, or other State official legally empowered by State law that the State can and will assume the responsibilities of the Secretary for the Federal environmental laws and projects requested and that the State consents to exclusive Federal court jurisdiction with respect to the responsibilities being requested and to be assumed. Such consent must be broad enough to include future changes in relevant Federal policies and procedures to which FHWA would be subject or such consent would be amended to include such future changes;

(7) Certification by the State's Attorney General, or other State official legally empowered by State law, that the State has laws that are comparable to FOIA, including laws that allow for any decision regarding the public availability of a document under those laws to be reviewed by a court of competent jurisdiction;

(8) Evidence that the required notice and solicitation of public comment by the State relating to participation in the Program has taken place and the States response to the comments;

(9) A point of contact for questions regarding the application and a point of contact regarding the implementation of the Program (if different); and

(10) The State Governor's signature approving the application.

(b) *Public transportation project responsibilities.* An eligible State may submit an application to FTA to participate in the Program for one or more public transportation projects or classes of public transportation projects. The application must provide the information required by paragraphs (a)(1) through (10) of this section, but with respect to FTA's program and the public transportation project(s) at issue. In addition, the application must include:

(1) Evidence that FHWA has assigned, or has been requested to assign, to the State the responsibilities of FHWA with respect to one or more highway projects within the State under NEPA; and

(2) Evidence that any potential recipients of assistance under chapter 53 of title 49 U.S.C., for any public transportation project or classes of public transportation projects in the State being sought for Program assignment have received written notice of the application with adequate time to provide comments on the application.

(c) *Railroad project responsibilities.* An eligible State may submit an application to FRA to participate in the Program for one or more railroad projects or classes of railroad projects. The application must provide the information required by paragraphs (a)(1) through (10) of this section, but with respect to the railroad project(s) at issue. In addition, the application must include evidence that FHWA has assigned, or has been requested to assign, to the State the responsibilities of FHWA with respect to one or more highway projects within the State under NEPA.

(d) *Multimodal project responsibilities.* An eligible State may submit an application for assignment of the Secretary's Federal environmental review responsibilities for a multimodal project, group of projects, or classes of projects. A State may seek only the Secretary's Federal environmental review responsibilities with respect to the highway, railroad, or public transportation components of the multimodal project, group of projects, or classes of projects. A State should submit the application as early as possible once the project is identified as a multimodal project and must provide the information required by paragraphs (a)(1) through (10) of this section, but with respect to the highway, railroad, or public transportation components of the multimodal project(s) at issue. In addition, the application must include evidence that FHWA has assigned, or has been requested to assign, to the State the responsibilities of FHWA with respect to one or more highway projects within the State under NEPA. A State must submit the application to each of the applicable Operating Administrations from which the State is seeking assignment.

(e) *Electronic submissions.* All applications may be submitted electronically.

(f) *Joint application.* A State may submit joint applications for multiple modal responsibilities. A joint application must avoid redundancies and duplication of information to the maximum extent practicable. The application must distinguish the modal projects or classes of projects of interest a State is seeking for assignment. A joint application must provide all of the information required by each Operating Administration for which a State is seeking assignment. A State must submit joint applications to each applicable Operating Administration.

(g) *Requests for additional information.* The appropriate Operating Administration(s) may request that the State provide additional information to address any deficiencies in the application or clarifications that may be needed prior to determining that the application is complete.

§ 773.111 Application review and approval.

(a) The Operating Administration must solicit public comments on the pending request and must consider comments received before rendering a decision on the State's application. Materials made available for this public review may include the State's application, any additional supporting materials, and a list of responsibilities sought by the State that the Operating Administration proposes to retain. The notification may be a joint notification if two or more Operating Administrations are involved in the assignment for a project or a class of projects.

(b) If the Operating Administration approves the application of a State, then the Operating Administration will invite the State to enter into a MOU.

(c) The State's participation in the Program is effective upon the execution of the MOU. The Operating Administration's responsibilities under NEPA and any other environmental laws may not be assigned to or assumed by the State prior to execution of the MOU with the exception of renewal situations under § 773.115(g) of this part.

(d) The MOU must have a term of not more than 5 years that may be renewed pursuant to § 773.115 of this part.

(e) The MOU and approved application must be published on a DOT Web site and made reasonably available to the public for inspection and copying.

§ 773.113 Application amendments.

(a) After a State submits its application to the appropriate Operating Administration(s), but prior to the execution of the MOU(s), the State may amend its application at any time to request additional projects, classes of projects, or more environmental review responsibilities consistent with the requirements of this part.

(1) Prior to requesting any such amendment, the State must provide notice and solicit public comments with respect to the intended amendments in compliance with § 773.107(b) of this part.

(2) In submitting the amendment to the appropriate Operating Administration(s), the State must provide copies of all comments received and note the changes, if any, that were made in response to the comments.

(3) Consistent with § 773.111(a) of this part, the appropriate Operating Administration(s) must solicit public comments on the change prior to approving the application.

(b) Upon execution of the MOU(s), a State may amend its application to the appropriate Operating Administration(s) no earlier than 1 year after the MOU has been executed to request additional projects, classes of projects, or more environmental review responsibilities consistent with the requirements of this part.

(1) Prior to requesting any such amendment, the State must provide notice and solicit public comments with respect to the intended amendments in compliance with § 773.107(b) of this part.

(2) In submitting the amendment to the appropriate Operating Administration(s), the State must provide copies of all comments received and note the changes, if any, that were made in response to the comments.

(3) Consistent with § 773.111(a) of this part, the appropriate Operating Administration(s) must solicit public comments on the change prior to approving the application.

§ 773.115 Renewals.

(a) A State planning to renew a MOU and to maintain the assumption of the Operating Administration's responsibilities under NEPA and other environmental laws must notify the appropriate Operating Administration(s) of its intent to do so at least 12 months before the expiration of the MOU.

(b) A State must submit an application to renew the MOU no later than 180 days prior to the expiration of the MOU.

(c) An application to renew a MOU must:

(1) Describe any changes to the information submitted to meet § 773.109(a)(1) through (5) and (a)(9) of this part for the applicable Operating Administration(s);

(2) Provide up-to-date certifications required in § 773.109(a)(6) through (7) of this part for the applicable Operating Administration(s);

(3) Provide evidence of the public notification requirements in paragraph (d) of this section; and

(4) Provide the State Governor's, or the Mayor's in the District of Columbia, signature approving the application to renew the MOU.

(d) The State must give notice of its intent to renew its participation in the Program and must solicit public comment in compliance with § 773.107(b) of this part.

(e) The appropriate Operating Administration(s) may request that the State provide additional information to address any deficiencies in the renewal application or to provide clarifications.

(f) The appropriate Operating Administration(s) must solicit public comments on the renewal request and must consider comments received before approving the State's renewal application. Materials made available for this public review may include the State's original application, the renewal application, any additional supporting materials, a list of responsibilities sought by the State that the Operating Administration proposes to retain, and auditing and monitoring reports developed as part of the Program. The notification may be a joint notification if two or more Operating Administrations are involved in the assignment for a project or a class of projects.

(g) At the discretion of the Operating Administration, a State may retain temporarily its assigned and assumed responsibilities under a MOU after the expiration of the MOU, where the relevant Operating Administration(s) determines that:

(1) The State made a timely submission of a complete renewal application in accordance with the provisions of this section;

(2) The Operating Administration(s) determines that all reasonable efforts have been made to achieve a timely execution of the renewal; and

(3) The Operating Administration(s) determines that it is in the best interest of the public to grant the continuance.

§ 773.117 Termination.

Pursuant to 23 U.S.C. 327 and any applicable conditions of the Secretary's assignment of responsibilities to the State, either the Secretary or the State may terminate the participation of the State in the Program.

Appendix A to Part 773—Example List of the Secretary's Environmental Review Responsibilities That May Be Assigned Under 23 U.S.C. 327

Federal Procedures

The NEPA, 42 U.S.C. 4321 *et seq.*

Regulations for Implementing the Procedural Provisions of NEPA at 40 CFR 1500–1508.

The FHWA/FTA Environmental Regulations at 23 CFR parts 771, 772 and 777.

The FRA's Procedures for Considering Environmental Impacts, 64 FR 28545 (May 26, 1999) and 78 FR 2713 (Jan. 14, 2013).

Clean Air Act, 42 U.S.C. 7401–7671q. Any determinations that do not involve conformity.

Noise

Noise Control Act of 1972, 42 U.S.C. 4901–4918.

Airport Noise and Capacity Act of 1990, 49 U.S.C. 4751–47533.

Compliance with the noise regulations at 23 CFR part 772.

Wildlife

Endangered Species Act of 1973, 16 U.S.C. 1531–1544.

Marine Mammal Protection Act, 16 U.S.C. 1361–1423h.

Anadromous Fish Conservation Act, 16 U.S.C. 757a–757g.

Fish and Wildlife Coordination Act, 16 U.S.C. 661–667d.

Migratory Bird Treaty Act, 16 U.S.C. 703–712.

Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended, 16 U.S.C. 1801–1884.

Historic and Cultural Resources

National Historic Preservation Act of 1966, 16 U.S.C. 470 *et seq.*

Archaeological Resources Protection Act of 1979, 16 U.S.C. 470aa–470mm.

Archeological and Historic Preservation Act, 16 U.S.C. 469–469c.

Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001–3013; 18 U.S.C. 1170.

Social and Economic Impacts

American Indian Religious Freedom Act, 42 U.S.C. 1996.

Farmland Protection Policy Act, 7 U.S.C. 4201–4209.

Water Resources and Wetlands

Clean Water Act, 33 U.S.C. 1251–1387.

Section 404, 33 U.S.C. 1344
Section 401, 33 U.S.C. 1341
Section 319, 33 U.S.C. 1329

Coastal Barrier Resources Act, 16 U.S.C. 3501–3510.

Coastal Zone Management Act, 16 U.S.C. 1451–1466.

Safe Drinking Water Act, 42 U.S.C. 300f–300j–26.

Rivers and Harbors Act of 1899, 33 U.S.C. 403.

Wild and Scenic Rivers Act, 16 U.S.C. 1271–1287.

Emergency Wetlands Resources Act, 16 U.S.C. 3921 and 3921.

Wetlands Mitigation, 23 U.S.C. 119(g) and 133(b)(14).

Flood Disaster Protection Act, 42 U.S.C. 4001–4128.

Parklands

Section 4(f), 49 U.S.C. 303; 23 U.S.C. 138.

Land and Water Conservation Fund, 16 U.S.C. 460*l*–4–460*l*–11.

Hazardous Materials

Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601–9675.

Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. 9671–9675.

Resource Conservation and Recovery Act, 42 U.S.C. 6901–6992k.

Executive Orders Relating to Eligible Projects and DOT Implementing These Executive Orders

E.O. 11990 *Protection of Wetlands*
E.O. 11988 *Floodplain Management*
E.O. 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*
E.O. 13112 *Invasive Species*

Title 49

■ 2. Add 49 CFR part 264 to read as follows:

PART 264—SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM APPLICATION REQUIREMENTS AND TERMINATION

Sec.
264.101 Procedures for complying with the surface transportation project delivery program application requirements and termination.

Authority: 23 U.S.C. 327; 49 CFR 1.81.

§ 264.101 Procedures for complying with the surface transportation project delivery program application requirements and termination.

The procedures for complying with the surface transportation project delivery program application requirements and termination are set forth in part 773 of title 23 of the Code of Federal Regulations.

PART 622—ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

■ 3. The authority citation for part 622 is revised to read as follows:

Authority: 42 U.S.C. 4321 *et seq.;* 49 U.S.C. 303 and 5323(q); 23 U.S.C. 139, 326, and 327; Pub. L. 109–59, 119 Stat. 1144, sections 6002 and 6010; 40 CFR parts 1500–1508; 49 CFR 1.81, 1.85; and Pub. L. 112–141, 126 Stat. 405, sections 1313 and 1315.

■ 4. Revise § 622.101 to read as follows:

The procedures for complying with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), and related statutes, regulations, and orders are set forth in part 771 of title 23 of the Code of Federal Regulations. The procedures for complying with 49 U.S.C. 303, commonly known as ''Section 4(f),'' are set forth in part 774 of title 23 of the Code of Federal Regulations. The procedures for complying with the surface transportation project delivery program application requirements and termination are set forth in part 773 of title 23 of the Code of Federal Regulations.

This proposed rule is being issued pursuant to authority delegated under 49 CFR 1.81.

Issued on: August 12, 2013.

Victor M. Mendez,

Administrator, Federal Highway Administration.

Peter Rogoff,

Administrator, Federal Transit Administration.

Joseph C. Szabo,

Administrator, Federal Railroad Administration.

[FR Doc. 2013–20912 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–22–P

Notices

Federal Register

Vol. 78, No. 169

Friday, August 30, 2013

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

August 26, 2013.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques and other forms of information technology.

Comments regarding this information collection received by September 30, 2013 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW., Washington, DC 20503. Commentors are encouraged to submit their comments to OMB via email to: *OIRA_Submission@omb.eop.gov* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Forest Service

Title: Disposal of Mineral Materials.

OMB Control Number: 0596–0081.

Summary of Collection: The Forest Service (FS) is responsible for overseeing the management of National Forest System land. The Multiple-Use Mining Act of 1955 (30 U.S.C. 601, 603, 611–615) gives the FS specific authority to manage the disposal of mineral materials mined from National Forest land. FS uses form FS–2800–9, ''Contract for the Sale of Mineral Materials'' to collect detailed information on the planned mining and disposal operations as well as a contract for the sale of mineral materials.

Need and Use of the Information: Interested parties are asked to provide information that includes the purchaser's name and address, the location and dimensions of the area to be mined, the kind and quantity of material to be mined, the sales price of the mined material, the payment schedule, amount of the bond, and the period of the contract. Collected information from the public will ensure that environmental impacts of mineral material disposal are minimized. A review of the operating plan provides the authorized officer the opportunity to determine if the proposed operation is appropriate and consistent with all applicable land management laws and regulations. The information also provides the means of documenting planned operations and the terms and conditions that the FS deems necessary to protect surface resources. If FS did not collect this information, operations could cause undue damage to surface resources.

Description of Respondents: Business or other for-profit.

Number of Respondents: 4,109.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 11,125.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. 2013–21192 Filed 8–29–13; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of New Fee Site

AGENCY: Monongahela National Forest, USDA Forest Service.

ACTION: Notice of New Fee Site.

SUMMARY: The Monongahela National Forest is proposing to charge $10.00 per night for single unit sites and $20.00 per night for double unit sites at Island Campground on the Greenbrier Ranger District. The Forest recently finished reconstruction of Island Campground which included relocating and upgrading the campground to provide a safe, fully accessible, 12-unit campground. Prior to reconstruction, this was a small, primitive campground with very few amenities. Fees for overnight use will be used for the continued operation and maintenance of Island Campground.

DATES: Send any comments about this fee proposal by November 1, 2013 so comments can be compiled, analyzed and shared with the Eastern Region Recreation Resource Advisory Committee.

ADDRESSES: Forest Supervisor, Monongahela National Forest, 200 Sycamore Street, Elkins, WV 26241.

FOR FURTHER INFORMATION CONTACT: Eric Sandeno, Recreation Program Manager, 304–636–1800.

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established.

This new fee will be reviewed by the Eastern Region Recreation Resource Advisory Committee prior to a final decision and implementation by the Regional Forester, Eastern Region, USDA Forest Service.

The Monongahela National Forest made upgrades to Island Campground based on public input and support. A market comparison indicates that the $10.00 per night for single unit sites and $20.00 per night for double unit sites is both reasonable and acceptable for this sort of recreation experience.

Authority: Federal Lands Recreation Enhancement Act, (Title VIII, Pub. L. 108–447).

Dated: August 23, 2013.

Clyde N. Thompson,

Monongahela National Forest Supervisor.

[FR Doc. 2013–21224 Filed 8–29–13; 8:45 am]

BILLING CODE 3410–11–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Wisconsin Advisory Committee for Fact Finding on Hate Crimes in Wisconsin

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Wisconsin Advisory Committee (Committee) will hold a fact finding meeting on Thursday, September 12, 2013, for the purpose of gathering information and hearing recommendations regarding hate crimes in Wisconsin. The Committee will receive testimony from advocates, federal and state officials, law enforcement officials, professors, and community leaders. The Committee met with the Sikh Temple of Milwaukee in September 2012 and determined thereafter to research hate crime and hate groups throughout the state, to analyze current hate crime statutes and their effectiveness as hate crime deterrents, and to investigate other models of preventing hate incidents in the state. The testimony presented at the meeting will address these research goals.

Members of the public are invited and welcomed to make statements into the record at the meeting starting at 6:15 p.m. Member of the public are also entitled to submit written comments; the comments must be received in the regional office by October 12, 2013. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, 55 W Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353–8311, or emailed to the Commission at *callen@usccr.gov.* Persons who desire additional information may contact the Midwestern Regional Office at (312) 353–8311.

Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Midwestern Regional Office at least ten (10) working days before the scheduled date of the meeting.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Wisconsin Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Midwestern Regional Office at the above email or street address.

Agenda

Welcome and Introductions
- 1:30 p.m. to 1:45 p.m.
- Adel Mekraz, Chairman, Wisconsin Advisory Committee

Panel 1
- 1:45 p.m. to 3:40 p.m.
- Jeannine Bell, Professor of Law and Louis F. Niezer Faculty Fellow, Maurer School of Law (via phone)
- Rick Esenberg, Founder, President, and General Counsel, Wisconsin Institute for Law & Liberty
- Mark Potok, Senior Fellow, Southern Poverty Law Center (via phone)
- Miriam Zeidman, Midwest Civil Rights Counsel, Anti-Defamation League

Panel 2
- 3:50 p.m. to 4:50 p.m.
- Bonit Gill, Sikh Student Association—UW Madison
- Elana Kohn-Oren, Director, Jewish Community Relations Council
- Ibrahim Saeed, Ph.D., Islamic Center of Madison
- Steve Starkey, Executive Director, OutReach

Panel 3
- 4:55 p.m. to 6:05 p.m.
- James L. Santelle, U.S. Attorney for the Eastern District of Wisconsin
- Chadwick Elgersma, Supervisory Special Agent, Federal Bureau of Investigation
- Ismael Ozanne, Dane County District Attorney
- Neil Saxton, Milwaukee Police Department
- Representative, Madison Police Department

Open Session
- 6:15 to 7:00 p.m.

Adjournment
- 7:00 p.m.

DATES: The meeting will be held on Thursday, September 12, 2013, at 1:00 p.m. for a business meeting with panels beginning at 1:45 p.m.

ADDRESSES: The meeting will be held at the First Congregational UCC, 1609 University Avenue, Madison, WI 53726.

Dated August 26, 2013.

David Mussatt,

Acting Chief, Regional Programs Coordination Unit.

[FR Doc. 2013–21162 Filed 8–29–13; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 84–24A12]

Export Trade Certificate of Review

ACTION: Notice of Issuance of an Export Trade Certificate of Review to Northwest Fruit Exporters, Application No. 84–24A12.

SUMMARY: The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to Northwest Fruit Exporters on August 13, 2013. The Certificate has been amended twenty-four times.

FOR FURTHER INFORMATION CONTACT: Joseph E. Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number) or email at *etca@trade.gov.*

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (2013). The U.S. Department of Commerce, International Trade Administration, Office of Competition and Economic Analysis (''OCEA'') is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Secretary of Commerce to publish a summary of the issuance in the **Federal Register**. Under Section 305(a) of the Export Trading Company Act (15 U.S.C. 4012(b)(1)) and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Certified Conduct

NWF's Export Trade Certificate of Review has been amended to:

1. Add the following companies as a new Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)): Phillippi Fruit Company, Inc. (Wenatchee, WA); Quincy Fresh Fruit Co. (Quincy, WA); Western Sweet

Cherry Group, LLC (Yakima, WA); and Whitby Farms, Inc. dba: Farm Boy Fruit Snacks LLC (Mesa, WA); and

2. Remove the following companies as a Member of NWF's Certificate: Andrus & Roberts Produce Co. (Sunnyside, WA); Crown Packing, LLC (Wenatchee, WA), Garrett Ranches Packing (Wilder, ID); IM EX Trading Company (Yakima, WA); and Orondo Fruit Co., Inc. (Ornondo, WA); and
3. Change the name of the following member: Broetje Orchards of Prescott, WA is now Broetje Orchards LLC; and Nuchief Sales Inc. of Wenatchee, WA is now Honey Bear Tree Fruit Co., LLC.

The effective date of the amended certificate is May 14, 2013, the date on which NWF's application to amend was deemed submitted. A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4001, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Dated: August 21, 2013.

Joseph E. Flynn,

Office Director, Office of Competition and Economic Analysis.

[FR Doc. 2013–21173 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

Corporation for Travel Promotion (dba Brand USA)

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of an opportunity for travel and tourism industry leaders to apply for membership on the Board of Directors of the Corporation for Travel Promotion.

SUMMARY: The Department of Commerce is currently seeking applications from travel and tourism leaders from specific industries for membership on the Board of Directors (Board) of the Corporation for Travel Promotion (dba Brand USA). The purpose of the Board is to guide the Corporation for Travel Promotion on matters relating to the promotion of the United States and communication of travel facilitation issues, among other tasks. On July 24, 2013, we published in the **Federal Register** a ''Notice of an opportunity for travel and tourism industry leaders to apply for membership on the Board of Directors of the Corporation for Travel Promotion'' (78 FR 44531), announcing membership opportunities on the Board of Directors of the Corporation for Travel Promotion. The application period closed on August 9, 2013. We are now reopening the application period to solicit additional applications. This notice supplements the notice of July 24, 2013. Interested parties who have already applied in response to that **Federal Register** notice do not need to re-apply.

ADDRESSES: Electronic applications may be sent to: *CTPBoard@trade.gov.* Written applications can be submitted to Isabel Hill, Director, Office of Travel and Tourism Industries, U.S. Department of Commerce, Mail Stop 10003, 1401 Constitution Avenue NW., Washington, DC 20230. Telephone: 202.482.0140. Email: *Isabel.Hill@trade.gov.*

DATES: All applications must be received by the Office of Travel and Tourism Industries by close of business on September 6, 2013.

FOR FURTHER INFORMATION CONTACT: Julie Heizer, Deputy Director, Office of Travel and Tourism Industries, Mail Stop 10003, 1401 Constitution Avenue NW., Washington, DC, 20230. Telephone: 202.482.4904. Email: *julie.heizer@trade.gov.*

SUPPLEMENTARY INFORMATION:

Background: The Travel Promotion Act of 2009 (TPA) was signed into law by President Obama on March 4, 2010. The TPA established the Corporation for Travel Promotion (the Corporation), as a non-profit corporation charged with the development and execution of a plan to (A) Provide useful information to those interested in traveling to the United States; (B) identify and address perceptions regarding U.S. entry policies; (C) maximize economic and diplomatic benefits of travel to the United States through the use of various promotional tools; (D) ensure that international travel benefits all States and the District of Columbia; and (E) identify opportunities to promote tourism to rural and urban areas equally, including areas not traditionally visited by international travelers.

The Corporation is governed by a board of directors, consisting of 11 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States. The TPA directs the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State) to appoint the board of directors for the Corporation.

On July 24, 2013, we published in the **Federal Register** a ''Notice of an opportunity for travel and tourism industry leaders to apply for membership on the Board of Directors of the Corporation for Travel Promotion'' (78 FR 44531), announcing membership opportunities on the Board of Directors of the Corporation for Travel Promotion. The application period closed on August 9, 2013. We are now reopening the application period to solicit additional applications. This notice supplements the notice of July 24, 2013. Interested parties who have already applied in response to that **Federal Register** notice do not need to re-apply.

At this time, the Department will be selecting four individuals with the appropriate expertise and experience from specific sectors of the travel and tourism industry to serve on the Board as follows:

(A) One shall have appropriate expertise and experience in the attractions or recreations sector;

(B) One shall have appropriate expertise and experience in the passenger air sector;

(C) One shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and

(D) One shall have appropriate expertise in the inter-city passenger railroad business.

To be eligible for Board membership, one must have international travel and tourism marketing experience and must also be a U.S. citizen. In addition, individuals cannot be federally registered lobbyists or registered as a foreign agent under the Foreign Agents Registration Act of 1938, as amended.

Those selected for the Board must be able to meet the time and effort commitments of the Board. Priority may be given to individuals with experience as a Chief Executive Officer or President (or comparable level of responsibility) of an organization or entity in the travel and tourism sector in the United States.

Board members serve at the discretion of the Secretary of Commerce (who may remove any member of the Board for good cause). The terms of office of each member of the Board appointed by the Secretary shall be 3 years. Board members can serve a maximum of two consecutive full three-year terms. Board members are not considered Federal government employees by virtue of their service as a member of the Board and will receive no compensation from the Federal government for their participation in Board activities. Members participating in Board meetings and events may be paid actual

travel expenses and per diem when away from their usual places of residence.

To be considered for membership, please provide the following:

1. Name, title, and personal résumé of the individual requesting consideration, including address and phone number; and

2. A brief statement of why the person should be considered for membership on the Board. This statement should also address the individual's relevant international travel and tourism marketing experience and indicate clearly the sector or sectors enumerated above in which the individual has the requisite expertise and experience. Individuals who have the requisite expertise and experience in more than one sector can be appointed for only one of those sectors. Appointments of members to the Board will be made by the Secretary of Commerce.

Dated: August 27, 2013.

Julie P. Heizer,

Acting Director, Office of Travel and Tourism Industries.

[FR Doc. 2013–21271 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

National Institute of Standards and Technology Performance Review Board Membership

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice.

SUMMARY: This notice lists the membership of the National Institute of Standards and Technology Performance Review Board (NIST PRB) and supersedes the list published on August 13, 2012.

DATES: The changes to the NIST PRB membership list announced in this notice are effective on August 30, 2013.

FOR FURTHER INFORMATION CONTACT: Didi Hanlein at the National Institute of Standards and Technology, (301) 975–3000 or by email at *desiree.hanlein@nist.gov.*

SUPPLEMENTARY INFORMATION:

The National Institute of Standards and Technology Performance Review Board (NIST PRB or Board) reviews performance appraisals, agreements, and recommended actions pertaining to employees in the Senior Executive Service and ST–3104 employees. The Board makes recommendations to the appropriate appointing authority concerning such matters so as to ensure the fair and equitable treatment of these individuals.

This notice lists the membership of the NIST PRB and supersedes the list published in the **Federal Register** on August 13, 2012 (77 FR 48129).

NIST PRB Members

Delwin Brockett (C), Chief Information Officer, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/13.

Richard Cavanagh (C) (alternate), Director, Special Programs Office, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/15.

Kevin Kimball (C) (alternate), Chief of Staff, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/13/15.

Laurie Locascio (C), Director, Material Measurement Laboratory, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/15.

James Olthoff (C) (alternate), Deputy Director for Measurement Services, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/15.

Kimberly Thompson Glas (NC), Deputy Assistant Secretary for Textiles and Apparel, International Trade Administration, Department of Commerce, Washington, DC 20230, Appointment Expires: 12/31/15.

Maureen Wylie (C), Chief, Resource and Operations Management, National Oceanic and Atmospheric Administration, Department of Commerce, Washington, DC 20230, Appointment Expires: 12/31/15.

Dated: August 26, 2013.

Mary H. Saunders,

Associate Director for Management Resources.

[FR Doc. 2013–21263 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC840

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scallop Advisory Panel on September 17, 2013 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Tuesday, September 17, 2013 at 9 a.m.

ADDRESSES: *Meeting address:* The meeting will be held at the Best Western Wynwood Hotel, 580 US Highway 1, Interstate Traffic Circle, Portsmouth, NH 03801; telephone: (603) 436–7600; fax: (603) 436–7600.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION: The Advisory Panel will review scallop survey information and preliminary recommendations from the Scallop Plan Development Team (PDT) for FY 2014 and FY 2015 (default) fishery specifications (Framework 25). The Advisors will also provide input on other measures under consideration in Framework 25: (1) Accountability measures for the Southern New England/Mid-Atlantic windowpane flounder sub-ACL (annual catch limit); and (2) measures to address unused 2014 Closed Area I access area trips. The Advisors will review a draft of the Limited Access General Category Individual Fleet Quota (LAGC IFQ) Performance Report being prepared by the Scallop PDT. The IFQ Report is not final and will not be presented to the Council at this time but Advisors will have the opportunity to provide initial feedback. Finally, the Advisory Panel will discuss possible priorities for scallop related actions for 2014 and make recommendations to the Scallop Committee for consideration. Other business may be discussed.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been

notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 26, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–21170 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC839

New England Fishery Management Council (NEFMC); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scientific and Statistical Committee (SSC) on September 16, 2013 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, September 16, 2013 at 9 a.m.

ADDRESSES:

Meeting address: The meeting will be held at the Omni Hotel, 1 West Exchange Street Providence, RI 02903; telephone: (401) 598–8000; fax: (401) 598–8200.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION: The NEFMC's Scientific and Statistical Committee will meet to specify overfishing levels (OFLs) and develop Acceptable Biological Catch (ABC) recommendations for scallops for fishing years 2014 and 2015 (default) and for the Northeast Skate Complex for fishing years 2014 through 2016. The Committee will consider information provided to it by the Council's Scallop Plan Development Team (PDT) and by the Skate PDT.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 26, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–21148 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC842

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meetings.

SUMMARY: The New England Fishery Management Council's (Council) Groundfish Advisory Panel and Oversight Committee will meet to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meetings will be held on Monday, September 16, 2013 at 9 a.m. and Tuesday, September 17, 2013 at 9 a.m.

ADDRESSES:

Meeting address: The meetings will be held at the Holiday Inn, 300 Woodbury Ave., Portsmouth, NH 03801: telephone: (603) 431–8000; fax: (603) 501–3733.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Monday, September 16, 2013 beginning at 9 a.m. Groundfish Advisory Panel agenda:

The Groundfish Advisory Panel will meet, primarily to develop recommendations to the Groundfish Oversight Committee on issues that will be discussed during the September 17, 2013 meeting of the Committee. Related to Framework 51, they will consider Groundfish Plan Development Team (PDT) analyses and develop recommendations on draft measures. Related to Amendment 18, the panel will consider Groundfish PDT analyses and develop recommendations on draft measures. The panel will develop recommendations for groundfish priorities for 2014. They will address other business as necessary.

Tuesday, September 17, 2013 beginning at 9 a.m. Groundfish Oversight Committee agenda:

The Groundfish Oversight Committee will meet to discuss issues related to the Northeast Multispecies Fishery Management Plan. Related to Framework 51, the Committee will review Groundfish PDT analyses; review recommendations of the Groundfish Advisory Panel; review recommendations from the NEFMC Whiting Advisory Panel/MAFMC Squid Advisory Panel on small-mesh accountability measures for Georges Bank yellowtail flounder and develop recommendations on draft measures. Related to Amendment 18, they will review Groundfish PDT analyses; review recommendations of the Groundfish Advisory Panel and develop recommendations on draft measures. Also on the agenda will be to develop recommendations for groundfish priorities for 2014. They will address other business as necessary. There will be a closed session to review/recommend Advisory Panel applications for the next three year term (2014–16 term).

Although non-emergency issues not contained in this agenda may come before these groups for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice

that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies (see **ADDRESSES**) at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 26, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–21149 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC838

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Scientific and Statistical Committee (SSC) of the Mid-Atlantic Fishery Management Council (Council) will hold a meeting.

DATES: The meeting will be held on Tuesday, Wednesday, and Thursday, September 17–19, 2013. The meeting will begin at 9 a.m. on September 17 and conclude by 1 p.m. on September 19, 2013.

ADDRESSES: The meeting will be held at the Admiral Fell Inn, 888 South Broadway, Baltimore, MD 21231, telephone: (410) 522–7380.

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: Agenda items to be discussed at the SSC meeting include: review multi-year ABC specifications for spiny dogfish, bluefish, summer flounder, scup and black sea bass; make ABC recommendations for up to three years (2014–16) for summer flounder, scup and black sea bass; review SUN Subcommittee criteria for establishing and evaluating multi-year ABC recommendations; discuss research priorities for 2014; discuss potential topics for the fifth National SSC Workshop; review proposed ABC specification protocol for forage fish; and, at the request of the Council, provide peer review of recent paper on changes in fish distribution in response to ocean warming.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to M. Jan Saunders at the Mid-Atlantic Council Office, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: August 26, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–21169 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC843

North Pacific Fishery Management Council; Notice of Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The North Pacific Fishery Management Council (Council) Ecosystem Committee will meet in Seattle, WA.

DATES: The meeting will be held on September 16, 17, 2013 from 8:30 a.m. to 5 p.m.

ADDRESSES: The meeting will be held at the Alaska Fishery Science Center, 7600 Sand Point Way NE., Building 4, National Marine Mammal Laboratory (NMML) conference room, Room 2039, Seattle, WA.

Council address: North Pacific Fishery Management Council, 605 W 4th Ave., Suite 306, Anchorage, AK 99501–2252.

FOR FURTHER INFORMATION CONTACT: Diana Evans, Council staff, telephone: (907) 271–2809.

SUPPLEMENTARY INFORMATION: The agenda will be as follows:

Development of Ecosystem-based management (EMB) vision statement; Operationalizing EBM in Council projects, including the Aleutian Islands Fishery Ecosystem Plan, the Arctic Fishery Management Plan (FMP); Bering Sea coral conservation, and the Bering Sea research area and gear modification areas.

Concluding Recommendations to Council

The Agenda is subject to change, and the latest version is posted at *http://www.alaskafisheries.noaa.gov/npfmc/*.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at (907) 271–2809 at least 7 working days prior to the meeting date.

Dated: August 26, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–21150 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

National Estuarine Research Reserve System

AGENCY: Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

ACTION: Notice of approval of the Grand Bay, Mississippi and Delaware National Estuarine Research Reserve Management Plan Revisions.

SUMMARY: Notice is hereby given that the Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce approves the Grand Bay, Mississippi and the Delaware National Estuarine Research Reserve Management Plan Revisions. The revised management plans outline the administrative structure; the research, education, training, and stewardship goals of the reserve; and the plans for future land acquisition and facility development to support reserve operations.

The Grand Bay Reserve takes an integrated approach to management, linking research, education, training and stewardship functions to address high priority issues including climate change, threats to reserve resources and ecological functions, watershed development, and changes in water quality. Since the last management plan, the reserve has built out its core programs and monitoring infrastructure; constructed a L.E.E.D. certified Coastal Resources Center that includes laboratories, offices, classrooms, interpretative areas, and dormitories; and created interpretive trails.

With the approval of this management plan, the Grand Bay Reserve will decrease their total acreage from 18,400 acres to 18,049. The change is attributable to accuracy adjustments based on improved geographic information for the site. The revised management plan will serve as the guiding document for the 18,049 acre Grand Bay Reserve for the next five years.

The Delaware management plan focuses on improving the scientific understanding of estuarine and coastal ecosystems; improving public awareness and environmental literacy to enable environmentally sustainable decision-making; and protecting, managing and restoring the reserve to serve as a model site for sustainable community stewardship. Notable changes in the revised plan include a boundary expansion, a new coastal training program, implementation of the Blackbird Creek Reserve Master Ecological Restoration Plan, the opening of the Blackbird Creek Stewardship Center and facility improvements to the St. Jones Coastal Training Center.

With the approval of this management plan, the Delaware Reserve will increase their total acreage from 4,930 acres to 6,206. The change is attributable to acquisition of two parcels, totaling 64.3 acres, and increased mapping accuracy. These parcels have high ecological value and provide increased opportunities for research, education, and restoration. The revised management plan will serve as the guiding document for the 6,206 acre Delaware Reserve for the next five years.

The Grand Bay, Mississippi Reserve Management Plan revision is available at (*http://grandbaynerr.org/reserve-management-plan*) and the Delaware Reserve Management Plan revision is available at (*http://de.gov/dnerr*).

FOR FURTHER INFORMATION CONTACT: Matt Chasse at (301) 563–1198, Michael Migilori at (301) 563–1126 or Erica Seiden at (301) 563–1172 of NOAA's National Ocean Service, Estuarine Reserves Division, 1305 East-West Highway, N/ORM5, 10th floor, Silver Spring, MD 20910.

Dated: August 23, 2013.

Christopher C. Cartwright,

Associate Assistant Administrator for Management and CFO/CAO, National Ocean Service, National Oceanic and Atmospheric Administration.

[FR Doc. 2013–21220 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC010

Marine Mammals; File No. 14325

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application for permit amendment.

SUMMARY: Notice is hereby given that the Alaska Department of Fish and Game (ADF&G), Division of Wildlife Conservation, Juneau, AK, (Principal Investigator: Michael Rehberg), has applied for an amendment to Scientific Research Permit No. 14325–02 for taking Steller sea lions (*Eumetopias jubatus*) in Alaska.

DATES: Written, telefaxed, or email comments must be received on or before September 30, 2013.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the *Features* box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 14325 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427–8401; fax (301)713–0376; and

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802–1668; phone (907)586–7221; fax (907)586–7249.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301)713–0376, or by email to *NMFS.Pr1Comments@noaa.gov.* Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Tammy Adams or Amy Sloan, (301)427–8401.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 14325–02 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Permit No. 14325, issued on August 17, 2009 (74 FR 44822), authorizes taking of marine mammals during continuation of a long-term research program investigating various hypotheses for the decline or lack of recovery of Steller sea lions in Alaska.

The permit includes takes for: Incidental disturbance during aerial surveys; disturbance of animals on rookeries and haulouts during brand resighting surveys, and incidental to scat collection; capture for instrument attachment, branding, capture method development, physiological research, and sample collection; permanent marking of pups for long-term demographic and distribution studies; capture of older animals for physiological assessment; and attachment of scientific instruments to investigate foraging ecology, diving behavior and habitat use. The permit also authorizes unintentional mortality of Steller sea lions, and incidental harassment of harbor seals (*Phoca vitulina richardsi*), northern fur seals (*Callorhinus ursinus*), and California sea lions (*Zalophus californianus*). The permit was amended (to version no. 14325–01) on November 16, 2011, to change the identity of the Principal Investigator from Dr. Lorrie Rea to Michael Rehberg.

The permit was amended on July 12, 2012 (77 FR 38587), to include: manual restraint of pups in the eastern Distinct Population Segment (eDPS) and western DPS (wDPS); capture of adult Steller sea lions using remotely delivered immobilization agents; adding jugular blood draw/catheter location for sampling and Evans Blue injection; adding the intraperitoneal cavity to allowable deuterium injection sites; modifying time of year and number of takes for the Alsek/Akwe aerial surveys; and adding aerial surveys at Cape Newenham haulout and in the northern Bering Sea.

The permit holder requests an amendment to the permit to include: additional aerial surveys in the eDPS and wDPS; use of unmanned aircraft system to collect brand, entanglement, and population data; additional takes for non-target species (harbor seals, northern fur seals, and California sea lions) to accommodate the requested aerial and unmanned aircraft surveys.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activities proposed are consistent with the Preferred Alternative in the Final Programmatic Environmental Impact Statement for Steller Sea Lion and Northern Fur Seal Research (NMFS 2007), and that issuance of the permit would not have a significant adverse impact on the human environment.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 26, 2013.

P. Michael Payne,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2013–21155 Filed 8–29–13; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Additions and Deletions

AGENCY: Committee for Purchase from People Who are Blind or Severely Disabled.

ACTION: Additions to and Deletions from the Procurement List.

SUMMARY: This action adds products and services to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes services from the Procurement List previously provided by such agencies.

DATES: *Effective:* September 30, 2013.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 10800, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Additions

On 7/8/2013 (78 FR 40727–40728) and 7/12/2013 (78 FR 41915–41916), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to furnish the products and services and impact of the additions on the current or most recent contractors, the Committee has determined that the products and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products and services to the Government.

2. The action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the products and services proposed for addition to the Procurement List.

End of Certification

Accordingly, the following products and services are added to the Procurement List:

Products

NSN: MR 546—Sponge, All-Purpose, Nylon Mesh, Large
NPA: New York City Industries for the Blind, Inc., Brooklyn, NY
Contracting Activity: Defense Commissary Agency, Fort Lee, VA
COVERAGE: C-List for the requirements of military commissaries and exchanges as aggregated by the Defense Commissary Agency.

Towel, Hazardous Material Absorbent, Cotton, Red

NSN: 4235–01–526–4342 –15″ × 15″
NPA: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC
Contracting Activity: Defense Logistics Agency Aviation, Richmond, VA
COVERAGE: B-List for the Broad Government Requirement as aggregated by the Defense Logistics Agency Aviation, Richmond, VA.

Services

Service Type/Location: Janitorial Service, Customs and Border Protection, Brown Field Air Unit, 7685 Pogo Row, San Diego, CA.
NPA: Job Options, Inc., San Diego, CA
Contracting Activity: U.S. Customs and Border Protection, Aviation, Maritime & Border Technologies Contracting Division, Washington, DC
Service Type/Location: Chemical Latrine Service, NAVFAC–EFA–NW., 1101 Tautog Circle, Silverdale, WA
NPA: Skookum Educational Programs, Bremerton, WA
Contracting Activity: Dept. of the Navy, NAVFAC Northwest, Silverdale, WA
Service Type/Location: Vehicle Marshaling Service, GSA Rocky Mountain Region, Rapid City, SD.
NPA: BH Services, Inc., Ellsworth AFB, SD
Contracting Activity: Federal Acquisition Service, GSA/FSS Regional Fleet Mgt Office, Fort Worth, TX

Deletions

On 7/19/2013 (78 FR 43180), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the services listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to provide the services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the services deleted from the Procurement List.

End of Certification

Accordingly, the following services are deleted from the Procurement List:

Services

Service Type/Location: Industrial Laundry Service, Bureau of Engraving and Printing, 9000 Blue Mound Road, Fort Worth, TX
NPA: Goodwill Industrial Services of Fort Worth, Inc., Fort Worth, TX
Contracting Activity: Dept. of Treasury, Bureau of Engraving and Printing, Washington DC
Service Types/Location: Mailroom/Communications Center Operation Administrative Service, Department of Agriculture, Farm Service Agency, 6501 Beacon Drive, Kansas City, MO.
NPA: JobOne, Independence, MO
Contracting Activity: Dept. of Agriculture, Farm Service Agency, Kansas City Acquisition Branch, Kansas City, MO

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2013–21354 Filed 8–29–13; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Additions to the Procurement List.

SUMMARY: The Committee is proposing to add products to the Procurement List that will be furnished by the nonprofit agency employing persons who are blind or have other severe disabilities.

DATES: Comments must be received on or before: September 30, 2013.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 10800, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION OR TO SUBMIT COMMENTS CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products listed below from the nonprofit agency employing persons who are blind or have other severe disabilities.

The following products are proposed for addition to Procurement List for production by the nonprofit agency listed:

Products:

NSN: 6645–00–NIB–0141—Clock, Wall, Quartz Movement, 14.5″
NSN: 6645–00–NIB–0143—Clock, Wall, Self-Set Movement, 14.5″
NSN: 6645–00–NIB–0145—Clock, Wall, Quartz Movement, 16.5″
NSN: 6645–00–NIB–0147—Clock, Wall, Self-Set Movement, 16.5″
Coverage: A-List for the Total Government Requirement as aggregated by the General Services Administration.
NSN: 6645–00–NIB–0142—Clock, Wall, Quartz Movement, Customizable Logo, 14.5″
NSN: 6645–00–NIB–0144—Clock, Wall, Self-Set Movement, Customizable Logo, 14.5″
NSN: 6645–00–NIB–0146—Clock, Wall, Quartz Movement, Customizable Logo, 16.5″
NSN: 6645–00–NIB–0148—Clock, Wall, Self-Set Movement, Customizable Logo, 16.5″
NSN: 6645–00–NIB–0149—Clock, Wall, Quartz Movement, 15.5″
NSN: 6645–00–NIB–0150—Clock, Wall, Quartz Movement, Customizable Logo, 15.5″
NSN: 6645–00–NIB–0151—Clock, Wall, Self-Set Movement, 15.5″
NSN: 6645–00–NIB–0152—Clock, Wall, Self-Set Movement, Customizable Logo, 15.5″
Coverage: B-List for the Broad Government Requirement as aggregated by the General Services Administration
NPA: The Chicago Lighthouse for People Who are Blind or Visually Impaired, Chicago, IL
Contracting Activity: General Services Administration, New York, NY

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2013–21355 Filed 8–29–13; 8:45 am]

BILLING CODE 6353–01–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

Notice of Ratification

The President appointed me as Director of the Bureau of Consumer Financial Protection on January 4, 2012, pursuant to his authority under the Recess Appointments Clause, U.S. Const. art. II, § 2, cl. 3. The President subsequently appointed me as Director on July 17, 2013, following confirmation by the Senate, pursuant to the Appointments Clause, U.S. Const. art. II, § 2, cl. 2. I believe that the actions I took during the period I was serving as a recess appointee were legally authorized and entirely proper. To avoid any possible uncertainty, however, I hereby affirm and ratify any and all actions I took during that period.

Dated: August 27, 2013.

Richard Cordray,

Director, Bureau of Consumer Financial Protection.

[FR Doc. 2013–21275 Filed 8–29–13; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2009–0064]

Proposed Extension of Approval of Information Collection; Comment Request—Infant Bath Seats

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Consumer Product Safety Commission (CPSC or

Commission) requests comments on a proposed request for extension of approval of a collection of information for the safety standard for infant bath seats. The Office of Management and Budget (OMB) previously approved the collection of information under control number 3041–0145. OMB's approval will expire on October 30, 2013. The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from OMB.

DATES: The Office of the Secretary must receive comments not later than October 29, 2013.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2009–0064, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions in the following way: Mail/Hand delivery/Courier (for paper, disk, or CD–ROM submissions), preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* and insert the docket number, CPSC–2009–0064, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: For further information contact: Robert H. Squibb, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; (301) 504–7815, or by email to: *rsquibb@cpsc.gov.*

SUPPLEMENTARY INFORMATION:

A. Background

Section 104(b) of the Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law 110–314, 122 Stat. 3016 (August 14, 2008), requires the Consumer Product Safety Commission (Commission or CPSC) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be ''substantially the same as'' applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. On June 4, 2010, the Commission issued a safety standard for infant bath seats that incorporated by reference the voluntary standard for infant bath seats issued by ASTM International, ASTM F1967–08a, with some modifications to further reduce the risk of injury associated with infant bath seats. 75 FR 31691. On July 31, 2012, the Commission adopted the revised ASTM standard for infant bath seats, ASTM F1967–11a. 77 FR 45242. The requirements for infant bath seats are set forth under 16 CFR part 1215.

Sections 8.6 and 9 of ASTM F1967–11a contain requirements for marking, labeling, and instructional literature, which may be considered to be collections of information. Section 8.6 of ASTM F1967–11a requires:

- The name of the manufacturer, distributor, or seller and either the place of business (city, state, and mailing address, including zip code), or telephone number, or both; and
- a code mark or other means that identifies the date (month and year, as a minimum) of manufacture.

Section 9 of ASTM F1967–11a requires infant bath seats to be provided with instructions regarding assembly, maintenance, cleaning, storage, and use, as well as warnings.

B. Burden Hours

There are seven known firms supplying infant bath seats to the U.S. market. All seven firms are assumed to use labels on both their products and their packaging; however, modifications to existing labels may be required to comply with the ASTM standard. The estimated time required to make these modifications is about one hour per model. On the average, each of the seven firms supplies approximately two different models of infant bath seats; therefore, the estimated burden hours associated with modified labels is 1 hour × 7 firms × 2 models per firm = 14 annual hours.

Section 9 of ASTM F1967–11a requires instructions to be supplied with the product. This is a practice that is usual and customary with infant bath seats. These are products that generally require some installation and maintenance instructions, and any products sold without such information would not be able to compete successfully with products that provide this information. Any burden associated with supplying instructions with infant bath seats would be ''usual and customary'' and not within the definition of ''burden'' under OMB's regulations. 5 CFR 1320.3(b)(2).

We estimate that hourly compensation for the time required to create and update labels is $27.44, based on the assumption that sales or office employees will be modifying the labels as required (U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' March 2013, Table 9, total compensation for all sales and office workers in goods-producing private industries: *http://www.bls.gov/ncs/*). Therefore, the estimated annual cost associated with the requirements is $384 ($27.44 per hour × 14 hours = $384).

The estimated annual cost of the information collection requirements to the federal government is approximately $3,527, which includes 60 CPSC staff hours to examine and evaluate the information, as needed for monitoring and enforcement. This is based on a GS–12 level, salaried employee. The average hourly wage rate for a mid-level salaried GS–12 employee in the Washington, DC, metropolitan area (effective as of January 2011) is $40.80 (GS–12, step 5). This represents 69.5 percent of total compensation (U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' March 2013, Table 1, percentage of wages and salaries for all civilian management, professional, and related employees, *http://www.bls.gov/ncs/*). Adding an additional 30.5 percent for benefits brings average hourly compensation for a mid-range salaried GS–12 employee to $58.78. Assuming that approximately 60 hours of staff time will be required annually, the total annual cost of CPSC staff time to examine and evaluate the information is estimated at $3,527.

C. Request for Comments

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

—whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
—whether the estimated burden of the proposed collection of information is accurate;
—whether the quality, utility, and clarity of the information to be collected could be enhanced; and
—whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Dated: August 27, 2013.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2013–21214 Filed 8–29–13; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2013–OS–0187]

Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by September 30, 2013.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

SUPPLEMENTARY INFORMATION:

Title, Associated Form and OMB Number: Defense Industrial Base Cyber Security/Information Assurance (DIB CS/IA) Points of Contact (POC) Information; OMB Control Number 0704–0490.

Type of Request: Reinstatement without Change.

Number of Respondents: 250.

Responses per Respondent: Approximately 1.1.

Annual Responses: 275.

Average Burden per Response: 20 minutes.

Annual Burden Hours: 92 hours.

Needs and Uses: The information collected supports the execution of the voluntary DIB CS/IA program to enhance and supplement DIB participant's capabilities to safeguard DoD information that resides on, or transits, DIB unclassified information systems. This program requires DoD to collect, share and manage point of contact information for program administration and management purposes.

Affected Public: Business or other for-Profit; Not-for-Profit.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Seehra.

Written comments and recommendations on the proposed information collection should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

You may also submit comments, identified by docket number and title, by the following method:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Patricia Toppings.

Written requests for copies of the information collection proposal should be sent to Ms. Toppings at WHS/ESD Information Management Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Dated: August 27, 2013.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2013–21234 Filed 8–29–13; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2013–OS–0186]

Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by September 30, 2013.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

SUPPLEMENTARY INFORMATION:

Title, Associated Form and OMB Number: Defense Industrial Base Cyber Security/Information Assurance (DIB CS/IA) Cyber Incident Reporting; OMB Control Number 0704–0489.

Type of Request: Reinstatement without Change.

Number of Respondents: 750.

Responses per Respondent: 5.

Annual Responses: 3,750.

Average Burden per Response: 7 hours.

Annual Burden Hours: 26,250.

Needs and Uses: The information collected supports the execution of the voluntary DIB CS/IA program to enhance and supplement DIB participant's capabilities to safeguard DoD information that resides on, or transits, DIB unclassified information systems. The requested information supports the collaborative cyber threat information sharing and incident reporting partnership between DoD and the DIB.

Affected Public: Business or other for-Profit; Not-for-Profit.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Seehra.

Written comments and recommendations on the proposed information collection should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

You may also submit comments, identified by docket number and title, by the following method:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Patricia Toppings.

Written requests for copies of the information collection proposal should

be sent to Ms. Toppings at WHS/ESD Information Management Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Dated: August 27, 2013.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2013–21233 Filed 8–29–13; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2013–ICCD–0080]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Assurances for the Protection and Advocacy for Assistive Technology (PAAT) Program

AGENCY: Office of Special Education and Rehabilitative Services (OSERS). Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing an extension without change of an existing information collection.

DATES: Interested persons are invited to submit comments on or before September 30, 2013.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2013–ICCD–0080 or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 2E115, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: Tomakie Washington, 202–401–1097 or email *ICDocketMgr@ed.gov.* Please do not send comments here.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Assurances for the Protection and Advocacy for Assistive Technology (PAAT) Program.

OMB Control Number: 1820–0658.

Type of Review: Extension without change of an existing collection of information.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 57.

Total Estimated Number of Annual Burden Hours: 9.

Abstract: This information collection instrument will be used by grantees to request funds to carry out the Protection and Advocacy for Assistive Technology (PAAT) Assurances program. PAAT is mandated by the Assistive Technology Act of 1998, as amended in 2004 (AT Act), to provide protection and advocacy services to individuals with disabilities for the purposes of assisting in the acquisition, utilization or maintenance of assistive technology or assistive technology services.

Dated: August 22, 2013.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2013–21178 Filed 8–29–13; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

[FE Docket No. 13–97–LNG]

ConocoPhillips Company; Application for Blanket Authorization To Export Previously Imported Liquefied Natural Gas on a Short-Term Basis

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application), filed on August 7, 2013, by ConocoPhillips Company (ConocoPhillips), requesting blanket authorization to export liquefied natural gas (LNG) that previously had been imported into the United States from foreign sources in an amount up to the equivalent of 500 Billion cubic feet (Bcf) of natural gas on a short-term or spot market basis over a two year period commencing on November 30, 2013.[1] ConocoPhillips further requests that such authorization extend to LNG supplies imported from foreign sources to which ConocoPhillips holds title, as well as to LNG supplies imported from foreign sources that ConocoPhillips may export on behalf of other entities who themselves hold title. The LNG would be exported from the LNG terminal facilities owned by Freeport LNG Development, L.P. (Freeport LNG) on Quintana Island, Texas, to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy. The Application was filed under section 3 of the Natural Gas Act (NGA). Protests, motions to intervene, notices of intervention, and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in Public Comment Procedures below no later than 4:30 p.m., eastern time, September 30, 2013.

ADDRESSES:

Electronic Filing by email: fergas@hq.doe.gov.

#Regular Mail:

U.S. Department of Energy (FE–34),
Office of Oil and Gas Global Security and Supply,
Office of Fossil Energy,
P.O. Box 44375,
Washington, DC 20026–4375.

Hand Delivery or Private Delivery Services (e.g., FedEx, UPS, etc.):

U.S. Department of Energy (FE–34),

[1] *ConocoPhillips Company,* DOE/FE Order No. 3038 (November 22, 2011) extends through November 29, 2013 (FE Docket No. 11–109–LNG).

Office of Oil and Gas Global Security and Supply,
Office of Fossil Energy,
Forrestal Building, Room 3E–042,
1000 Independence Avenue SW,
Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT:

Larine Moore or Beverly Howard,
U.S. Department of Energy (FE–34),
Office of Oil and Gas Global Security and Supply,
Office of Fossil Energy,
Forrestal Building, Room 3E–042,
1000 Independence Avenue, SW.,
Washington, DC 20585,
(202) 586–9478; (202) 586–9387.
Edward Myers,
U.S. Department of Energy (FE–76),
Office of the Assistant General Counsel,
Electricity and Fossil Energy,
Forrestal Building, Room 6B–256,
1000 Independence Ave. SW.,
Washington, DC 20585,
(202) 586–3397.

SUPPLEMENTARY INFORMATION:

Background

ConocoPhillips is a Delaware corporation with its principal place of business in Houston, Texas. ConocoPhillips is an independent producer and seller of natural gas that imports LNG into the United States and exports foreign-sourced LNG from the United States. On November 22, 2011, DOE/FE issued Order No. 3038, which granted ConocoPhillips authorization to export LNG that previously had been imported from foreign sources in an amount up to the equivalent of 500 Bcf of natural gas on a cumulative basis over a two-year period commencing on November 30, 2011.

Current Application

The current Application is filed in anticipation of the pending expiration of Order No. 3038 on November 29, 2013, and requests the same type of authorization previously granted in that Order. ConocoPhillips therefore requests this blanket authorization to export previously imported foreign-sourced LNG on a short-term or spot market basis. ConocoPhillips requests such authorization on its own behalf or as agent for others who hold title to the LNG at the time of export, up to a cumulative total equivalent to 500 Bcf of natural gas from the Freeport LNG Terminal for a twenty-five month period, beginning on November 30, 2013. ConocoPhillips is seeking the proposed authorization to export previously imported LNG to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by Federal law or policy. ConocoPhillips states that it does not seek authorization to export domestically-produced natural gas or LNG.

Public Interest Considerations

In support of its Application, ConocoPhillips states that pursuant to section 3 of the NGA, FE must authorize exports to a foreign country unless there is a finding that such exports ''will not be consistent with the public interest.'' [2] ConocoPhillips states that section 3 creates a statutory presumption in favor of approval of a properly framed export application.[3] ConocoPhillips states further, in evaluating an export application, FE applies the principles described in DOE Delegation Order No. 0204–111 which states that domestic need for natural gas shall be the primary focus of DOE when evaluating an export application.[4] Finally, as detailed below, ConocoPhillips states that this blanket export authorization request satisfies the public interest standard of section 3 of the NGA.

ConocoPhillips asserts that there is no domestic need for the LNG to be exported by ConocoPhillips pursuant to the blanket authorization requested. In support, ConocoPhillips states that in recent years, DOE/FE has issued a number of blanket authorizations to export previously-imported LNG, including the one issued to ConocoPhillips in Order No. 3038, finding that such LNG is not needed to meet domestic demand for natural gas.[5] ConocoPhillips cites numerous recent authorizations issued by DOE/FE that were all approved. ConocoPhillips states that DOE/FE concluded in a recent Freeport LNG Development L.P. authorization that, ''the evidence of record indicates that United States' consumers continue to have access to substantial quantities of natural gas sufficient to meet domestic demand from multiple other sources at competitive prices without drawing on the LNG which Freeport LNG Development L.P. seeks to export.'' [6] Conoco Phillips states that this record evidence also supports the conclusion that the foreign-sourced LNG that ConocoPhillips may export from the Freeport LNG terminal facilities pursuant to the blanket authorization requested herein is not needed to meet domestic demand.

ConocoPhillips states that the monthly reports that it has filed with DOE/FE pursuant to Order No. 3038 confirm that it has used its currently effective blanket authorization to export previously-imported LNG from the United States. ConocoPhillips states that the Order No. 3038 blanket export authorization has also facilitated the importation of LNG cargos into the United States by enabling it to import LNG cargos without fear that such cargos will become captive to the U.S. market if, in ConocoPhillips' view, market conditions ultimately do not support delivering regassified LNG into the U.S. market. ConocoPhillips states that is has also sold LNG to Freeport LNG to replace boil off, thereby contributing to the operational stability of the Freeport LNG terminal facilities.

Environmental Impact

ConocoPhillips states that no modifications to Freeport LNG's Quintana Island terminal are required to enable the proposed exports of LNG. ConocoPhillips also states the environmental impacts of permitting the exportation of LNG from Freeport LNG's Quintana Island terminal facilities were already reviewed by DOE/FE in Order No. 3317 [7] and that DOE/FE previously found that the export of LNG by ConocoPhillips from the Freeport LNG terminal facilities will have no additional environmental impact.[8]

DOE/FE Evaluation

The Application will be reviewed pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a), as amended, and the authority contained in DOE Delegation Order No. 00–002.00L (April 29, 2011) and DOE Redelegation Order No. 00–002.04E (April 29, 2011). In reviewing this Application, DOE will consider domestic need for the natural gas, as well as any other issues determined to be appropriate, including whether the arrangement is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Persons that may oppose this Application should

[2] 15 U.S.C. 717b (a).

[3] *Phillips Alaska Natural Gas Corp. and Marathon Oil Co.,* DOE/FE Order No. 1473, 2 FE¶70,317 at p. 13, n. 42 (April 2, 1999), citing *Panhandle Producers and Royalty Owners Association* v. *ERA,* 822 f. 2d 1105, 1111 (DC Cir. 1987).

[4] Ibid, at p. 14.

[5] *Freeport LNG Development, L.P.,* DOE/FE Order No. 3317 (July 19, 2013); *ENI USA Gas Marketing LLC,* DOE/FE Order No. 3247 (March 5, 2013); *Sempra LNG Marketing, LLC,* DOE/FE Order No. 3231 (February 13, 2013); *Chevron U.S.A. Inc.,* DOE/FE Order No. 3221 (January 4, 2013); *The Dow Chemical Company,* DOE/FE Order No. 3162 (October 11, 2012); *Cheniere Marketing, LLC,* DOE/FE Order No. 3102 (June 7, 2012).

[6] *Freeport LNG Development, L.P,.* DOE/FE Order No. 3317 (July 19, 2013) at p. 8.

[7] *ibid* at p. 10 n. 14.

[8] *See* DOE/FE Order No. 3038 (November 22, 2011).

comment in their responses on these issues.

NEPA requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its NEPA responsibilities.

Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention, as applicable. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene or notices of intervention must meet the requirements specified by the regulations in 10 CFR Part 590. The information contained in any filing will not be held confidential and will be posted to DOE's public Web site except to the extent confidential treatment is requested and granted.

Filings may be submitted using one of the following methods: (1) emailing the filing to *fergas@hq.doe.gov,* with FE Docket No. 13–97–LNG in the title line; (2) mailing an original and three paper copies of the filing to the Office of Oil and Gas Global Security and Supply at the address listed in **ADDRESSES**; or (3) hand delivering an original and three paper copies of the filing to the Office of Oil and Gas Global Security and Supply at the address listed in **ADDRESSES**. All filings must include a reference to FE Docket No. 13–97–LNG.

A decisional record on the Application will be developed through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, an oral presentation, a conference, or trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

The Application is available for inspection and copying in the Office of Oil and Gas Global Security and Supply docket room, Room 3E–042, 1000 Independence Avenue SW, Washington, DC 20585. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The Application and any filed protests, motions to intervene or notice of interventions, and comments will also be available electronically by going to the following DOE/FE Web address: *http://www.fe.doe.gov/programs/gasregulation/index.html.*

Issued in Washington, DC, on August 22, 2013.

Marc P. Talbert,

Acting Manager, Natural Gas Regulatory Activities, Office of Oil and Gas Global Security and Supply, Office of Fossil Energy.

[FR Doc. 2013–21215 Filed 8–29–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Orders Granting Authority To Import and Export Natural Gas, To Import and Export Liquefied Natural Gas and Vacating Prior Authority During July 2013

	FE Docket Nos.
ELEMENT MARKETS RENEWABLE ENERGY, LLC).	
TIDAL ENERGY MARKETING (U.S.) LLC)	13–75–NG
HUDSON ENERGY SERVICES, LLC)	13–71–NG
SABINE PASS LIQUEFACTION, LLC)	13–30–LNG
J.P. MORGAN COMMODITIES CORPORATION)	13–76–NG
J.P. MORGAN VENTURES ENERGY CORPORATION)	13–77–NG
SEMPRA LNG INTERNATIONAL, LLC)	13–78–NG
J.P. MORGAN VENTURES ENERGY CORPORATION)	13–79–LNG
JUST ENERGY ONTARIO LP)	13–80–NG
SAN DIEGO GAS & ELECTRIC COMPANY)	13–85–NG
CAMBRIDGE ENERGY)	13–83–LNG
STANDARD NATURAL GAS, INC.)	13–81–LNG
CASTLETON COMMODITIES CANADA LP) 1	3–87–NG
PROLIANCE ENERGY, LLC)	11–110–NG
FREEPORT LNG DEVELOPMENT, LP)	13–51–LNG

AGENCY: Office of Fossil Energy, Department of Energy (DOE).

ACTION: Notice of orders.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy gives notice that during July 2013, it issued orders granting authority to import and export natural gas, to import and export liquefied natural gas and to vacate prior authority. These orders are summarized in the attached appendix and may be found on the FE Web site at *http://www.fossil.energy.gov/programs/gasregulation/authorizations/Orders-2013.html.* They are also available for inspection and copying in the Office of Fossil Energy, Office of Oil and Gas Global Security and Supply, Docket Room 3E–033, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478. The Docket Room is open between the hours of 8:00 a.m. and 4:30 p.m.,

Monday through Friday, except Federal holidays.

Issued in Washington, DC on August 22, 2013.

Marc P. Talbert,

Acting Manager, Natural Gas Regulatory Activities, Office of Oil and Gas Global Security and Supply, Office of Fossil Energy.

Appendix

DOE/FE ORDERS GRANTING IMPORT/EXPORT AUTHORIZATIONS

3303 ..	07/11/13	13–72–NG	Element Markets Renewable Energy, LLC.	Order granting blanket authority to import natural gas from Canada/Mexico.
3304 ..	07/11/13	13–75–NG	Tidal Energy Marketing (U.S.) L.L.C. ..	Order granting blanket authority to import/export natural gas from/to Canada.
3305 ..	07/11/13	13–71–NG	Hudson Energy Services, LLC	Order granting blanket authority to import/export natural gas from/to Canada.
3306 ..	07/11/13	13–30–LNG ..	Sabine Pass Liquefaction, LLC	Order granting authorization to export LNG by vessel pursuant to the long-term contract with Total Gas & Power North America, Inc. from the Sabine Pass LNG Terminal to Free Trade Agreement Nations.
3307 ..	07/12/13	13–42–NG	Sabine Pass Liquefaction, LLC	Order granting authorization to export LNG by vessel pursuant to the long-term contract with Centrica PLC from the Sabine Pass LNG Terminal to Free Trade Agreement Nations.
3308 ..	07/18/13	13–76–NG	J.P. Morgan Commodities Corporation	Order granting blanket authority to import/export natural gas from/to Canada.
3309 ..	07/18/13	13–77–NG	J.P. Morgan Ventures Energy Corporation.	Order granting blanket authority to import/export natural gas from/to Canada/Mexico.
3310 ..	07/18/13	13–78–NG	Sempra LNG International, LLC	Order granting blanket authority to import/export natural gas from/to Mexico.
3311 ..	07/18/13	13–79–LNG ..	J.P. Morgan Ventures Energy Corporation.	Order granting blanket authority to import LNG from various international sources by vessel.
3312 ..	07/18/13	13–80–NG	Just Energy Ontario L.P.	Order granting blanket authority to import/export natural gas from/to Canada.
3313 ..	07/18/13	13–85–NG	San Diego Gas & Electric Company ...	Order granting blanket authority to import/export natural gas from/to Mexico.
3314 ..	07/18/13	13–83–LNG ..	Cambridge Energy	Order granting blanket authority to import LNG from various international sources by vessel, and to export LNG to Canada/Mexico by vessel.
3315 ..	07/18/13	13–81–LNG ..	Standard Natural Gas, Inc.	Order granting blanket authority to import/export LNG from/to Canada/Mexico by truck.
3316 ..	07/18/13	13–87–NG	Castleton Commodities Canada LP	Order granting blanket authority to import/export natural gas from/to Canada.
3011–A.	07/18/13	11–110–NG ..	ProLiance Energy, LLC	Order vacating blanket authority to import/export natural gas from/to Canada.
3317 ..	07/19/13	13–51–LNG ..	Freeport LNG Development, L.P.	Order granting blanket authority to export previously imported LNG by vessel.

[FR Doc. 2013–21216 Filed 8–29–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

State Energy Advisory Board; Meeting

AGENCY: Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a live Board meeting of the State Energy Advisory Board (STEAB). The Federal Advisory Committee Act (Pub. L. 92–463; 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: October 15, 2013: 9:00 a.m. to 5:00 p.m.

October 16, 2013: 9:00 a.m. to 5:00 p.m.

ADDRESSES: Washington Marriott Wardman Park Hotel, 2660 Woodley Road NW., Washington, DC 20008.

FOR FURTHER INFORMATION CONTACT: Gil Sperling, STEAB Designated Federal Officer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, 1000 Independence Ave. SW., Washington DC 20585.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: To make recommendations to the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy regarding goals and objectives, programmatic and administrative policies, and to otherwise carry out the Board's responsibilities as designated in the State Energy Efficiency Programs Improvement Act of 1990 (Pub. L. 101–440).

Tentative Agenda: Receive in person updates and reviews of accomplishments of STEAB's Subcommittee and Taskforces, meet with key members of DOE's Office of Energy Efficiency and Renewable Energy (EERE) to discuss current initiatives and programs, participate in round-table discussions with EERE Program Directors, explore energy innovative financing options, discuss strategic planning opportunities, and update to the Board on routine business matters and other topics of interest.

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Gil Sperling at the address or telephone number listed above. Requests to make oral comments must be received five days prior to the meeting; reasonable provision will be

made to include requested topic(s) on the agenda. The Chair of the Board is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: The minutes of the meeting will be available for public review and copying within 90 days on the STEAB Web site, *www.steab.org.*

Issued at Washington, DC on August 26, 2013.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2013–21217 Filed 8–29–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Unconventional Resources Technology Advisory Committee

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Unconventional Resources Technology Advisory Committee. The Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Thursday, September 19, 2013, 1:00 p.m.–5:00 p.m. (EDT).

ADDRESSES: U.S. Department of Energy, 1000 Independence Avenue SW., Room 3G–043, Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Elena Melchert, U.S. Department of Energy, Office of Oil and Natural Gas, 1000 Independence Ave. SW., Washington, DC 20585. Phone: (202) 586–5600.

SUPPLEMENTARY INFORMATION: *Purpose of the Committee:* The purpose of the Unconventional Resources Technology Advisory Committee is to provide advice on development and implementation of programs related to onshore unconventional natural gas and other petroleum resources to the Secretary of Energy; and provide comments and recommendations and priorities for the Department of Energy Annual Plan per requirements of the Energy Policy Act of 2005, Title IX, Subtitle J, Section 999D.

Tentative Agenda

September 19, 2013

12:30 p.m.–1:00 p.m. Registration

1:00 p.m.–4:45 p.m. Call to Order, Welcome, Introductions, Opening Remarks, Overview of the Oil and Gas Unconventional Research Portfolio (Unconventional Resources, Small Producers, and NETL Complementary Research), Overview of *Draft 2014 Annual Plan,* Discussion, Establishment of Subcommittees

4:45 p.m.–5:00 p.m. Public Comments, if any

5:00 p.m. Adjourn

Public Participation: The meeting is open to the public. The Designated Federal Officer and the Chairman of the Committee will lead the meeting for the orderly conduct of business. Individuals who would like to attend must RSVP by email to: *UnconventionalResources@hq.doe.gov* no later than 5:00 p.m. on Monday, September 16, 2013. Please provide your name, organization, citizenship and contact information. Space is limited. Everyone attending the meeting will be required to present government-issued identification. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact Elena Melchert at the telephone number listed above. You must make your request for an oral statement at least three business days prior to the meeting, and reasonable provisions will be made to include all who wish to speak. Public comment will follow the three-minute rule.

Minutes: The minutes of this meeting will be available for public review and copying within 60 days at *http://energy.gov/fe/services/advisory-committees/unconventional-resources-technology-advisory-committee.*

Issued at Washington, DC, on August 26, 2013.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2013–21218 Filed 8–29–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Ultra-Deepwater Advisory Committee

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Ultra-Deepwater Advisory Committee. The Federal Advisory Committee Act (Public Law 92–463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Tuesday, September 17, 2013, 1:00 p.m.–5:00 p.m. (EDT).

ADDRESSES: U.S. Department of Energy, 1000 Independence Avenue SW., Room 3G–043, Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Elena Melchert, U.S. Department of Energy, Office of Oil and Natural Gas, 1000 Independence Ave. SW., Washington, DC 20585. Phone: (202) 586–5600.

SUPPLEMENTARY INFORMATION: *Purpose of the Committee:* The purpose of the Ultra-Deepwater Advisory Committee is to provide advice on development and implementation of programs related to ultra-deepwater architecture and technology to the Secretary of Energy and provide comments and recommendations and priorities for the Department of Energy Annual Plan per requirements of the Energy Policy Act of 2005, Title IX, Subtitle J, Section 999D.

Tentative Agenda

September 17, 2013

12:30 p.m.–1:00 p.m. Registration

1:00 p.m.–4:45 p.m. Call to Order, Welcome, Introductions, Opening Remarks, Overview of the Oil and Gas Ultra-Deepwater Research Portfolio, Overview of *Draft 2014 Annual Plan,* Discussion, Establishment of Subcommittees

4:45 p.m.–5:00 p.m. Public Comments, if any

5:00 p.m. Adjourn

Public Participation: The meeting is open to the public. The Designated Federal Officer and the Chairman of the Committee will lead the meeting for the orderly conduct of business. Individuals who would like to attend must RSVP by email to: *UltraDeepwater@hq.doe.gov* no later than 5:00 p.m. on Thursday, September 12, 2013. Please provide your name, organization, citizenship and contact information. Space is limited. Everyone attending the meeting will be required to present government issued identification. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact Elena Melchert at the telephone number listed above. You must make your request for an oral statement at least three business days prior to the meeting, and reasonable provisions will be made to include all who wish to speak. Public comment will follow the three-minute rule.

Minutes: The minutes of this meeting will be available for public review and copying within 60 days at *http://energy.gov/fe/services/advisory-committees/ultra-deepwater-advisory-committee.*

Issued at Washington, DC, on August 26, 2013.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2013–21223 Filed 8–29–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP13–533–000]

Columbia Gas Transmission, LLC; Prior Notice of Activity Under Blanket Certificate

On August 14, 2013, Columbia Gas Transmission, LLC (Columbia) filed with the Federal Energy Regulatory Commission (Commission) an application under section 7 of the Natural Gas Act and Sections 157.205 and 157.210 of the Commission's regulations and Columbia's authorization in Docket No. CP83–76–000, 22 FERC ¶62,029 (1983), to convert some existing compressor units from base load to standby operational mode at three compressor stations. As explained in the application, the affected stations are located in Braxton County, Hardy Elk County, and Pendleton County, West Virginia.

Questions regarding this application may be directed to Fredric J. George, Senior Counsel, Columbia Gas Transmission, LLC, P.O. Box 1273, Charleston, West Virginia 25325–1273, by calling 304–357–2359 or fax 304–357–3206.

Pursuant to Section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review (NSER). If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a NSER will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Any person or the Commission's staff may, within 60 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the regulations under the NGA (18 CFR 157.205), a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the NGA.

Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such motions or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant, on or before the comment date. It is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of comments, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.fere.gov.* Persons unable to file electronically should submit an original and five copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov* using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 22, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21204 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC13–15–000]

Commission Information Collection Activities (Ferc-582); Comment Request

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Comment request.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting the information collection FERC–582 (Electric Fees, Annual Charges, Waivers, and Exemptions) to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission issued a Notice in the **Federal Register** (78 FR 47310, 8/5/2013) requesting public comments. FERC received no comments on the FERC–582 and is making this notation in its submittal to OMB.

Note: Commission staff is issuing this notice to highlight a change in the estimated total annual burden from what was shown in two recent notices. In each prior notice,[1] FERC estimated the total annual burden at 114 hours. FERC has revised the estimation of the total annual burden to 300 hours, which better reflects past burden estimates for this collection. More specifically, portions of the total annual burden were increased from 1 hour per response to 3 hours per response (Annual Charges) and 2 hours per response (Declaratory Order), consistent with estimates for this collection since the last time it was approved by OMB. The total number of respondents remained static. Further detail regarding the total annual burden is provided below in the ''Estimate of Annual Burden'' section of this notice.

DATES: Comments on the collection of information are due by September 20, 2013.

ADDRESSES: Comments filed with OMB, identified by the OMB Control No. 1902–0132, should be sent via email to the Office of Information and Regulatory Affairs: *oira_submission@omb.gov.* Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202–395–4718.

[1] 78 FR 30912, 5/23/2013; and 78 FR 47310, 8/5/2013.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission, identified by the Docket No. IC13–15–000, by either of the following methods:

• *eFiling at Commission's Web site: http://www.ferc.gov/docs-filing/efiling.asp.*

• *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at DataClearance@FERC.gov, by telephone at (202) 502–8663, and by fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: Electric Fees, Annual Charges, Waivers, and Exemptions.

OMB Control No.: 1902–0132.

Type of Request: Three-year extension of the FERC–582 information collection requirements with no changes to the reporting requirements.

Abstract: The information required by FERC–582 is contained within 18 Code of Federal Regulations (CFR) part 381 [2] and part 382.[3]

The Commission uses the FERC–582 to implement the statutory provisions of the Independent Offices Appropriation Act of 1952 (IOAA) [4] which authorizes the Commission to establish fees for its services. In addition, the Omnibus Budget Reconciliation Act of 1986 (OBRA) [5] authorizes the Commission to assess and collect fees and annual charges in any fiscal year in amounts equal to all the costs incurred by the Commission in that fiscal year.

To comply with the FERC–582, respondents submit to the Commission the sum of the megawatt-hours (MWh) of all unbundled transmission (including MWh delivered in wheeling transactions and MWh delivered in exchange transactions) and the megawatt-hours of all bundled wholesale power sales (to the extent the bundled wholesale power sales were not separately reported as unbundled transmission). The data collected within the FERC–582 is drawn directly from the FERC Form 1 transmission data. The Commission sums the costs of its electric regulatory program and subtracts all electric regulatory program filing fee collections to determine the total collectible electric regulatory program costs. Then, the Commission uses the data submitted under FERC–582 to determine the total megawatt-hours of transmission of electric energy in interstate commerce.

Respondents (public utilities, power marketers) subject to these annual charges must submit FERC–582 data to the Commission by April 30 of each year.[6] The Commission issues bills for annual charges to respondents. Then, respondents must pay the charges within 45 days of the Commission's issuance of the bill.

Respondents may file requests for waivers and exemptions of fees and charges [7] based on need. The Commission's staff uses the filer's financial information to evaluate the request for a waiver or exemption of the obligation to pay a fee or an annual charge.

Respondents may also file petitions for declaratory orders and requests for OGC interpretations.

Type of Respondents: Public utilities and power marketers.

Estimate of Annual Burden: [8] The Commission *revises* its estimate of the total Public Reporting Burden for this information collection as: [9]

FERC–582: ELECTRIC FEES; ANNUAL CHARGES; WAIVERS; AND EXEMPTIONS

FERC–582 [10]	Number of respondents (A)	Number of responses per respondent (B)	Total number of responses (A)x(B)=(C)	Average burden hours per response (D)	Estimated total annual burden (C)x(D)
Annual Charges	73	1	73	3	219
Declaratory Order	40	1	40	2	80
OGC Interpretation	1	1	1	1	1
TOTAL	114		114		300

The total estimated annual cost burden to respondents is $21,000 [300 hours * $70 per hour [11] = $21,000]

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

[2] Title 18 CFR, Sections 381.105, 381.106, 381.108, 381.302, and 381.305.

[3] Title 18 CFR, Sections 382.102, 382.103, 382.105, 382.106, and 382.201.

[4] 31 U.S.C. 9701.

[5] 42 U.S.C. 7178.

[6] 18 CFR 382.201.

[7] 18 CFR 381 and 382.

[8] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[9] See ''Summary'' section above for more information about the revision to the burden estimates as compared to recent notices.

[10] Includes requirements of:

• 18 CFR 381.105 (methods of payment), 381.106 (waiver), 381.108 (exemption), 381.302 (declaratory order), 381.303 (review of DOE remedial order), 381.304 (DOE denial of adjustment, and 381.305 (OGC interpretation).

• 18 CFR 382.102, 382.103, 382.105, 382.106, 382.106 (annual charges).

Parts not shown in the table are not shown because we don't expect to see any of these filings in the next three years.

[11] This is a loaded cost (wages plus benefits) for a full-time employee.

Dated: August 23, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21200 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP13–534–000; PF13–6–000]

East Tennessee Natural Gas, LLC; Notice of Application

Take notice that on August 14, 2013, East Tennessee Natural Gas, LLC (East Tennessee), 5400 Westheimer Court, Houston, Texas 77056–5310, filed an application pursuant to Section 7(b) and 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations, for authorization to construct, own, and operate the Kingsport Expansion Project (Project) located in Sullivan County, Tennessee and Washington County, Virginia. This filing may also be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, call (866) 208–3676 or TTY, (202) 502–8659.

The Project is designed to provide natural gas service to Eastman Chemical Company's (Eastman) existing manufacturing facility in Sullivan County, Tennessee. East Tennessee and Eastman have executed a precedent agreement for 61,000 Dth/day of firm transportation service for a primary term of 25 years from the service commencement date. East Tennessee proposes to construct approximately 6.5 miles of new 16-inch diameter natural gas pipeline mainline extension and related facilities in Sullivan County, Tennessee. East Tennessee proposes to abandon in place, removal, and relay of 8-inch diameter pipeline with 24-inch diameter pipeline and construct approximately 3.3 miles, 16-inch diameter loop of the existing Nora Line in Washington County, Virginia. Also, East Tennessee will construct approximately 5.7 miles of pipeline in Smyth County, Virginia. East Tennessee estimates that the proposed project will cost approximately $113.5 million and proposes an initial incremental recourse rate for firm transportation service on the Kingsport Project under Rate Schedule FT–A. East Tennessee proposes an in-service date for the Project being January 1, 2015.

Any questions regarding this application should be directed to Lisa A. Connolly, General Manager, Rates & Certificates, East Tennessee Natural Gas, LLC, 5400 Westheimer Court, P.O. Box 1642, Houston, Texas 77251–1642, by telephone at (713) 627–4102, or by email at *laconnolly@spectraenergy.com.*

On January 23, 2013, the Commission staff granted East Tennessee's request to use the pre-filing process and assigned Docket No. PF13–6–000 to staff activities involving the Project. Now, as of the filing of this application on August 14, 2013, the NEPA Pre-Filing Process for this project has ended. From this time forward, this proceeding will be conducted in Docket No. CP13–534–000, as noted in the caption of this Notice.

Pursuant to Section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding, or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 5 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Motions to intervene, protests and comments may be filed electronically via the internet in lieu of paper; see, 18 CFR 385.2001(a) (1) (iii) and the instructions on the Commission's Web site under the ''e-Filing'' link. The Commission strongly encourages electronic filings.

Comment Date: September 12, 2013.

Dated: August 22, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21205 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP13–532–000; RP13–1245–000]

Gulf South Pipeline Company, LP; Petal Gas Storage, L.L.C.; Gulf South Pipeline Company, LP; Notice of Application

On August 13, 2013, Gulf South Pipeline Company, LP (Gulf South) and Petal Gas Storage, L.L.C. (Petal) filed jointly with the Federal Energy Regulatory Commission (Commission) an abbreviated application under section 7(b) and 7(c) of the Natural Gas Act and Commission regulations seeking: (i) Authority for Petal to abandon certain storage capacity by lease to Gulf South, and (ii) authority for Gulf South to acquire by lease certain storage capacity from by Petal (''Leased Capacities''), as more fully described in the application.

Gulf South proposes to establish an optional Alternative No-Notice Service (NNS–A) that offers customers a menu of service choices intended to meet the requirements of local distribution companies and the electric generation market. Gulf South will utilize the Leased Capacities to support the storage component of its proposed NNS–A, which requires the unique operational capabilities of Petal's salt-dome storage facilities.

In Docket No. RP13–1245–000, Gulf South filed tariff records to implement its proposed NNS–A.

Questions regarding this application may be directed to J. Kyle Stephens, Vice President of Regulatory Affairs, Boardwalk Pipeline Partners, LP, 9 Greenway Plaza, Houston, Texas, 77046; by fax 713–479–1846 or email to *kyle.stephens@bwpmlp.com.*

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit seven copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and seven copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. This filing is accessible on-line at *http://www.ferc.gov.* using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Accession Numbers: 20130813–5066, 20130813–5036.

Comment Date: 5:00 p.m. Eastern Time on September 3, 2013.

Dated: August 23, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21203 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP13–530–000]

National Fuel Gas Supply Corporation; Notice of Request Under Blanket Authorization

Take notice that on August 12, 2013, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed in Docket No. CP13–530–000, a prior notice request pursuant to sections 157.205, 157.208, 157.210 and 157.216 of the Commission's regulations under the Natural Gas Act (NGA), and National Fuel's blanket certificate authorized in Docket No. CP83–4–000. National Fuel seeks authorization to construct approximately 2.05 miles of 24-inch diameter pipeline, parallel to its existing Line N, and construct a new 3,550 horsepower compressor station, and appurtenant facilities, in Washington and Mercer Counties, Pennsylvania. The proposed facilities would provide an additional 105,000 Dth/day of natural gas service in response to a shipper request. National Fuel proposes to abandon in place the existing 2.05 miles of 20-inch, 1947 vintage Line N pipe and hold it for potential future use, all as more fully set forth in the application which is on file with the Commission and open for public inspection. The filing may also be viewed on the Web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Any questions regarding the applications should be directed to David W. Reitz, Deputy General Counsel for National Fuel, 6363 Main Street, Williamsville, New York 14221 or call 716–857–7949.

Any person may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene or the Commission's staff may, pursuant to section 157.205 of the Commission's Regulations under the NGA (18 CFR 157.205) file a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is

filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenter's will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with he Commission's environmental review process. Environmental commenter's will not be required to serve copies of filed documents on all other parties. However, the non-party commentary, will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and ill not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests, and interventions via the internet in lieu of paper. See 18 CFR 385.2001(a) (1) (iii) and the instructions on the Commission's Web site (*www.ferc.gov*) under the ''e-Filing'' link. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE., Washington, DC 20426.

Dated: August 22, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21201 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP13–531–000]

Southern Star Central Gas Pipeline, Inc.; Notice of Request Under Blanket Authorization

Take notice that on August 13, 2013, Southern Star Central Gas Pipeline, Inc. (Southern Star), 4700 Highway 56, Owensboro, Kentucky 42301, filed a prior notice request pursuant to sections 157.205, 157.208, 157.213, and 157.216 of the Commission's regulations under the Natural Gas Act (NGA) for authorization to permanently abandon an injection/withdrawal gas storage well and revert two observation wells back to injection/withdrawal wells within its existing Elk City Gas Storage Field located in Elk, Chautauqua and Montgomery Counties, Kansas. Southern Star's prior notice request is more fully set forth in the application, which is on file with the Commission and open to public inspection under Docket No. CP13–531–000. The filing may also be viewed on the Web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Any questions regarding the application should be directed to David N. Roberts, Staff Analyst, Regulatory Compliance, Southern Star Central Gas Pipeline, Inc., 4700 Highway 56, Owensboro, Kentucky 42301, or call (270) 852–4654.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Any person may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene or the Commission's staff may, pursuant to section 157.205 of the Commission's regulations under the NGA (18 CFR 157.205), file a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

The Commission strongly encourages electronic filings of comments, protests, and interventions via the internet in lieu of paper. See 18 CFR 385.2001(a) (1) (iii) and the instructions on the Commission's Web site (*www.ferc.gov*) under the ''e-Filing'' link. Persons unable to file electronically should submit an original and five (5) copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

Dated: August 23, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21202 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13–1291–002; EL13–72–002.

Applicants: Dominion Energy Marketing, Inc.

Description: Compliance Filing of Dominion Energy Marketing, Inc.

Filed Date: 8/16/13.

Accession Number: 20130816–5208.

Comments Due: 5 p.m. ET 9/6/13.

Docket Numbers: ER13–2195–000.

Applicants: Dominion Energy Brayton Point, LLC.

Description: Supplement -Cert of Concurrence Effec Date to be effective N/A.

Filed Date: 8/21/13.

Accession Number: 20130821–5181.

Comments Due: 5 p.m. ET 9/11/13.

Docket Numbers: ER13–2216–000.

Applicants: Entergy Arkansas, Inc.

Description: EAI Local Balancing Authority Agreements to be effective 12/19/2013.

Filed Date: 8/21/13.

Accession Number: 20130821–5149.

Comments Due: 5 p.m. ET 9/11/13.

Docket Numbers: ER13–2217–000.

Applicants: Southwest Power Pool, Inc.

Description: 2541 Cimarron Wind Energy & Sunflower Meter Agent Agreement to be effective 8/1/2013.

Filed Date: 8/21/13.

Accession Number: 20130821–5187.

Comments Due: 5 p.m. ET 9/11/13.

Docket Numbers: ER13–2218–000.

Applicants: Southwest Power Pool, Inc.

Description: 1636R11 Kansas Electric Power Cooperative, Inc. NITSA and NOA to be effective 8/1/2013.

Filed Date: 8/21/13.

Accession Number: 20130821–5226.

Comments Due: 5 p.m. e.t. 9/11/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 22, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–21195 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC13–138–000.

Applicants: Stony Creek Energy LLC.

Description: Application for Authorization under Section 203 of the Federal Power Act of Stony Creek Energy LLC for the Disposition of Jurisdictional Facilities.

Filed Date: 8/22/13.

Accession Number: 20130822–5044.

Comments Due: 5 p.m. e.t. 9/12/13.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2712–001.

Applicants: Cargill Power Markets, LLC.

Description: Addendum to July 30, 2013 Supplement to April 30, 2013 Notice of Change in Status of Cargill Power Markets, LLC.

Filed Date: 8/14/13.

Accession Number: 20130814–5164.

Comments Due: 5 p.m. e.t. 9/4/13.

Docket Numbers: ER13–2191–000.

Applicants: Dominion Energy Manchester Street, Inc.

Description: Supplement—Cert of Concurrence Effec Date to be effective N/A.

Filed Date: 8/21/13.

Accession Number: 20130821–5177.

Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2219–000.

Applicants: Entergy Services, Inc.

Description: EES Local Balancing Authority Agreements to be effective 12/19/2013.

Filed Date: 8/22/13.

Accession Number: 20130822–5000.

Comments Due: 5 p.m. e.t. 9/12/13.

Docket Numbers: ER13–2220–000.

Applicants: Golden Spread Electric Cooperative, Inc.

Description: Pleasant Hill SGIA First Amendment to be effective 8/7/2013.

Filed Date: 8/22/13.

Accession Number: 20130822–5010.

Comments Due: 5 p.m. e.t. 9/12/13.

Docket Numbers: ER13–2221–000.

Applicants: Entergy Arkansas, Inc.

Description: e.t.EC 10th Rev. NITSA to be effective 8/1/2013.

Filed Date: 8/22/13.

Accession Number: 20130822–5091.

Comments Due: 5 p.m. e.t. 9/12/13.

Docket Numbers: ER13–2222–000.

Applicants: PJM Interconnection, L.L.C.

Description: PJM Interconnection, L.L.C. submits tariff filing per 35.13(a)(2)(iii: Ministerial clean-up filing re previously accepted revisions to PJM RAA Sch 17 to be effective 6/1/2013.

Filed Date: 8/22/13.

Accession Number: 20130822–5100.

Comments Due: 5 p.m. e.t. 9/12/13.

Docket Numbers: ER13–2223–000

Applicants: Town Square Energy, LLC.

Description: Town Square Energy, LLC submits tariff filing per 35.12: Application for Market Based Rate Authority to be effective 10/1/2013.

Filed Date: 8/22/13.

Accession Number: 20130822–5110.

Comments Due: 5 p.m. e.t. 9/12/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 22, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–21194 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG13–56–000.

Applicants: Allegany Generating Station LLC.

Description: Self-Certification of EG Allegany Generating Station LLC.

Filed Date: 8/21/13.

Accession Number: 20130821–5100.

Comments Due: 5 p.m. e.t. 9/11/13.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13–2205–000.
Applicants: Dominion Energy Marketing, Inc.
Description: Compliance- Amend Cert of Concurrence Chg to DEMI to be effective 8/21/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5089.
Comments Due: 5 p.m. e.t. 9/10/13.

Docket Numbers: ER13–2206–000.
Applicants: Avista Corporation.
Description: Avista Corporation submits Average System Cost Filing for Sales of Electric Power to the Bonneville Power Administration, FY 2014–2015.
Filed Date: 8/20/13.
Accession Number: 20130820–5098.
Comments Due: 5 p.m. e.t. 9/10/13.

Docket Numbers: ER13–2207–000.
Applicants: Arizona Public Service Company.
Description: SA No. 328 between APS and Novo Bio Power to supercede and cancel SA No. 215 to be effective 8/1/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5102.
Comments Due: 5 p.m. e.t. 9/10/13.

Docket Numbers: ER13–2208–000.
Applicants: Entergy Arkansas, Inc.
Description: Collation Value Correction Filing to be effective 7/14/2010.
Filed Date: 8/21/13.
Accession Number: 20130821–5000.
Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2209–000.
Applicants: Consolidated Edison Company of New York, Inc., New York Independent System Operator, Inc.
Description: Con Edison 205 revisions to OATT 14.3—Grandfathered Agreement expiration to be effective 10/20/2013.
Filed Date: 8/21/13.
Accession Number: 20130821–5083.
Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2210–000.
Applicants: ISO New England Inc.
Description: ISO New England Inc. Resource Termination—Constellation.
Filed Date: 8/21/13.
Accession Number: 20130821–5129.
Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2211–000.
Applicants: Southwest Power Pool, Inc.
Description: 2479R1 KMEA and KCPL Meter Agent Services Agreement to be effective 8/1/2013.
Filed Date: 8/21/13
Accession Number: 20130821–5132.
Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2212–000.
Applicants: ISO New England Inc.
Description: ISO New England Inc. Resource Termination—Waterbury Generation.
Filed Date: 8/21/13.
Accession Number: 20130821–5133.
Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2213–000.
Applicants: ISO New England Inc.
Description: ISO New England Inc. Resource Termination—TransCanada.
Filed Date: 8/21/13.
Accession Number: 20130821–5137.
Comments Due: 5 p.m. e.t. 9/11/13.

Docket Numbers: ER13–2214–000.
Applicants: Southwest Power Pool, Inc.
Description: 1839R2 City of Osage City, Kansas NITSA and NOA to be effective 8/1/2013.
Filed Date: 8/21/13.
Accession Number: 20130821–5139.
Comments Due: 5 p.m. e.t. 9/11/13

Docket Numbers: ER13–2215–000.
Applicants: ISO New England Inc.
Description: ISO New England Inc. Resource Termination—Comverge.
Filed Date: 8/21/13.
Accession Number: 20130821–5142.
Comments Due: 5 p.m. e.t. 9/11/13.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF13–600–000.
Applicants: Phoenix Contact Services, Inc.
Description: Form 556—Notice of Self-certification of qualifying cogeneration facility status of Phoenix Contact Services, Inc.
Filed Date: 8/20/13.
Accession Number: 20130820–5022.
Comments Due: None Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 21, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–21193 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13–1740–001.
Applicants: Wisconsin Public Service Corporation.
Description: Executed Coordination Agreement to be effective 5/20/2013.
Filed Date: 8/23/13.
Accession Number: 20130823–5052.
Comments Due: 5 p.m. ET 9/13/13.

Docket Numbers: ER13–1741–001.
Applicants: Upper Peninsula Power Company.
Description: UPPCO Executed Coordination to be effective 5/20/2013.
Filed Date: 8/23/13.
Accession Number: 20130823–5051.
Comments Due: 5 p.m. ET 9/13/13.

Docket Numbers: ER13–2224–000.
Applicants: Entergy Arkansas, Inc.
Description: LaGen NITSA to be effective 6/1/2013.
Filed Date: 8/22/13.
Accession Number: 20130822–5176.
Comments Due: 5 p.m. ET 9/12/13.

Docket Numbers: ER13–2225–000.
Applicants: Entergy Arkansas, Inc.
Description: EWOM 5th Rev. NITSA to be effective 5/1/2013.
Filed Date: 8/22/13.
Accession Number: 20130822–5180.
Comments Due: 5 p.m. ET 9/12/13.

Docket Numbers: ER13–2226–000.
Applicants: Entergy Arkansas, Inc.
Description: Wind Belt PtP Transfer Agreement #714 to be effective 12/1/2014.
Filed Date: 8/22/13.
Accession Number: 20130822–5191.
Comments Due: 5 p.m. ET 9/12/13.

Docket Numbers: ER13–2227–000.
Applicants: Southern California Edison Company.
Description: SGIA and Distribution Service Agmt with Joshua Tree Solar Farm to be effective 8/26/2013.
Filed Date: 8/23/13.
Accession Number: 20130823–5000.
Comments Due: 5 p.m. ET 9/13/13.

Docket Numbers: ER13–2228–000.
Applicants: Southern California Edison Company.
Description: True-Up SGIA and Distrib Serv Agmt for Site 8 Roof Top Solar Project to be effective 10/23/2013.
Filed Date: 8/23/13.
Accession Number: 20130823–5001.
Comments Due: 5 p.m. ET 9/13/13.

Docket Numbers: ER13–2229–000.
Applicants: Arizona Public Service Company.

Description: Tariff Modification Pursuant to Order No. 764 to be effective 11/1/2013.

Filed Date: 8/23/13.

Accession Number: 20130823–5002.

Comments Due: 5 p.m. ET 9/13/13.

Docket Numbers: ER13–2230–000.

Applicants: Premier Empire Energy, LLC.

Description: Premier Empire Energy MBRA Application to be effective 10/1/2013.

Filed Date: 8/23/13.

Accession Number: 20130823–5050.

Comments Due: 5 p.m. ET 9/13/13.

Docket Numbers: ER13–2231–000.

Applicants: PacifiCorp.

Description: OATT Revised Schedules 4 and 9 to be effective 9/13/2013.

Filed Date: 8/23/13.

Accession Number: 20130823–5088.

Comments Due: 5 p.m. ET 9/13/13.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR13–9–000.

Applicants: North American Electric Reliability Corporation.

Description: Request of North American Electric Reliability Corporation for Acceptance of its 2014 Business Plan and Budget and the 2014 Business Plans and Budgets of Regional Entities and for Approval of Proposed Assessments to Fund Budgets.

Filed Date: 8/23/13.

Accession Number: 20130823–5092.

Comments Due: 5 p.m. ET 9/13/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 23, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–21196 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP13–96–000]

Gulf South Pipeline Company, LP, Petal Gas Storage, LLC; Notice of Availability of the Environmental Assessment for the Proposed Southeast Market Expansion Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Southeast Market Expansion Project jointly proposed by Gulf South Pipeline Company, LP (Gulf South) and Petal Gas Storage, LLC (Petal Gas Storage) in the above-referenced docket. Gulf South requests authorization to construct, operate, and maintain a natural gas transmission pipeline and related facilities in Mississippi and Alabama that would provide an additional 510,500 dekatherms per day of natural gas capacity to the southeastern United States.

The EA assesses the potential environmental effects of the construction and operation of the Southeast Market Expansion Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

The U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service participated as cooperating agencies in the preparation of the EA. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis.

The proposed Southeast Market Expansion Project includes the following facilities:

- Approximately 70.1 miles of 30-inch-diameter and 24-inch-diameter pipeline in Jasper, Forrest, Perry, Greene, George, and Jackson Counties, Mississippi and Mobile County, Alabama;
- One new 15,900-horsepower (hp) compressor station located in Forrest County, Mississippi (Forrest Compressor Station) at the beginning of the project pipeline;
- One new 15,900-hp compressor station located at the intersection of Gulf South's existing Index 818 pipeline and Petal Gas Storage transmission facilities in Jasper County, Mississippi (Jasper Compressor Station);
- One new 2,415-hp compressor station located at the intersection of Gulf South's existing Index 300 pipeline and the Pascagoula Lateral in Jackson County, Mississippi (Moss Point Compressor Station);
- A new meter and regulator station and pig[1] launcher/receiver facility at approximate milepost 42.3 of the project pipeline at an interconnect with Florida Gas Transmission Company, LLC's existing pipeline; and
- Associated appurtenant aboveground facilities along the proposed pipeline including mainline valves, pig launchers and receivers, and a pressure limiting facility.

The FERC staff mailed copies of the EA to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; newspapers and libraries in the project area; and parties to this proceeding. In addition, the EA is available for public viewing on the FERC's Web site (*www.ferc.gov*) using the eLibrary link. A limited number of copies of the EA are available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street NE., Room 2A, Washington, DC 20426, (202) 502–8371.

Any person wishing to comment on the EA may do so. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before September 23, 2013.

For your convenience, there are three methods you can use to file your comments with the Commission. In all instances please reference the project docket number (CP13–96–000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at 202–502–8258 or *efiling@ferc.gov.*

(1) You can file your comments electronically using the *eComment* feature located on the Commission's

[1] A "pig" is a tool that is inserted into and moves through the pipeline, and is used for cleaning the pipeline, internal inspections, or other purposes.

Web site (*www.ferc.gov*) under the link to *Documents and Filings.* This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the *eFiling* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.*'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214).[2] Only intervenors have the right to seek rehearing of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on ''General Search,'' and enter the docket number excluding the last three digits in the Docket Number field (i.e., CP13–96). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/esubscribenow.htm.*

Dated: August 23, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21198 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

[2] See the previous discussion on the methods for filing comments.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP13–516–000]

EcoEléctrica, L.P.; Notice of Intent To Prepare an Environmental Assessment for the Proposed LNG Supply Pipeline Project and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the LNG Supply Pipeline Project involving construction and operation of facilities by EcoEléctrica, L.P. (EcoEléctrica) at its liquefied natural gas (LNG) facility in Peñuelas, Puerto Rico. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public interest.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine what issues need to be evaluated in the EA. Comments may be submitted in written form or verbally. Further details on how to submit written comments are provided in the Public Participation section of this notice. Please note that the scoping period will close on September 23, 2013.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives are asked to notify their constituents of this proposed project and encourage them to comment on their areas of concern.

Summary of the Proposed Project

EcoEléctrica plans to construct and operate facilities at its LNG facility in order to enable EcoEléctrica to supply LNG to a proposed adjacent LNG truck loading facility that is not under the Commission's jurisdiction and that is being developed and permitted by Gas Natural Puerto Rico, Inc.

The new facilities would consist of an approximately 3,600-foot-long, 4-inch-diameter LNG transfer pipeline; an approximately 3,600-foot-long, 6-inch-diameter boil-off gas return pipeline; an approximately 3,600-foot-long, 1.5-inch-diameter LNG recirculation pipeline; and associated equipment.

The general location of the project is shown in appendix 1.[1]

Land Requirements for Construction

EcoEléctrica plans to construct the facilities using approximately 1 acre of an already disturbed area within its LNG facility.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers an authorization of a project. NEPA also requires us[2] to discover and address concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed project under the general headings of land use, air quality, noise, and public safety. We do not expect other resource areas to be impacted by the proposed project, which would take place entirely within an existing industrial-use facility.

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. It will be available in the public record through eLibrary. Depending on the comments

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the ''Additional Information'' section at the end of this notice.

[2] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the Commission's Office of Energy Projects.

received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section below.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.[3] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before September 23, 2013.

For your convenience, there are three methods you can use to submit your comments to the Commission. In all instances, please reference the project docket number (CP13–516–000) with your submission. The Commission encourages electronic filing of comments and has expert eFiling staff available to assist you at (202) 502–8258 or *efiling@ferc.gov*.

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site at *www.ferc.gov* under the link to *Documents and Filings*. This is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's Web site at *www.ferc.gov* under the link to *Documents and Filings*. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister*.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies of it will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an ''intervenor'' which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User's Guide under the ''e-filing'' link on the Commission's Web site.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on ''General Search'' and enter the project docket number, excluding the last three digits in the Docket Number field (i.e., CP13–516). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/esubscribenow.htm*.

Finally, public meetings or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: August 22, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21208 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

[3] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. OR13–32–000]

Dominion NGL Pipelines, LLC; Notice of Petition for Declaratory Order

Take notice that on August 21, 2013, pursuant to Rule 207 of the Commission's Rules of Practices and Procedure, 18 CFR 385.207, Dominion NGL Pipelines, LLC filed a petition requesting a declaratory order approving, (1) the general rate structure for its new ethane pipeline (Natrium Ethane Pipeline) extending from a new natural gas processing and fractionation plant operating in Marshall County, West Virginia, to an interconnection near Follansbee, West Virginia with Enterprise Products Partners, L.P.'s Appalachia to Texas Express (ATEX) pipeline; (2) the rate and terms agreed upon by Dominion NGL with a shipper that has made a long-term commitment to utilize, or pay for, significant capacity on the Natrium Ethane Pipeline (Committed Shipper); and (3) the rate design utilizing revenue crediting to

establish rates for ''uncommitted shippers''.

Any person desiring to intervene or to protest in this proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov*. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov*. or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern time on September 23, 2013.

Dated: August 22, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21207 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. DI13–7–000]

City of Sandpoint, Idaho; Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions To Intervene

On August 15, 2013, City of Sandpoint, Idaho filed a notice of intent to construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA). The Little Sand Creek Hydroelectric Project would be located on the Little Sand Creek Treatment Plant's water supply pipeline that runs along Little Sand Creek, in Bonner County, Idaho.

Applicant Contact: Jared Yost, City of Sandpoint, 1123 Lake Street, Sandpoint, ID 83864, Phone No. (208) 265–1480, email: *jyost@ci.sandpoint.id.us.*

FERC Contact: Robert Bell, Phone No. (202) 502–6062, email: *robert.bell@ferc.gov.*

Qualifying Conduit Hydropower Facility Description: The proposed project would consist of: (1) an intake pipeline; (2) a proposed powerhouse, containing one 65-kilowatt generating unit located on the 18-inch diameter water supply pipeline, (3) a 200-foot-long 18-inch diameter discharge pipeline leading to the water treatment plant; (4) a 150-foot-long 18-inch diameter discharge pipe leading to Little Sand Creek, which is to bypass treatment plant when it not operating; and (5) appurtenant facilities. The proposed project would have an estimated annual generating capacity between 382.2 and 569.4 megawatt-hours.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all of the criteria shown in the table below.

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

Statutory provision	*Description*	*Satisfies (Y/N)*
FPA 30(a)(3)(A), as amended by HREA.	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i), as amended by HREA.	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii), as amended by HREA.	The facility has an installed capacity that does not exceed 5 megawatts	Y
FPA 30(a)(3)(C)(iii), as amended by HREA.	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

Preliminary Determination: Based upon the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a qualifying conduit hydropower facility not required to be licensed or exempted from licensing.

Comments and Motions To Intervene: Deadline for filing comments contesting whether the facility meets the qualifying criteria is 45 days from the issuance date of this notice.

Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the ''COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY'' or ''MOTION TO INTERVENE,'' as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission's regulations.[1] All

[1] 18 CFR 385.2001–2005 (2013).

comments contesting Commission staff's preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Locations of Notice of Intent: Copies of the notice of intent can be obtained directly from the applicant or such copies can be viewed and reproduced at the Commission in its Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the web at *http://www.ferc.gov/docs-filing/elibrary.asp* using the ''eLibrary'' link. Enter the docket number (e.g., DI13–7–000) in the docket number field to access the document. For assistance, call toll-free 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov.* For TTY, call (202) 502–8659.

Dated: August 22, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21206 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e) (1) (v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped chronologically, in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://www.ferc.gov* using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC, Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866)208–3676, or for TTY, contact (202)502–8659.

Docket No.	*Filed date*	*Presenter or requester*
Prohibited:		
1. EL13–52–001	08–07–13	Doug Larson.[1]
Exempt:		
1. CP12–507–000 CP12–508–000	03–26–13	FERC Staff.[2]
2. P–13739–002	06–20–13	FERC Staff.[3]
3. P–12690–005	07–15–13	FERC Staff.[4]
4. P–12790–002	07–16–13	FERC Staff.[5]
5. P–2305–036	08–02–13	FERC Staff.[6]
6. P–1494–000	08–06–13	Hons. Ron Wyden and James Inhofe.
7. EC13–128–000	08–06–13	Gov. Brian Sandoval.
8. EC13–128–000	08–06–13	Hon. Dean Heller.
9. CP13–73–000	08–12–13	FERC Staff.[7]
10. P–349–173	08–14–13	Hon. Richard C. Shelby.
11. P–10808–000	08–21–13	Hon. Dave Camp.

[1] Email record.
[2] Phone record.
[3] Email record.
[4] Email record.
[5] Phone record.
[6] Email record.
[7] Phone record.

Dated: August 26, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–21197 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1256–031—Nebraska Loup River Hydroelectric Project]

Loup River Public Power District; Notice of Proposed Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure [1] provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding. The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Nebraska State Historical Society (Nebraska SHPO) and the Advisory Council on Historic Preservation (Advisory Council) pursuant to the Advisory Council's regulations, 36 CFR part 800, implementing section 106 of the National Historic Preservation Act, *as amended,* (16 U.S.C. 470f), to prepare a Programmatic Agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places that could be affected by issuance of a new license for the Loup River Hydroelectric Project No. 1256.

The programmatic agreement, when executed by the Commission and the Nebraska SHPO, would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the project would be fulfilled through the Programmatic Agreement, which the Commission staff proposes to draft in consultation with certain parties listed below. The executed Programmatic Agreement would be incorporated into any Order issuing a license.

Loup River Public Power District, as applicant for the Loup River Hydroelectric Project, the Omaha Tribe of Nebraska, the Pawnee Nation of Oklahoma, and the Santee Sioux Tribe of Nebraska have expressed an interest in this proceeding and are invited to participate in consultations to develop the Programmatic Agreement. For purposes of commenting on the programmatic agreement, we propose to restrict the service list for Project No. 1256 as follows:

John Eddins or Representative, Advisory Council on Historic Preservation, The Old Post Office Building, Suite 803, 1100 Pennsylvania Avenue NW., Washington, DC 20004

L. Robert Puschendorf or Representative, State Historic Preservation Office, Nebraska State Historical Society, 1500 R Street, P.O. Box 82554, Lincoln, NE 68501–2554

Neal Suess or Representative, Loup River Public Power District, P.O. Box 988, 2404 15th Street, Columbus, Nebraska 68602

Rodney Morris, Tribal Chairman, Omaha Tribe of Nebraska, 100 Main St., P.O. Box 368, Macy, NE 68039

Marshall Gover, President, Pawnee Nation of Oklahoma, P.O. Box 470, 881 Little Dee Dr., Pawnee, OK 74058

Roger Trudell, Tribal Chairman, Santee Sioux Nation, 108 Spirit Lake Ave. West, Niobrara, NE 68760–7219

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about historic properties, including Traditional Cultural Properties. If historic properties are to be identified within the motion, please use a separate page, and label it NON–PUBLIC Information.

The Commission strongly encourages electronic filing. Please file motions using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–1256–031.

If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions within the 15-day period.

Dated: August 23, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013–21199 Filed 8–29–13; 8:45 am]

BILLING CODE 6717–01–P

[1] 18 CFR 385.2010.

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9010–8]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or *http://www.epa.gov/compliance/nepa/*

Weekly receipt of Environmental Impact Statements Filed 08/19/2013 through 08/23/2013

Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *http://www.epa.gov/compliance/nepa/eisdata.html*

EIS No. 20130250, Draft EIS, USACE, FL, Central Everglades Planning Project, Comment Period Ends: 10/15/2013, Contact: Gretchen Ehlinger 904 232–1682.

EIS No. 20130251, Final EIS, USFS, MN, BWCAW Non-native Invasive Plant Management Project, Review Period Ends: 10/15/2013, Contact: Jack Greenlee 218–229–8817.

EIS No. 20130252, Final EIS, USN, CA, Hawaii-Southern California Training and Testing, Review Period Ends: 09/30/2013, Contact: Cory Scott 808–472–1420.

EIS No. 20130253, Final EIS, USN, 00, Atlantic Fleet Training and Testing, Review Period Ends: 09/30/2013, Contact: Lesley Dobbins 757–322–4645.

EIS No. 20130254, Draft EIS, USFS, UT, Smiths Fork Vegetation Restoration Project, Comment Period Ends: 10/15/2013, Contact: Pete Gomben 801–999–2182.

EIS No. 20130255, Draft EIS, NOAA, 00, Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP), Comment

Period Ends: 10/23/2013, Contact: Thomas A Warren 978–281–9260.

Amended Notices

EIS No. 20130087, Draft EIS, BLM, NM, TriCounty Resource Management Plan, Comment Period Ends: 09/12/2013, Contact: Jennifer Montoya 575–525–4316.

Revision to FR Notice Published 04/12/2013; Extending Comment Period from 07/11/2013 to 09/12/2013.

Dated: August 27, 2013.

Cliff Rader,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2013–21276 Filed 8–29–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2013–0124]

Good Neighbor Environmental Board; Notification of Public Advisory Committee Teleconference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public advisory committee teleconference.

SUMMARY: Pursuant to the Federal Advisory Committee Act, Public Law 92–463, notice is hereby given that the Good Neighbor Environmental Board (GNEB) will hold a public teleconference on Tuesday, September 24, 2013. The meeting will take place from 12 p.m. to 4 p.m. Eastern Standard Time. The meeting is open to the public. For further information regarding the teleconference and background materials, please contact Mark Joyce at the number listed below.

DATES: Tuesday, September 24, 2013. The meeting will take place from 12 p.m. to 4 p.m. Eastern Standard Time.

SUPPLEMENTARY INFORMATION:

Background: GNEB is a federal advisory committee chartered under the Federal Advisory Committee Act, Public Law 92–463. GNEB provides advice and recommendations to the President and Congress on environmental and infrastructure issues along the U.S. border with Mexico.

Purpose of Meeting: The purpose of this teleconference is to discuss the Good Neighbor Environmental Board's Sixteenth Report and preliminary advice letter. The report and advice letter will focus on ecological restoration in the U.S.-Mexico border region.

General Information: The agenda and meeting materials will be available at *http://www.regulations.gov* under Docket ID: EPA–HQ–OA–2013–0124. General information about GNEB can be found on its Web site at *www.epa.gov/ofacmo/gneb.*

If you wish to make oral comments or submit written comments to the Board, please contact Mark Joyce at least five days prior to the meeting. Written comments should be submitted at *http://www.regulations.gov* under Docket ID: EPA–HQ–OA–2013–0124.

Meeting Access: For information on access or services for individuals with disabilities, please contact Mark Joyce at (202) 564–2130 or email at *joyce.mark@epa.gov.* To request accommodation of a disability, please contact Mark Joyce at least 10 days prior to the meeting to give EPA as much time as possible to process your request.

Dated: August 21, 2013.

Mark Joyce,

Acting Designated Federal Officer.

[FR Doc. 2013–21268 Filed 8–29–13; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

Notice of Meeting of Advisory Committee

ACTION: Notice of Open Meeting of the Advisory Committee of the Export-Import Bank of the United States (Ex-Im Bank).

TIME AND PLACE: Wednesday, September 18, 2013 from 11:00 a.m. to 2:30 p.m. The meeting will be held at the Export-Import Bank in Room 326, 811 Vermont Avenue NW., Washington, DC 20571.

SUMMARY: The Advisory Committee was established November 30, 1983, to advise the Export-Import Bank on its programs and to provide comments for inclusion in the reports of the Export-Import Bank of the United States to Congress.

Agenda: Agenda items include briefings and discussions on the following topics: Ex-Im Bank business update and subcommittee reports.

Public Participation: The meeting will be open to public participation, and the last 10 minutes will be set aside for oral questions or comments. Members of the public may also file written statement(s) before or after the meeting. If members of the public wish to attend, they must contact Niki Shepperd via email at *niki.shepperd@exim.gov* by 5 p.m. on September 17, 2013. If any person wishes auxiliary aids (such as a sign language interpreter) or other special accommodations, please contact, by September 16, 2013, Niki Shepperd.

FOR FURTHER INFORMATION CONTACT: For further information, contact Niki Shepperd, 811 Vermont Ave. NW., Washington, DC 20571, (202) 565–3202 or TDD (202) 565–3377 or *niki.shepperd@exim.gov.*

Cristopolis A. Dieguez,

Program Specialist, Office of General Counsel.

[FR Doc. 2013–21163 Filed 8–29–13; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection(s) Being Submitted for Review and Approval to the Office of Management and Budget (OMB)

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3502–3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimates; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB control number.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before September 30, 2013. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should

advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Nicholas A. Fraser, Office of Management and Budget (OMB), via fax at 202–395–5167 or via Internet at *Nicholas_A._Fraser@omb.eop.gov mailto: Nicholas_A._Fraser@ omb.eop.gov* and to Judith B. Herman, Federal Communications Commission, via the Internet at *Judith-b.herman@fcc.gov*. To submit your PRA comments by email send them to: *PRA@fcc.gov mailto: PRA@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: Judith B. Herman, Office of Managing Director, FCC, at 202–418–0214.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0599.

Title: Section 90.187, Trunking in the Bands Between 150 and 512 MHz; and Sections 90.425 and 90.647, Station Identification.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities and state, local or tribal government.

Number of Respondents: 6,679 respondents; 6,679 responses.

Estimated Time per Response: .25 hours to 3 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. sections 154(i), 309(j) and 332 of the Communications Act of 1934, as amended.

Total Annual Burden: 8,231 hours.

Total Annual Cost: N/A.

Privacy Impact Assessment: No impacts.

Nature and Extent of Confidentiality: No questions of a confidential nature are asked.

Needs and Uses: The Commission will submit this information collection during this comment period to obtain the full, three year clearance from the Office of Management and Budget (OMB). The Commission is requesting approval for a revision.

On April 18 2013, the Commission in a *Fifth Report and Order,* FCC 13–52, adopted changes to 47 CFR 90.425 of the Commission's rules to allow Private Land Mobile Radio (PLMR) licensees in the bands between 150 and 512 MHz that are licensed on an exclusive basis to transmit station identification information in digital format, on the condition that the licensee will provide the Commission with information sufficient to decode the digital transmission to ascertain the call sign transmitted. However, this gives a new group of licensee stations (PLMRs) an option regarding the method of transmission of required call sign information; it modifies the existing burden, and slightly increase the in-house cost burden—specifically the cost associated with providing the Commission sufficient information to decode the transmission—unless they choose the digital transmission option. Finally, the other part of this revision is adding one additional rule section which is 90.187 to this existing information collection.

The information requested in this collection is used by the Commission staff to enable the FCC to evaluate the accuracy of frequency coordination pursuant to its rule under 47 CFR sections 90.187, 90.425 and 90.647.

OMB Control Number: 3060–0192.

Title: Section 87.103, Posting Station License.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions and state, local or tribal government.

Number of Respondents: 34,857 respondents; 34,857 responses.

Estimated Time per Response: .25 hours.

Frequency of Response: Recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. section 303 of the Communications Act of 1934, as amended.

Total Annual Burden: 8,714 hours.

Total Annual Cost: N/A.

Privacy Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality.

Needs and Uses: The Commission will submit this expiring information collection during this comment period to obtain the full, three year clearance from the Office of Management and Budget (OMB). The Commission is requesting approval for an extension (no change to the recordkeeping requirement).

The recordkeeping requirement in Section 87.103 is necessary to demonstrate that all transmitters in the Aviation Service are properly licensed in accordance with the requirements of Section 303 of the Communications Act of 1934, as amended, 47 U.S.C. section 303, No. 2020 of the International Radio Regulations and Article 30 of the Convention on International Civil Aviation.

The information is used by FCC staff during inspections and investigations to ensure the particular station is licensed and operated in compliance with applicable rules, statutes and treaties.

OMB Control Number: 3060–1159.

Title: Part 25—Satellite Communications; and Part 27—Miscellaneous Wireless Communications Services in the 2.3 GHz Band.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 158 respondents; 5,605 responses.

Estimated Time per Response: .5 hours to 40 hours

Frequency of Response: On occasion and quarterly reporting requirements, recordkeeping requirement and third party disclosure requirements.

Obligation to Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. sections 154, 301, 302(a), 303, 309, 332, 336 and 337 of the Communications Act of 1934.

Total Annual Burden: 24,572 hours.

Total Annual Cost: $928,200.

Privacy Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality.

Needs and Uses: The Commission will submit this information collection during this comment period to obtain the full, three year clearance from the Office of Management and Budget (OMB). The Commission is requesting approval for a revision. There are changes to the Commission's burden estimates. The Commission is now reporting a 1,065 hour increase adjustment. This is due to a recalculation of the previous burden estimates. There is no change in the cost estimates.

On October 17, 2012, the Commission adopted an Order on Reconsideration in WT Docket No. 07–293, IB Docket No. 95–91, GEN Docket No. 90–357, FCC 12–130, which affirmed, modified and clarified the 1st and 2nd Report and Orders.

Among the actions taken in the Order on Reconsideration:

- Revised the technical rules to enhance the ability of WSC licensees to deploy mobile broadband networks while establishing additional safeguards to protect neighboring SDARS, AMT and DSN networks from harmful interference.
- Prohibited WCS mobile and portable devices' transmissions in WCS Blocks C and D to further protect SDARS operations.
- Relaxed the WCS licensee notification requirements regarding low-

power WCS stations and minor WCS station modifications, and clarified WCS notification and coordination procedures.

• Restarted and provided a limited extension of the WCS performance period to enable licensees to respond to revisions of technical rules.

The information filed by WCS licensees in support of their construction notifications will be used to determine whether licensees have complied with the Commission's performance benchmarks. Further, the information collected by licensees in support of their coordination obligations will help avoid harmful interference to SDARS, AMT and DSN operations in other spectrum bands.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary, Office of Managing Director.

[FR Doc. 2013–21147 Filed 8–29–13; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collections Being Submitted for Review and Approval to the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: The Federal Communications Commission (FCC), as part of its continuing effort to reduce paperwork burdens, invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act (PRA) of 1995. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid control number. Comments are requested concerning whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written comments should be submitted on or before September 30, 2013. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via fax 202–395–5167, or via email *Nicholas_A._Fraser@omb.eop.gov;* and to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.* Include in the comments the OMB control number as shown in the ''**SUPPLEMENTARY INFORMATION**'' section below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the Web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the Web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0466.

Title: Sections 73.1201, 74.783 and 74.1283, Station Identification.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Not for-profit institutions.

Number of Respondents and Responses: 24,083 respondents; 24,083 responses.

Estimated Time per Response: 0.166–1 hour.

Frequency of Response: On occasion reporting requirement; Recordkeeping requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or maintain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154(i), 303, 307 and 308.

Total Annual Burden: 23,249 hours.

Total Annual Costs: None.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Act Impact Assessment: No impact(s).

Needs and Uses: 47 CFR 73.1201(a) requires television broadcast licensees to make broadcast station identification announcements at the beginning and ending of each time of operation, and hourly, as close to the hour as feasible, at a natural break in program offerings. Television and Class A television broadcast stations may make these announcements visually or aurally.

47 CFR 74.783(b) requires licensees of television translators whose station identification is made by the television station whose signals are being rebroadcast by the translator, must secure agreement with this television station licensee to keep in its file, and available to FCC personnel, the translator's call letters and location, giving the name, address and telephone number of the licensee or his service representative to be contacted in the event of malfunction of the translator. It shall be the responsibility of the translator licensee to furnish current information to the television station licensee for this purpose.

47 CFR 73.1201(b)(1) requires that the official station identification consist of the station's call letters immediately followed by the community or communities specified in its license as the station's location. The name of the licensee, the station's frequency, the station's channel number, as stated on the station's license, and/or the station's network affiliation may be inserted between the call letters and station location. Digital Television (DTV) stations, or DAB Stations, choosing to include the station's channel number in the station identification must use the station's major channel number and may distinguish multicast program streams. For example, a DTV station with major channel number 26 may use 26.1 to identify a High Definition Television (HDTV) program service and 26.2 to identify a Standard Definition Television (SDTV) program service. A radio station operating in DAB hybrid

mode or extended hybrid mode shall identify its digital signal, including any free multicast audio programming streams, in a manner that appropriately alerts its audience to the fact that it is listening to a digital audio broadcast. No other insertion between the station's call letters and the community or communities specified in its license is permissible. A station may include in its official station identification the name of any additional community or communities, but the community to which the station is licensed must be named first.

47 CFR 74.783(e) permits low power TV permittees or licensees to request to be assigned four-letter call signs in lieu of the five-character alpha-numeric call signs.

47 CFR 74.1283(c)(1) requires a FM translator station licensee whose identification is made by the primary station must arrange for the primary station licensee to furnish the translator's call letters and location (name, address, and telephone number of the licensee or service representative) to the FCC. The licensee must keep this information in the primary station's files.

OMB Control Number: 3060–1078.

Title: Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, CG Docket No. 04–53.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions; Individuals or households.

Number of Respondents and Responses: 5,443,062 respondents; 5,443,062 responses.

Estimated Time per Response: 1–10 hours (average per response).

Frequency of Response: Recordkeeping requirement; On occasion reporting requirements; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this information collection is the CAN–SPAM Act of 2003, 15 U.S.C. 7701, Public Law 108–187, 117 Stat. 2719.

Total Annual Burden: 30,254,373 hours.

Total Annual Cost: $16,244,026.

Nature and Extent of Confidentiality: Confidentiality is an issue to the extent that individuals and households provide personally identifiable information, which is covered under the FCC's system of records notice (SORN), FCC/CGB–1, ''Informal Complaints and Inquiries.'' As required by the Privacy Act, 5 U.S.C. 552a, the Commission also published SORN, FCC/CGB–1, ''Informal Complaints and Inquiries,'' in the **Federal Register** on December 15, 2009 (74 FR 66356), which became effective on January 25, 2010.

Privacy Impact Assessment: Yes. The Privacy Impact Assessment was completed on June 28, 2007. It may be reviewed at: *http://www.fcc.gov/omd/privacyact/Privacy-Impact-Assessment.html*. The Commission is in the process of updating the PIA to incorporate various revisions to it as a result of revisions to the SORN.

Needs and Uses: The reporting requirements included under this OMB Control Number 3060–1078 enable the Commission to collect information regarding violations of the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN–SPAM Act). This information is used to help wireless subscribers stop receiving unwanted commercial mobile services messages.

On August 12, 2004, the Commission released an Order, Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, CG Docket No. 04–53, FCC 04–194, published at 69 FR 55765, September 16, 2004, adopting rules to prohibit the sending of commercial messages to any address referencing an Internet domain name associated with wireless subscribers' messaging services, unless the individual addressee has given the sender express prior authorization. The information collection requirements consist of 47 CFR 64.3100(a)(4), (d), (e) and (f) of the Commission's rules.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary, Office of Managing Director.

[FR Doc. 2013–21146 Filed 8–29–13; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Submission for OMB Review; Comment Request: Insurance Sales Consumer Protections

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. chapter 35), the FDIC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. As part of its continuing effort to reduce paperwork and respondent burden, the FDIC invites the general public and other Federal agencies to take this opportunity to comment on renewal of an existing information collection, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). On June 19, 2013 (78 FR 36780), the FDIC requested comment for 60 days on renewal of its *Insurance Sales Consumer Protections* information collection, which is currently approved under OMB Control No. 3064–0140. No comments were received on the proposal. The FDIC hereby gives notice of submission to OMB of its request to renew the collection.

DATES: Comments must be submitted on or before September 30, 2013.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *http://www.FDIC.gov/regulations/laws/federal/notices.html.*
- *Email: comments@fdic.gov.* Include the name of the collection in the subject line of the message.
- *Mail:* Leneta G. Gregorie (202–898–3719), Counsel, Room NY–5050, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Leneta Gregorie, at the FDIC address above.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collection of information:

Title: Insurance Sales Consumer Protections.

OMB Number: 3064–0140.

Frequency of Response: Once—reviewing/updating disclosures; 240—disclosures to consumers.

Affected Public: Insured State nonmember banks that sell insurance products; persons who sell insurance products in or on behalf of insured State nonmember banks.

Estimated Number of Respondents: 2,729.

Estimated Time per Response: 5 hours (reviewing/updating disclosure materials—1 hour; disclosures to consumers—4 hours).

Total Annual Burden: 13,645 hours.

General Description of Collection: Respondents must prepare and provide certain disclosures to consumers (*e.g.,* that insurance products and annuities are not FDIC-insured) and obtain consumer acknowledgments, at two different times: (1) Before the completion of the initial sale of an insurance product or annuity to a consumer; and (2) at the time of application for the extension of credit (if insurance products or annuities are sold, solicited, advertised, or offered in connection with an extension of credit).

Request for Comment

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Dated at Washington, DC, this 27th day of August, 2013.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2013–21229 Filed 8–29–13; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Update to Notice of Financial Institutions for Which the Federal Deposit Insurance Corporation Has Been Appointed Either Receiver, Liquidator, or Manager

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Update Listing of Financial Institutions in Liquidation.

SUMMARY: Notice is hereby given that the Federal Deposit Insurance Corporation (Corporation) has been appointed the sole receiver for the following financial institutions effective as of the Date Closed as indicated in the listing. This list (as updated from time to time in the **Federal Register**) may be relied upon as ''of record'' notice that the Corporation has been appointed receiver for purposes of the statement of policy published in the July 2, 1992 issue of the **Federal Register** (57 FR 29491). For further information concerning the identification of any institutions which have been placed in liquidation, please visit the Corporation Web site at *www.fdic.gov/bank/individual/failed/banklist.html* or contact the Manager of Receivership Oversight in the appropriate service center.

Dated: August 26, 2013.

Federal Deposit Insurance Corporation.

Pamela Johnson,

Regulatory Editing Specialist.

INSTITUTIONS IN LIQUIDATION

[In alphabetical order]

FDIC Ref. No.	Bank name	City	State	Date closed
10486	Community South Bank	Parsons	TN	8/23/2013.
10487	Sunrise Bank of Arizona	Phoenix	AZ	8/23/2013.

[FR Doc. 2013–21222 Filed 8–29–13; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board of Governors of the Federal Reserve System (Board) its approval authority under the Paperwork Reduction Act (PRA), pursuant to 5 CFR 1320.16, to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board under conditions set forth in 5 CFR part 1320 Appendix A.1. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before October 29, 2013.

ADDRESSES: You may submit comments, identified by *FR Y–15,* by any of the following methods:

- *Agency Web site: http://www.federalreserve.gov.* Follow the instructions for submitting comments at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx.*
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: regs.comments@federalreserve.gov.* Include OMB number in the subject line of the message.
- *Fax:* (202) 452–3819 or (202) 452–3102.
- *Mail:* Robert deV. Frierson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW., Washington, DC 20551.

All public comments are available from the Board's Web site at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room MP–500 of the Board's Martin Building (20th and C Streets NW.) between 9:00 a.m. and 5:00 p.m. on weekdays.

Additionally, commenters may send a copy of their comments to the OMB Desk Officer, Shagufta Ahmed, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235 725 17th Street NW., Washington, DC 20503 or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public Web site at: *http://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Clearance Officer—Cynthia Ayouch—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452–3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263–4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

Request for Comment on Information Collection Proposal

The following information collection, which is being handled under this delegated authority, has received initial Board approval and is hereby published for comment. At the end of the comment period, the proposed information collection, along with an analysis of comments and recommendations received, will be submitted to the Board for final approval under OMB delegated authority. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;

b. The accuracy of the Federal Reserve's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or start up costs and costs of operation, maintenance, and purchase of services to provide information.

Proposal to approve under OMB delegated authority the revision, without extension, of the following report:

Report title: Banking Organization Systemic Risk Report.

Agency form number: FR Y–15.

OMB control number: 7100–0352.

Frequency: Annual.

Reporters: Bank holding companies (BHCs) with over $50 billion in total consolidated assets and any U.S.-based organizations designated as global systemically important banks (G–SIBs) that do not otherwise meet the consolidated assets threshold for BHCs.

Estimated annual reporting hours: 10,395 hours.

Estimated average hours per response: 315 hours.

Number of respondents: 33.

General description of report: This information collection is mandatory pursuant to section 5 of the BHC Act (12 U.S.C. 1844(c)). The data collected in the FR Y–15 includes both confidential data that may be used for supervisory purposes and non-confidential information that does not constitute confidential commercial information. In this respect, data items on the FR Y–15 that are retrieved from the public portions of the FR Y–9C or that are published only in aggregate form on the FR Y–15 are not confidential. The confidentiality of the remaining items will depend on a determination that considers the competitive harm resulting from the disclosure and the public purpose served by the disclosure.

Abstract: The FR Y–15, which was derived from a Basel data collection aimed at measuring systemic importance, was implemented on December 31, 2012.[1] In addition to (i) Facilitating the future implementation of the G–SIB surcharge through regulation, (ii) identifying institutions that may be D–SIBs under a future framework and (iii) analyzing the systemic risk implications of proposed mergers and acquisitions, the Federal Reserve uses the FR Y–15 data to monitor, on an ongoing basis, the systemic risk profile of the institutions which are subject to enhanced prudential standards under section 165 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (DFA).

Current Actions: The Federal Reserve proposes to revise the FR Y–15 by: (1) Adding five new line items consistent with revisions to international standards concerning the calculation of total exposures, securities outstanding, and trading and available-for-sale securities; (2) deleting three current line items that are no longer needed; (3) revising the definitions for six specific line items to be consistent with international standards; (4) revising the definition of financial institution used in Schedule B; (5) using total consolidated assets as of the June 30th prior to the December 31st as-of date to determine the reporting panel; and (6) incorporating instructional clarifications.

Proposed Revisions—FR Y–15

Schedule A

To reflect the current definition of the Basel III leverage ratio, the Federal Reserve proposes to collect counterparty exposure of securities financing transactions (item 2(a)(1)) and credit derivatives sold net of related credit protection bought after adjusting for maturity (item 2(b)(3)).

Schedule B

The current version of the FR Y–15 does not capture all types of possible outstanding securities. For completeness in assessing the systemic risk associated with the securities outstanding indicator, the Federal Reserve proposes to collect preferred shares and other forms of subordinated funding (item 17). The Federal Reserve also proposes to delete the fair value of collateral that is held outside of the master netting agreements from both the intra-financial system assets and intra-financial system liabilities sections (items 5(c) and 9(c)) as they are not required for the calculation of the two indicators. The Federal Reserve also proposes to revise the definition of financial institution to match the definition used in the Basel Committee on Banking Supervision (BCBS) G–SIB methodology.[2] This change would affect the values reported in data items 1 through 10. Also, undrawn committed lines extended to unaffiliated financial institutions (item 2) will no longer be able to be pulled from the FR Y–9C and thus would need to be reported. The Federal Reserve also proposes to revise the definition for equity market capitalization (item 16) to capture equity that is not publicly traded. This line item would be retitled common equity. For clarity, the Federal Reserve proposes renaming securities issued to securities outstanding. Finally, the Federal Reserve proposes to move certificates of deposit (item 3(e)) so that it is a subcomponent of funds deposited with or lent to unaffiliated financial institutions (item 1).

Schedule C

To reflect the latest definitions adopted in the BCBS G–SIB methodology, the Federal Reserve proposes to revise the reporting instructions for payments made in the reporting year (item 1) and assets held

[1] The final **Federal Register** notice was published on December 28, 2012 (77 FR 76484).

[2] See *Global systemically important banks: updated assessment methodology and the additional loss absorbency requirement,* July 2013, available at *http://www.bis.org/publ/bcbs255.htm.*

as a custodian on behalf of customers (item 3).

Schedule D

To capture an alternative method for calculating the high quality liquid assets (HQLA) adjustment to trading and available-for-sale (AFS) securities, the Federal Reserve proposes to collect trading and AFS securities that meet the definition of Level 1 assets (item 11) and trading and AFS securities that meet the definition of Level 2 assets after applying haircuts (item 12). This alternative method may better reflect the amount of HQLA attributable to total trading and AFS securities. To reflect the liquidity definitions adopted by the BCBS in January 2013, the Federal Reserve proposes to revise the reporting instructions for Level 2 assets (item 8) and the adjustment to HQLA due to cap on Level 2 assets (item 9). The Federal Reserve recognizes that other data items would also be affected by the revised liquidity definitions (e.g., Level 1 assets). However, the instructions refer to the instructions for the July Basel III implementation monitoring exercise of the reporting year, which will already reflect the updated definitions. The Federal Reserve also proposes to delete securities for which the fair value option is elected (item 4(a)), as it is no longer being used in the BCBS G–SIB methodology. Finally, the Federal Reserve proposes to move held-to-maturity securities (item 11) to Schedule F (item 12).

Schedule F

To correct an instructional typo that resulted in the reporting of overstated figures, the Federal Reserve proposes to revise the reporting instructions for retail funding (item 2).

Change to Reporting Criteria

Currently the reporting panel is determined based on total consolidated assets as of December 31st. The Federal Reserve proposes to determine the reporting panel using total consolidated assets as of the June 30th prior to the December 31st as-of date. This would afford new reporters lead time to update their systems to capture the FR Y–15 data.

Instructional Clarifications

The Federal Reserve proposes to incorporate instructional clarifications in response to feedback and questions received from banking organizations that filed the FR Y–15 for year-end 2012.

Board of Governors of the Federal Reserve System, August 26, 2013.

Robert deV. Frierson,

Secretary of the Board.

[FR Doc. 2013–21166 Filed 8–29–13; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0136; Docket 2012–0076; Sequence 63]

Federal Acquisition Regulation; Submission for OMB Review; Commercial Item Acquisitions

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for comments regarding an extension, with changes, to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning the clauses and provisions required for use in commercial item acquisitions. A notice was published in the **Federal Register** at 78 FR 18349, on March 26, 2013. Comments were received from two respondents.

DATES: Submit comments on or before September 30, 2013.

ADDRESSES: Submit comments identified by Information Collection 9000–0136, Commercial Item Acquisitions, by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link ''Submit a Comment'' that corresponds with ''Information Collection 9000–0136, Commercial Item Acquisitions''. Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''Information Collection 9000–0136, Commercial Item Acquisitions'' on your attached document.
- *Fax:* 202–501–4067.
- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street NW., 2nd Floor, Washington, DC, 20405–0001.
- *ATTN:* Hada Flowers/IC 9000–0136, Commercial Item Acquisitions.

Instructions: Please submit comments only and cite Information Collection 9000–0136, Commercial Item Acquisitions, in all correspondence related to this collection. Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503. All comments received will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Michael O. Jackson, Procurement Analyst, Office of Governmentwide Acquisition Policy, GSA (202) 208–4949 or email at *michaelo.jackson@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The Federal Acquisition Streamlining Act of 1994 included Title VIII, entitled Commercial Items. The title made numerous additions and revisions to both the civilian agency and Armed Service acquisition statutes to encourage and facilitate the acquisition of commercial items and services by Federal Government agencies.

To implement these changes, DoD, NASA, and GSA amended the Federal Acquisition Regulation (FAR) to include several streamlined and simplified clauses and provisions to be used in place of existing clauses and provisions. These clauses and provisions were designed to simplify solicitations and contracts for commercial items. The simplified clauses and provisions are used by Federal agencies to facilitate the acquisition of commercial items and services.

Pertinent to this information collection is the FAR provision at 52.212–3, Offeror Representations and Certifications—Commercial Items. The provision is among the representations and certifications that are available for completion in the On-line Representation and Certification Application (ORCA). ORCA as a stand-alone system no longer exists; however, its functionality is incorporated into the System for Award Management (SAM).

B. Analysis of Public Comments

Two respondents submitted public comments on the extension of the previously approved information collection. The analysis of the public comments is summarized as follows:

Comment: The respondent commented that the extension of the information collection contradicts the fundamental purposes of the Paperwork Reduction Act because of the burden it puts on the entity submitting the information and the agency collecting the information.

Response: In accordance with the Paperwork Reduction Act (PRA), agencies can request an extension to an existing OMB approved information collection. The PRA requires that agencies use the **Federal Register** notice and comment process, to extend the OMB's approval, at least every three years. This extension, to a previously approved information collection, pertains to the FAR provision at 52.212–3, Offeror Representations and Certifications—Commercial Items. The provision is among the representations and certifications that are available for completion in the ORCA function of the SAM database. This provision is required by statute. In accordance with Section 8002 of Public Law 103–355 (41 U.S.C. 264), contracts for the acquisition of commercial items shall, to the maximum extent practicable, include only those clauses—

(1) Required to implement provisions of law or executive orders applicable to the acquisition of commercial items; or

(2) Determined to be consistent with customary commercial practice.

Not granting this extension would consequently eliminate a primary means of complying with this statutory requirement.

Comment: Two respondents commented that the agency did not accurately estimate the public burden challenging that the agency's methodology for calculating it is insufficient and inadequate and does not reflect the total burden. One respondent commented that the ''estimate of four responses per contractor per year is unrealistically low.'' The respondent also commented that if the estimate accounted for the totality of the information collection requirement, including recordkeeping, compiling and reporting, the burden hours would be six to ten hours per response. For this reason, the respondent asserted that the agency should reassess the estimated total burden hours and revise the estimate upward to be more accurate, as was done in FAR Case 2007–006. A second respondent commented that on average, the time burden is approximately 215 hours per company, per response, for the end-to-end process. Further, both respondents commented that the estimate of 0.5 hours of burden per response was unrealistically low when considering the time and effort necessary for a company to gather the data.

Response: Serious consideration is given, during the open comment period, to all comments received and adjustments are made to the paperwork burden estimate based on reasonable considerations provided by the public. This is evidenced, as the respondent notes, in FAR Case 2007–006 where an adjustment was made from the total preparation hours from three to 60. This change was made considering particularly the hours that would be required for review within the company, prior to release to the Government.

The burden is prepared taking into consideration the necessary criteria in OMB guidance for estimating the paperwork burden put on the entity submitting the information. For example, consideration is given to an entity reviewing instructions; using technology to collect, process, and disclose information; adjusting existing practices to comply with requirements; searching data sources; completing and reviewing the response; and transmitting or disclosing information. The estimated burden hours for a collection are based on an average between the hours that a simple disclosure by a very small business might require and the much higher numbers that might be required for a very complex disclosure by a major corporation. Also, the estimated burden hours should only include projected hours for those actions which a company would not undertake in the normal course of business.

Careful consideration went into assessing the estimated burden hours for this collection. It has been determined that an upward adjustment is not required at this time. The estimate of four responses per respondent is based upon contractor use of the ORCA function in SAM rather than the completion of representations and certifications for each solicitation/contract for which a vendor submits an offer. The ORCA function was developed to eliminate the administrative burden for contractors of submitting the same information to various contracting offices, and to establish a common source for this information to procurement offices across the Government. Prior to ORCA, prospective contractors were required to submit representations and certifications in paper form for each individual contract award. Under these conditions, a response rate of 20 to more than 100 times per year may have been necessary. However, using the ORCA function in SAM, a contractor can enter their representations and certification information once for use on all Federal contracts and solicitations. FAR 4.1201(a) requires prospective contractors to complete electronic annual representations and certifications at the SAM Internet site in conjunction with required registration in the Central Contractor Registration (CCR) function in SAM. The representations and certifications are effective until one year from the date of submission or update to the ORCA function in SAM. For purposes of this information collection, initial data entry plus three updates per year was considered reasonable and was used to estimate the number of responses per respondent per year.

Subject matter experts were consulted to obtain additional information that helped in estimating the hours of burden per response. After reviewing the average estimated burden hours per response, and the respondent's comments to the burden hours per response in conjunction with consultation with subject matter experts, it has been determined that the estimate of thirty minutes (0.500), or approximately 10 minutes more than the original estimate of 0.312 published in the **Federal Register** at 75 FR 6668 on February 2, 2010, was a valid measure of the average time required to complete and review each response. However, at any point, members of the public may submit comments for further consideration, and are encouraged to provide data to support their request for an adjustment.

C. Annual Reporting Burden

Respondents: 162,000.
Responses per Respondent: 4.
Total Responses: 648,000.
Hours per Response: .500.
Total Burden Hours: 324,000.

D. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulations (FAR), and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street NW., 2nd Floor, Washington, DC 20405–0001, telephone (202) 501–4755. Please cite OMB Control No. 9000–0136 regarding Commercial Item Acquisitions in all correspondence.

Dated: August 22, 2013.

Karlos Morgan,

Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2013–21183 Filed 8–29–13; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-day Comment Request Cancer Trials Support Unit (CTSU) (NCI)

SUMMARY: In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, for opportunity for public comment on proposed data collection projects, the National Cancer Institute (NCI), National Institutes of Health (NIH), will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

Written comments and/or suggestions from the public and affected agencies are invited on one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

To Submit Comments and For Further Information: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Michael Montello, Cancer Therapy Evaluation Program, Division of Cancer Treatment and Diagnosis, 9609 Medical Center Drive Rockville, MD 20850 or call non-toll-free number 240–276–6080 or Email your request, including your address to: *montellom@mail.nih.gov.* Formal requests for additional plans and instruments must be requested in writing.

Comment Due Date: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

Proposed Collection: Cancer Trials Support Unit (CTSU) (NCI), 0925–0624, Expiration Date 12/31/2013, REVISION, National Cancer Institute (NCI), National Institutes of Health (NIH).

Need and Use of Information Collection: The Cancer Therapy Evaluation Program (CTEP) establishes and supports programs to facilitate the participation of qualified investigators on CTEP-supported studies, and to institute programs that minimize redundancy among grant and contract holders, thereby reducing overall cost of maintaining a robust treatment trials program. Currently guided by the efforts of the Clinical Trials Working Group (CTWG) and the Institute of Medicine (IOM) recommendations to revitalize the Cooperative Group program, CTEP has funded the Cancer Trials Support Unit (CTSU). The CTSU collects standardized forms to process site regulatory information, changes to membership, patient enrollment data, and routing information for case report forms. In addition, CTSU collects annual surveys of customer satisfaction for clinical site staff using the CTSU Help Desk, the CTSU Web site, and the Protocol and Information Office (PIO). An ongoing user satisfaction survey is in place for the Oncology Patient Enrollment Network (OPEN). User satisfaction surveys are compiled as part of the project quality assurance activities and are used to direct improvements to processes and technology.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 24,996.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondent	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hour
CTSU IRB/Regulatory Approval Transmittal Form	Health Care Practitioner	9,000	12	2/60	3,600
CTSU IRB Certification Form	Health Care Practitioner	8,500	12	10/60	17,000
CTSU Acknowledgement	Health Care Practitioner	500	12	5/60	500
Withdrawal from Protocol Participation Form	Health Care Practitioner	50	12	5/60	50
Site Addition	Health Care Practitioner	25	12	5/60	25
CTSU Roster Update Form	Health Care Practitioner	50	12	4/60	40
CTSU Radiation Therapy Facilities Inventory Form.	Health Care Practitioner	20	12	30/60	120
CTSU IBCSG Drug Accountability Form	Health Care Practitioner	11	12	10/60	22
CTSU IBCSG Transfer of Investigational Agent Form.	Health Care Practitioner	3	12	20/60	12
Site Initiated Data Update Form	Health Care Practitioner	10	12	10/60	20
Data Clarification Form	Health Care Practitioner	341	12	20/60	1,364
RTOG 0834 CTSU Data Transmittal Form	Health Care Practitioner	60	12	10/60	120
MC0845(8233) CTSU Data Transmittal	Health Care Practitioner	50	12	10/60	100
CTSU Generic Data Transmittal Form	Health Care Practitioner	500	12	10/60	1,000
CTSU Patient Enrollment Transmittal Form	Health Care Practitioner	200	12	10/60	400
CTSU P2C Enrollment Transmittal Form	Health Care Practitioner	15	12	10/60	30
CTSU Transfer Form	Health Care Practitioner	20	12	10/60	40
CTSU System Account Request Form	Health Care Practitioner	20	12	20/60	80
CTSU Request for Clinical Brochure	Health Care Practitioner	75	12	10/60	150

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Form name	Type of respondent	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hour
CTSU Supply Request Form	Health Care Practitioner	75	12	10/60	150
CTSU Web Site Customer Satisfaction Survey	Health Care Practitioner	275	1	15/60	69
CTSU Helpdesk Customer Satisfaction Survey	Health Care Practitioner	325	1	15/60	81
CTSU OPEN Survey	Health Care Practitioner	60	1	15/60	15
PIO Customer Satisfaction Survey	Health Care Practitioner	100	1	5/60	8

Dated: August 26, 2013.

Vivian Horovitch-Kelley,

NCI Project Clearance Liaison, National Institutes of Health.

[FR Doc. 2013–21225 Filed 8–29–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–13–13AGH]

Proposed Data Collections Submitted for Public Comment and Recommendations

In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Centers for Disease Control and Prevention (CDC) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the data collection plans and instruments, call 404–639–7570 or send comments to Kimberly S. Lane, 1600 Clifton Road, MS–D74, Atlanta, GA 30333 or send an email to *omb@cdc.gov.*

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Written comments should be received within 60 days of this notice.

Proposed Project

Examining Traumatic Brain Injury in Youth—NEW—National Center for Injury Prevention and Control (NCIPC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Traumatic brain injury (TBI) is one of the highest priorities in public health because of its magnitude, economic and human impact, and preventability. The Centers for Disease Control and Prevention (CDC) estimates that approximately 1.7 million TBIs are sustained in the United States annually, either alone or in conjunction with another injury or condition. These figures may be an underestimation as they do not include people who are treated in physicians' offices or outpatient facilities, those who did not seek medical care, military personnel, or Americans living abroad. Moreover, the number of sports and recreation-related TBIs treated in U.S. emergency departments is increasing and has increased steadily since the early 2000s. Children, ages 0 to 4 years and adolescents, ages 15–19, are at the greatest risk of sustaining a TBI. A TBI is caused by a bump, blow or jolt to the head or a penetrating head injury that disrupts the normal function of the brain. The severity of a TBI may range from ''mild'' (a brief change in mental status or consciousness) to ''severe'' (an extended period of unconsciousness or amnesia after the injury).

In 1996, Congress passed Public Law 104–166, the Traumatic Brain Injury Act, which charged CDC with implementing projects to reduce the incidence of traumatic brain injury. The CDC definition of TBI uses selected codes of the International Classification of Diseases, 9th Clinical Modification (ICD–9 CM) to identify cases of TBI from hospital and non-hospital databases containing billing records for services rendered to patients. It is thought, however, that the ICD–9 CM codes currently used in CDC's surveillance system to capture cases of TBI are not sufficiently sensitive to capture diagnosed TBI. CDC, therefore, would like to collect de-identified medical information of a representative sample of pediatric patients, from two clinical settings, who received a confirmed diagnosis of mild to severe TBI and link these patients to their administrative medical claims forms. Collectively, the data will allow CDC to estimate the sensitivity of currently utilized ICD–9 CM codes to capture cases of diagnosed TBI, as well as ICD–9 CM codes not currently being utilized that may improve the sensitivity to capture cases of TBI. We propose to conduct a retrospective cross-sectional study of a random sample of patients with a suspected TBI within two clinical settings (Emergency Departments and Concussion Clinics).

Information for this study is being collected to better understand the coding practices related to TBI among children within multiple clinical settings. The data will benefit public health by providing a more accurate case definition of TBI for the Central Nervous System (CNS) Injury Surveillance. Results from this study will be shared with CDC stakeholders, such as state and local health departments, clinicians and TBI-related medical researchers through CDC reports and peer-reviewed publications.

CDC requests OMB approval for three years to abstract data from medical and billing records dated April 1st to September 30, 2013. Data will be collected electronically, analyzed with findings compiled in a final report. The following information is needed from the medical record: Age at injury, encrypted or randomly generated identification number (that can be linked to billing system), head injury assessment value (indicator variable, Yes/No), Traumatic injury mechanism, Glasgow Coma Scale (GCS) score, ICD–9 CM codes and External cause of injury (E) codes if available, Head injury assessment value (indicator), Confirmed Diagnosis of TBI (Yes/No), based on the TBI case definition and if yes, Injury Type. The necessary data fields from the hospital billing system are: Encrypted or randomly generated identification number (that can be linked to medical chart), diagnosis codes (all available

fields for ICD–9–CM, E and V-codes), procedural codes (all available fields for ICD–9 CM, CPT–4) From the abstracted medical chart data contained in the TBI Data Abstraction Tool, a frequency of all observed ICD–9 CM codes will be created. Calculations of frequencies and code sensitivity of the ICD–9 CM codes will be calculated to develop recommendations for specific ICD–9 CM in the CDC IDC–9 Code definition.

The TBI Data Abstraction tool will be used to create the final analytic dataset for the 'Examining Traumatic Brain Injury in Youth' project. Data will be abstracted into the dataset in two separate phases during the study. During the first phase, a trained Research Assistant (RA) will review each sampled medical chart to determine whether the patient experienced a TBI during the specified visit according to the CDC TBI definition. The RA will first review the selection criteria to confirm eligibility into the study. Approximately, 150 medical records from Emergency Department Patients, obtained from emergency medical records (EMR) will be abstracted to determine if they fit the TBI case definition: (1) Any period of observed or self-reported confusion, memory dysfunction, or loss of consciousness, (2) observed signs of neurological/neuropsychological dysfunction or (3) an injury to the head that resulted in amnesia, skull fracture, or intracranial lesion. It is estimated that this data abstraction will take 105 minutes per record, totaling 263 annual burden hours. Also, 50 Concussion Service Patient records will be obtained from a hospital concussion clinic. These records will be abstracted to determine if they fit the TBI case definition as well. It is estimated that this abstraction will take 105 minutes per record, totaling 88 annual burden hours. The total annualized burden hours per year are 351. The RA will be blinded to all ICD–9 CM codes while reviewing medical charts and entering data into the TBI Data extraction tool.

There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Avg. burden per response (in hrs.)	Total burden (in hrs.)
Emergency Department Patient	Allscripts ED electronic medical record (EMR) system.	150	1	105/60	263
Concussion Services Patient	Microsoft Access Patient List	50	1	105/60	88
Total					351

Kimberly S. Lane,

Deputy Director, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2013–21190 Filed 8–29–13; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier CMS–10497]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by October 29, 2013.

ADDRESSES: When commenting, please reference the document identifier or OMB control number (OCN). To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By Regular Mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *http://www.cms.hhs.gov/PaperworkReductionActof1995.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: Reports Clearance Office at (410) 786–1326.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10497 Evaluation of the Medicare Health Care Quality (MHCQ) Demonstration Evaluation: Focus Group and Interview Protocols

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* New collection (Request for a new OMB control number); *Title of Information Collection:* Evaluation of the Medicare Health Care Quality (MHCQ) Demonstration Evaluation: Focus Group and Interview Protocols; *Use:* The Medicare Health Care Quality (MHCQ) Demonstration was developed to address concerns about the U.S. health care system, which typically fragments care while also encouraging both omissions in and duplication of care. To rectify this situation, Congress has directed the Centers for Medicare & Medicaid Services (CMS) to test major changes to the delivery and payment systems to improve the quality of care while also increasing efficiency across the health care system. This would be achieved through several types of interventions: adoption and use of information technology and decision support tools by physicians and their patients, such as evidence-based medicine guidelines, best practice guidelines, and shared decision-making programs; reform of payment methodologies; improved coordination of care among payers and providers serving defined communities; measurement of outcomes; and enhanced cultural competence in the delivery of care.

Section 1866C of the Social Security Act, as amended by Section 646 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Pub. L. 108–173), section 1866C(b)), requires the Secretary of the Department of Health and Human Services to establish a 5-year demonstration program under which the Secretary may approve demonstration projects that examine health delivery factors that encourage improved quality in patient care. This section also authorizes the Secretary to waive compliance with such requirements of Titles XI and XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*) as may be necessary for the purposes of carrying out the demonstration project.

The MHCQ Demonstration programs are designed to examine the extent to which major, multifaceted changes to traditional Medicare's health delivery and financing systems lead to improvements in the quality of care provided to Medicare beneficiaries without increasing total program expenditures. Each demonstration site uses a different approach for changing health delivery and financing systems, but all share the goal of improving the quality and efficiency of medical care provided to Medicare beneficiaries. Focus groups and individual interviews will be conducted at 2 demonstration sites that are active in the demonstration: Gundersen Health System (GHS) and Meridian Health System (MHS).

This MHCQ Demonstration evaluation will include analysis of both quantitative and qualitative sources of information. This multifaceted approach will enable this evaluation to consider a broad variety of evidence for evaluating the nature and impact of each site's interventions. *Form Number:* CMS–10497 (OCN: 0938–NEW); *Frequency:* Occasionally; *Affected Public:* Individuals or households and Private sector (Not-for-profit organizations); *Number of Respondents:* 36; *Total Annual Responses:* 36; *Total Annual Hours:* 108. (For policy questions regarding this collection contact Normandy Brangan at 410–786–6640.).

Dated: August 27, 2013.

Martique Jones,

Deputy Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2013–21258 Filed 8–29–13; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–4040, CMS–10174, CMS–R–285, CMS–10166, CMS–10184, CMS–1572, CMS–10175, CMS–379 and CMS–10336)]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by September 30, 2013.

ADDRESSES: When commenting on the proposed information collections, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be received by the OMB desk officer via one of the following transmissions: OMB, Office of Information and Regulatory Affairs, Attention: CMS Desk Officer, Fax Number: (202) 395–6974 *OR* Email: *OIRA_submission@omb.eop.gov*.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *http://www.cms.hhs.gov/PaperworkReductionActof1995*.

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: Reports Clearance Office at (410) 786–1326.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* Request for Enrollment in Supplementary Medical Insurance; *Use:* Form CMS–4040 (and CMS–4040SP) is used to establish entitlement to and enrollment in Medicare Part B for beneficiaries who file for Part B only. The collected information is used to determine entitlement for individuals who meet the requirements in section 1836(2) of the Social Security Act as well as the entitlement of the applicant or their spouses to an annuity paid by OPM for premium deduction purposes. *Form Number:* CMS–4040 (OCN: 0938–0245); *Frequency:* Once; *Affected Public:* Individuals or households; *Number of Respondents:* 10,000; *Total Annual Responses:* 10,000; *Total Annual Hours:* 2,500. (For policy questions regarding this collection contact Lindsay Smith at 410–786–6843.)

2. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* Collection of Prescription Drug Event Data from Contracted Part D Providers for Payment; *Use:* The information users would include Pharmacy Benefit Managers, third party administrators and pharmacies and prescription drug plans, Medicare Advantage plans that offer integrated prescription drug and health care coverage, Fallbacks and other plans that offer coverage of outpatient prescription drugs under the Medicare Part D benefit to Medicare beneficiaries. The data is used primarily for payment, but is also used for claim validation as well as for other legislated functions such as quality monitoring, program integrity, and oversight. *Form Number:* CMS–10174 (OCN: 0938–0982); *Frequency:* Monthly; *Affected Public:* Private sector (business or other for-profits and not-for-profit institutions); *Number of Respondents:* 747; *Total Annual Responses:* 947,881,770; *Total Annual Hours:* 1,896. (For policy questions regarding this collection contact Ivan Iveljic at 410–786–3312.)

3. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* Request for Retirement Benefit Information; *Use:* Section 1818(d)(5) of the Social Security Act provides that former state and local government employees (who are age 65 or older, have been entitled to Premium Part A for at least 7 years, and did not have the premium paid for by a state, a political subdivision of a state, or an agency or instrumentality of one or more states or political subdivisions) may have the Part A premium reduced to zero. These individuals must also have 10 years of employment with the state or local government employer or a combination of 10 years of employment with a state or local government employer and a non-government employer. Form CMS–R–285 is an essential part of the process of determining whether an individual qualifies for the premium reduction. The Social Security Administration will use this information to help determine whether a beneficiary meets the requirements for reduction of the Part A premium. *Form Number:* CMS–R–285 (OCN: 0938–0769); *Frequency:* Once; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 500; *Total Annual Responses:* 500; *Total Annual Hours:* 125. (For policy questions regarding this collection contact Lindsay Smith at 410–786–6843.)

4. *Type of Information Collection Request:* Reinstatement of a previously approved collection; *Title of Information Collection:* Payment Error Rate Measurement in Medicaid & Children's Health Insurance Program (CHIP); *Use:* The Improper Payments Information Act (IPIA) of 2002 as amended by the Improper Payments Elimination and Recovery Improvement Act (IPERIA) of 2012 requires CMS to produce national error rates for Medicaid and Children's Health Insurance Program (CHIP). To comply with the IPIA, we will engage a Federal contractor to produce the error rates in Medicaid and CHIP. The error rates for Medicaid and CHIP are calculated based on the reviews on three components of both Medicaid and CHIP program. They are: Fee-for-service claims medical reviews and data processing reviews, managed care claims data-processing reviews, and eligibility reviews. Each of the review components collects different types of information, and the state-specific error rates for each of the review components will be used to calculate an overall state-specific error rate, and the individual state-specific error rates will be used to produce a national error rate for Medicaid and CHIP. The states will be requested to submit, at their option, test data which include full claims details to the contractor prior to the quarterly submissions to detect potential problems in the dataset to and ensure the quality of the data. These states will be required to submit quarterly claims data to the contractor who will pull a statistically valid random sample, each quarter, by strata, so that medical and data processing reviews can be performed. State-specific error rates will be based on these review results. We need to collect the fee-for-service claims data, medical policies, and other information from states as well as medical records from providers in order for the contractor to sample and review adjudicated claims in those states selected for medical reviews and data processing reviews. Based on the reviews, state-specific error rates will be calculated which will serve as part of the basis for calculating national Medicaid and CHIP error rates. *Form Number:* CMS–10166 (OCN: 0938–0974); *Frequency:* Yearly, Quarterly; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 34; *Total Annual Responses:* 1650; *Total Annual Hours:* 56,100. (For policy questions regarding this collection contact Monetha Dockery at 410–786–0155.)

5. *Type of Information Collection Request:* Reinstatement with a change of a previously approved collection; *Title of Information Collection:* Eligibility Error Rate Measurement in Medicaid and the Children's Health Insurance Program; *Use:* The Improper Payments Information Act (IPIA) of 2002 requires CMS to produce national error rates for

Medicaid and the Children's Health Insurance Program (CHIP). To comply with the IPIA, we will use a national contracting strategy to produce error rates for Medicaid and CHIP fee-for-service and managed care improper payments. The federal contractor will review States on a rotational basis so that each State will be measured for improper payments, in each program, once and only once every three years.

Subsequent to the first publication, we determined that we will measure Medicaid and CHIP in the same State. Therefore, States will measure Medicaid and CHIP eligibility in the same year measured for fee-for-service and managed care. We believe this approach will advantage States through economies of scale (e.g. administrative ease and shared staffing for both programs reviews). We also determined that interim case completion timeframes and reporting are critical to the integrity of the reviews and to keep the reviews on schedule to produce a timely error rate. Lastly, the sample sizes were increased slightly in order to produce an equal sample size per strata each month. Each month States submit a monthly sample selection list, eligibility review findings for active and negative cases and claims review findings. At the end of the cycle, States would have submitted 48 forms. We are submitting a new instrument in which we compile all of the information from the 48 forms into a format that will allow States to submit 12 forms for 12 months of eligibility data. This form will also serve either of the data substitution options. Periodically, we will conduct Federal re-reviews of States' PERM files to ensure the accuracy of States' review findings and the validity of the review process. We will select a random subsample of Medicaid and CHIP cases from the sample selection lists provided by each State. States will submit all pertinent information related to the review of each sampled case that is we select. *Form Number:* CMS–10184 (OCN: 0938–1012); *Frequency:* Yearly and Quarterly *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 34; *Total Annual Responses:* 120; *Total Annual Hours:* 15,755. (For policy questions regarding this collection contact Monetha Dockery at 410–786–0155.)

6. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Home Health Agency Survey and Deficiencies Report; *Use:* In order to participate in the Medicare Program as a Home Health Agency (HHA) provider, the HHA must meet federal standards. This form is used to record information and patients' health and provider compliance with requirements and to report the information to the federal government. *Form Number:* CMS–1572 (OCN: 0938–0355); *Frequency:* Yearly; *Affected Public:* State, Local or Tribal Government; *Number of Respondents:* 3,830; *Total Annual Responses:* 3,830; *Total Annual Hours:* 958. (For policy questions regarding this collection contact Patricia Sevast at 410–786–8135.)

7. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Certification Statement for Electronic File Interchange Organizations; *Use:* Health care providers can currently obtain a National Provider Identifier (NPI) via a paper application or over the Internet through the National Plan and Provider Enumeration System (NPPES). These applications must be submitted individually, on a per-provider basis. The Electronic File Interchange (EFI) process allows provider-designated organizations (EFIOs) to capture multiple providers' NPI application information on a single electronic file for submission to NPPES. This process is also referred to as bulk enumeration. To ensure that the EFIO has the authority to act on behalf of each provider and complies with other federal requirements, an authorized official of the EFIO must sign a certification statement and mail it to us. *Form Number:* CMS–10175 (OCN: 0938–0984). *Frequency:* Occasionally; *Affected Public:* Private Sector; *Number of Respondents:* 25; *Total Annual Responses:* 25; *Total Annual Hours:* 75. (For policy questions regarding this collection contact Leslie Jones at 410–786–6599.).

8. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* Financial Statement of Debtor and Supporting Regulations; *Use:* The Form CMS–379 is used to collect financial information which is needed to evaluate requests from physicians and suppliers to pay indebtedness under an extended repayment schedule, or to compromise a debt less than the full amount. Normally, when a Medicare Administrative Contractor (MAC) overpays a physician or supplier, the overpayment is associated with a single claim, and the amount of the overpayment is moderate. In these cases, the physician/supplier usually refunds the overpaid amount in a lump sum. Alternatively, the MAC may recoup the overpaid amount against future payments. A recoupment is the recovery by Medicare of any outstanding Medicare debt by reducing present or future Medicare payments and applying the amount withheld to the indebtedness. The recoupment can be made only if the physician or supplier accepts assignment since the MAC makes payment to the physician or supplier only on assigned claims.

Sometimes, however, an overpayment to a physician or supplier is exceptionally large, and it cannot be recovered in the normal fashion. The large overpayment usually results from aberrant billing practices, such as billing for more expensive services than were rendered. This could be discovered during routine review of a statistically valid sample of claims. The physician or supplier may be unable to refund a large overpaid amount in a single payment. The MAC cannot recover the overpayment by recoupment if the physician/supplier does not accept assignment of future claims, or is not expected to file future claims because of going out of business, illness or death. In these unusual circumstances, the MAC has authority to approve or deny extended repayment schedules up to 12 months, or may recommend to that we approve up to 60 months. Before the MAC takes these actions, the MAC will require full documentation of the physician's or supplier's financial situation. Thus, the physician or supplier must complete Form CMS–379. *Form Number:* CMS–379 (OCN: 0938–0270); *Frequency:* Occasionally; *Affected Public:* Private sector (business or other for-profits); *Number of Respondents:* 500; *Total Annual Responses:* 500; *Total Annual Hours:* 1,000. (For policy questions regarding this collection contact Ronke Fabayo at 410–786–4460.)

9. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Medicare and Medicaid Programs: Electronic Health Record Incentive Program; *Use:* The American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. 111–5) was enacted on February 17, 2009. The Recovery Act includes many measures to modernize our nation's infrastructure, and improve affordable health care. Expanded use of health information technology (HIT) and certified electronic health record (EHR) technology will improve the quality and value of America's health care. Title IV of Division B of the Recovery Act amends Titles XVIII and XIX of the Social Security Act (the Act) by establishing incentive payments to eligible professionals (EPs), eligible

hospitals and critical access hospitals (CAHs), and Medicare Advantage (MA) organizations participating in the Medicare and Medicaid programs that adopt and successfully demonstrate meaningful use of certified EHR technology. These Recovery Act provisions, together with Title XIII of Division A of the Recovery Act, may be cited as the ''Health Information Technology for Economic and Clinical Health Act'' or the ''HITECH Act.''

The HITECH Act creates incentive programs for EPs and eligible hospitals, including CAHs, in the Medicare Fee-for-Service (FFS), MA, and Medicaid programs that successfully demonstrate meaningful use of certified EHR technology. In their first payment year, Medicaid EPs and eligible hospitals may adopt, implement or upgrade to certified EHR technology. It also, provides for payment adjustments in the Medicare FFS and MA programs starting in FY 2015 for EPs and eligible hospitals participating in Medicare that are not meaningful users of certified EHR technology. These payment adjustments do not pertain to Medicaid providers.

The first final rule for the Medicare and Medicaid EHR Incentive Program, which was published in the **Federal Register** on July 28, 2010 (CMS–0033–F), specified the initial criteria EPs, eligible hospitals and CAHs, and MA organizations must meet in order to qualify for incentive payments; calculation of incentive payment amounts; payment adjustments under Medicare for covered professional services and inpatient hospital services provided by EPs, eligible hospitals and CAHs failing to demonstrate meaningful use of certified EHR technology beginning in 2015; and other program participation requirements. On the same date, the Office of the National Coordinator of Health Information Technology (ONC) issued a closely related final rule (45 CFR part 170, RIN 0991–AB58) that specified the initial set of standards, implementation specifications, and certification criteria for certified EHR technology. ONC has also issued a separate final rule on the establishment of certification programs for health information technology (HIT) (45 CFR part 170, RIN 0991–AB59). The functionality of certified EHR technology should facilitate the implementation of meaningful use. Subsequently, final rules have been issued by CMS (77 FR 53968) and ONC (77 FR 72985) to create a Stage 2 of meaningful use criteria and other changes to the CMS EHR Incentive Programs and the 2014 Edition Certification Criteria for EHR technology.

The information collection requirements contained in this information collection request are needed to implement the HITECH Act. In order to avoid duplicate payments, all EPs are enumerated through their National Provider Identifier (NPI), while all eligible hospitals and CAHs are enumerated through their CMS Certification Number (CCN). State Medicaid agencies and CMS use the provider's tax identification number and NPI or CCN combination in order to make payment, validate payment eligibility and detect and prevent duplicate payments for EPs, eligible hospitals and CAHs. *Form Number:* CMS–10336 (OCN: 0938–1158); *Frequency:* Occasionally; *Affected Public:* Private sector; *Number of Respondents:* 214,694; *Total Annual Responses:* 214,694; *Total Annual Hours:* 2,034,740. (For policy questions regarding this collection contact Travis Broome at 214–767–4450.)

Dated: August 27, 2013.

Martique Jones,

Deputy Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2013–21257 Filed 8–29–13; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–7030–N]

Medicare, Medicaid, and Children's Health Insurance Programs; Meeting of the Advisory Panel on Outreach and Education

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice of meeting.

SUMMARY: This notice announces a meeting of the Advisory Panel on Outreach and Education (APOE) (the Panel) in accordance with the Federal Advisory Committee Act. The Panel advises and makes recommendations to the Secretary of Health and Human Services and the Administrator of the Centers for Medicare & Medicaid Services on opportunities to enhance the effectiveness of consumer education strategies concerning Medicare, Medicaid and the Children's Health Insurance Program (CHIP). This meeting is open to the public.

DATES: *Meeting Date:* Monday, September 16, 2013, 8:30 a.m. to 4:00 p.m. Eastern Standard Time (EST).

Deadline for Meeting Registration, Presentations and Comments: Monday, September 9, 2013, 5:00 p.m., EST.

Deadline for Requesting Special Accommodations: Monday, September 9, 2013, 5:00 p.m., EST.

ADDRESSES: *Meeting Location:* Sheraton Silver Spring, 8777 Georgia Avenue, Silver Spring, Maryland 20910.

Presentations and Written Comments: Kirsten Knutson, Acting Designated Federal Official (DFO), Division of Forum and Conference Development, Office of Communications, Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Mailstop S1–13–05, Baltimore, MD 21244–1850 or contact Ms. Knutson via email at *mailto:Kirsten.Knutson@cms.hhs.gov.*

Registration: The meeting is open to the public, but attendance is limited to the space available. Persons wishing to attend this meeting must register at the Web site *http://events.SignUp4.com/APOESEPT2013MTG* or by contacting the DFO at the address listed in the **ADDRESSES** section of this notice or by telephone at number listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, by the date listed in the **DATES** section of this notice. Individuals requiring sign language interpretation or other special accommodations should contact the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES''** section of this notice.

FOR FURTHER INFORMATION CONTACT: Kirsten Knutson, (410) 786–5886. Additional information about the APOE is available on the Internet at: *http://www.cms.gov/Regulations-and Guidance/Guidance/FACA/APOE.html.*

Press inquiries are handled through the CMS Press Office at (202) 690–6145.

SUPPLEMENTARY INFORMATION: In accordance with section 10(a) of the Federal Advisory Committee Act (FACA), this notice announces a meeting of the Advisory Panel on Outreach and Education (APOE) (the Panel). Section 9(a)(2) of the Federal Advisory Committee Act authorizes the Secretary of Health and Human Services (the Secretary) to establish an advisory panel if the Secretary determines that the panel is ''in the public interest in connection with the performance of duties imposed . . . by law.'' Such duties are imposed by section 1804 of the Social Security Act (the Act), requiring the Secretary to provide informational materials to Medicare beneficiaries about the Medicare program, and section 1851(d) of the Act, requiring the Secretary to provide for ''activities . . . to broadly disseminate information to [M]edicare beneficiaries . . . on the

coverage options provided under [Medicare Advantage] in order to promote an active, informed selection among such options.''

The Panel is also authorized by section 1114(f) of the Act (42 U.S.C. 1314(f)) and section 222 of the Public Health Service Act (42 U.S.C. 217a). The Secretary signed the charter establishing this Panel on January 21, 1999 (64 FR 7899, February 17, 1999) and approved the renewal of the charter on January 21, 2011 (76 FR 11782, March 3, 2011).

Pursuant to the amended charter, the Panel advises and makes recommendations to the Secretary of Health and Human Services and the Administrator of the Centers for Medicare & Medicaid Services (CMS) concerning optimal strategies for the following:

- Developing and implementing education and outreach programs for individuals enrolled in, or eligible for, Medicare, Medicaid and the Children's Health Insurance Program (CHIP).
- Enhancing the federal government's effectiveness in informing Medicare, Medicaid and CHIP consumers, providers and stakeholders pursuant to education and outreach programs of issues regarding these and other health coverage programs, including the appropriate use of public-private partnerships to leverage the resources of the private sector in educating beneficiaries, providers and stakeholders.
- Expanding outreach to vulnerable and underserved communities, including racial and ethnic minorities, in the context of Medicare, Medicaid and CHIP education programs.
- Assembling and sharing an information base of ''best practices'' for helping consumers evaluate health plan options.
- Building and leveraging existing community infrastructures for information, counseling and assistance.
- Drawing the program link between outreach and education, promoting consumer understanding of health care coverage choices and facilitating consumer selection/enrollment, which in turn support the overarching goal of improved access to quality care, including prevention services, envisioned under health care reform.

The current members of the Panel are: Samantha Artiga, Principal Policy Analyst, Kaiser Family Foundation; Joseph Baker, President, Medicare Rights Center; Philip Bergquist, Manager, Health Center Operations, CHIPRA Outreach & Enrollment Project and Director, Michigan Primary Care Association; Marjorie Cadogan, Executive Deputy Commissioner, Department of Social Services; Jonathan Dauphine, Senior Vice President, AARP; Barbara Ferrer, Executive Director, Boston Public Health Commission; Shelby Gonzales, Senior Health Outreach Associate, Center on Budget & Policy Priorities; Jan Henning, Benefits Counseling & Special Projects Coordinator, North Central Texas Council of Governments' Area Agency on Aging; Warren Jones, Executive Director, Mississippi Institute for Improvement of Geographic Minority Health; Cathy Kaufmann, Administrator, Oregon Health Authority; Sandy Markwood, Chief Executive Officer, National Association of Area Agencies on Aging; Miriam Mobley-Smith, Dean, Chicago State University, College of Pharmacy; Ana Natale-Pereira, Associate Professor of Medicine, University of Medicine & Dentistry of New Jersey; Megan Padden, Vice President, Sentara Health Plans; Winston Wong, Medical Director, Community Benefit Director, Kaiser Permanente and Darlene Yee-Melichar, Professor & Coordinator, San Francisco State University. The agenda for the September 16, 2013 meeting will include the following:

- Welcome and Listening Session with CMS Leadership
- Recap of the Previous (June 24, 2013) Meeting
- Affordable Care Act Initiatives
- An Opportunity for Public Comment
- Meeting Summary, Review of Recommendations and Next Steps

Individuals or organizations that wish to make a 5-minute oral presentation on an agenda topic should submit a written copy of the oral presentation to the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice. The number of oral presentations may be limited by the time available. Individuals not wishing to make a presentation may submit written comments to the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice.

Authority: Sec. 222 of the Public Health Service Act (42 U.S.C. 217a) and sec. 10(a) of Pub. L. 92–463 (5 U.S.C. App. 2, sec. 10(a) and 41 CFR 102–3).

(Catalog of Federal Domestic Assistance Program No. 93.733, Medicare—Hospital Insurance Program; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: August 27, 2013.

Marilyn Tavenner,

Acting Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 2013–21241 Filed 8–29–13; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects:

Title: U.S. Repatriation Program Forms.

OMB No.: 0970—NEW.

Description: The United States (U.S.) Repatriation Program was established by Title XI, Section 1113 of the Social Security Act (Assistance for U.S. Citizens Returned from Foreign Countries) to provide temporary assistance to U.S. citizens and their dependents who have been identified by the Department of State (DOS) as having returned, or been brought from a foreign country to the U.S. because of destitution, illness, war, threat of war, or a similar crisis, and are without available resources immediately accessible to meet their needs. The Secretary of the Department of Health and Human Services (HHS) was provided with the authority to administer this Program. On or about 1994, this authority was delegated by the HHS Secretary to the Administration for Children and Families (ACF) and later re-delegated by ACf to the Office of Refugee Resettlement. The Repatriation Program works with States, Federal agencies, and non-governmental organizations to provide eligible individuals with temporary assistance for up to 90-days. This assistance is in the form of a loan and must be repaid to the Federal Government.

The Program was later expanded in response to legislation enacted by Congress to address the particular needs of persons with mental illness (24 U.S.C. 321 through 329). Further refinements occurred in response to Executive Order (EO) 11490 (as amended) where HHS was given the responsibility to ''develop plans and procedures for assistance at ports of entry to U.S. personnel evacuated from overseas areas, their onward movement to final destination, and follow-up assistance after arrival at final destination.'' In addition, under EO 12656 (53 CFR 47491), ''Assignment of emergency preparedness

responsibilities,'' HHS was given the lead responsibility to develop plans and procedures in order to provide assistance to U.S. citizens and others evacuated from overseas areas.

Overall, the Program manages two major activities, Emergency and Non-emergency Repatriation Activities. The ongoing routine arrivals of individual repatriates and the repatriation of individuals with mental illness constitute the Program Non-emergency activities. Emergency activities are comprised of group repatriations (evacuations of 50–500 individuals) and emergency repatriations (evacuations of 500 or more individuals). Operationally, these activities involve different kinds of preparation, resources, and implementation. However, the core Program policies and administrative procedures are essentially the same. The Program provides services through agreements with local repatriation service providers (e.g. States, federal agencies, non-governmental agencies, etc.). For the purpose of this Program, local repatriation service provider (local provider) has the same definition of ''agency'' as defined under 45 CFR 212.1(i).

1. *The HHS Repatriation Program Emergency and Group Processing Form:* Under 45 CFR parts 211 and 212, ORR is to make findings setting forth the pertinent facts and conclusions according to established standards to determine whether an individual is an eligible person. This form allows authorized staff to gather necessary information to determine eligibility and needed services. This form is to be utilized during emergencies and group repatriations. Individuals interested in receiving Repatriation assistance will complete appropriate portions of this form. State personnel will utilize this form as a guide to perform an initial eligibility and needs assessment. An authorized federal staff from the ACF will make final eligibility determinations through the approval of this form.

2. *The U.S. Repatriation Program Privacy and Repayment Agreement Form:* Under 45 CFR parts 211 and 212, individuals who receive Program assistance are required to repay the federal government for the cost associated to the services received. This form authorizes ORR to release personal identifiable information to partners for the purpose of providing services to eligible repatriates. In addition, through this form, eligible repatriates agree to accept services under the terms and conditions of the Program. Specifically, eligible repatriates commit to repay the federal government for all services received while in the Program. This form is to be completed by eligible repatriates or authorized legal custodian. Exception applies to unaccompanied minors and individuals eligible under 45 CFR 211, if no legal custodian is identified.

3. *Relinquish Repatriation Services Form:* For individuals who are eligible to receive repatriation assistance but opt to relinquish services, this form is utilized to confirm and record repatriate's decision to refuse Program assistance. This form is to be completed by eligible repatriates or authorized legal custodian. Exception applies to unaccompanied minors and individuals eligible under 45 CFR 211, if no legal custodian is identified.

4. *The U.S. Repatriation Program Emergency Financial Form:* Under Section 1113 of the Social Security Act, ORR is authorized to provide temporary assistance directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements providing for payment, as may be determined by ORR. This form is to be utilized and completed by ORR local providers to request reimbursement of reasonable and allowable costs, both administrative and actual temporary services, after emergency activities.

5. *The U.S. Repatriation Program Non-Emergency Reimbursement Form:* Under Section 1113 of the Social Security Act, ORR is authorized to provide temporary assistance directly or through arrangements, in accordance with agreements providing for payment, as may be determined by ORR. This form is to be utilized and completed by ORR local providers to request reimbursement of reasonable and allowable costs, both administrative and actual temporary services.

6. *The U.S. Repatriation Program Financial Waiver Request Form:* In accordance with 45 CFR parts 211 & 212 individuals who have received Repatriation assistance may be eligible to receive a waiver or deferral of their repatriation loan. This form is to be completed by eligible repatriates, authorized legal custodian, or the repatriation local provider. Exception applies to unaccompanied minors and individuals eligible under 45 CFR part 211, if no legal custodian is identified.

7. *The U.S. Repatriation Program Temporary Assistance Extension Request Form:* Under 45 CFR parts 211 & 212 temporary assistance may be furnished beyond the 90 days eligibility period. This form is to be completed by the eligible repatriates, authorized legal custodian, or the repatriation local provider. This form should be submitted to ORR or its authorized grantee 14 days prior to the expiration of the 90 days eligibility period.

8. *The U.S. Repatriation Program Individual Case Management Report and Financial Claim Form:* Under Section 1113 of the Social Security Act, ORR is authorized to provide temporary assistance directly or through agreements with public and private agencies. This form is to be utilized and completed by ORR local provider to request reimbursement of reasonable and allowable costs, both administrative and actual temporary services. This form should also be utilized by the local repatriation provider for submit case updates. This forms is to be completed by authorized local providers.

Respondents: Repatriation Program local repatriation service provider and individuals repatriated or evacuated by DOS from overseas.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
U.S. Repatriation Program Emergency and Group Processing Form.	500 or more	1	0.15	75 or more.
U.S. Repatriation Program Privacy and Repayment Agreement Form.	1000 or more	1	0.05	50 or more.
U.S. Repatriation Program Relinquish Temporary Assistance Form	50 or more	1	0.05	0.8 or more.
U.S. Repatriation Program Emergency and Group Financial Form	4 or more	1	0.20	4 or more.
U.S. Repatriation Program Non-emergency Monthly Financial Statement Form.	53 or more	1	0.20	10.6 or more.

ANNUAL BURDEN ESTIMATES—Continued

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
U.S. Repatriation Program Loan Waiver Request Form	100 or more	1	1	100 or more.
U.S. Repatriation Program Temporary Assistance Extension Request Form.	500 or more	1	0.20	100 or more.
U.S. Repatriation Program Individual Case Management Report	1000 or more	1 or more	0.20	200 or more.

Estimated Total Annual Burden Hours: 540.4.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant Promenade SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov*. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2013–21211 Filed 8–29–13; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0519]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Guidance for Industry # 108 on How To Submit Information in Electronic Format to the Center for Veterinary Medicine Using the Food and Drug Administration Electronic Submission Gateway

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by September 30, 2013.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0454 and title ''Guidance for Industry # 108 on How to Submit Information in Electronic Format to CVM Using the FDA Electronic Submission Gateway.'' Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 1350 Piccard Dr., PI50–400B, Rockville, MD 20850, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Guidance for Industry # 108 on How To Submit Information in Electronic Format to CVM Using the FDA Electronic Submission Gateway—21 CFR 11.2 (OMB Control Number 0910–0454)—Extension

The Center for Veterinary Medicine (CVM) accepts certain types of submissions electronically with no requirement for a paper copy. These types of documents are listed in public docket 97S–0251 as required by § 11.2 (21 CFR 11.2). CVM's ability to receive and process information submitted electronically is limited by its current information technology capabilities and the requirements of the Electronic Records; Electronic Signatures final regulation. CVM's guidance entitled ''Guidance for Industry # 108: How to Submit Information in Electronic Format to CVM Using the FDA Electronic Submission Gateway'' outlines general standards to be used for the submission of any information by email. The likely respondents are sponsors for new animal drug applications.

In the **Federal Register** of May 16, 2013 (78 FR 28851), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

21 CFR Part and Form FDA	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
§ 11.2; Form FDA 3538	65	2.4	156	.08 (5 minutes)	13 (Rounded from 12.5)

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: August 27, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–21236 Filed 8–29–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–D–0920]

Select Updates for Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems; Draft Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the draft guidance entitled ''Select Updates for Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems.'' FDA has developed this guidance to inform the coronary and peripheral stent industry about selected updates to FDA's thinking regarding certain non-clinical testing for these devices. While FDA is considering more substantial updates to the ''Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems'' guidance (*http://www.fda.gov/medicaldevices/deviceregulationandguidance/guidancedocuments/ucm071863.htm*), we are issuing this update on select sections in order to notify the industry in a timely manner of our revised recommendations. This draft guidance is not final nor is it in effect at this time.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by September 30, 2013.

ADDRESSES: Submit written requests for single copies of the draft guidance document entitled ''Select Updates for Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems'' to the Division of Small Manufacturers, International, and Consumer Assistance, Center for Devices and Radiological Health (CDRH), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4613, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request, or fax your request to 301–847–8149. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance.

Submit electronic comments on the draft guidance to *http://www.regulations.gov.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. Identify comments with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Lindsay Pack, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg.66, Rm. 1270, Silver Spring, MD 20993–0002, 301–796–5214; or Erica Takai, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg.62, Rm. 3226, Silver Spring, MD 20993–0002, 301–796–6353.

SUPPLEMENTARY INFORMATION:

I. Background

FDA held a public workshop entitled ''Cardiovascular Metallic Implants: Corrosion, Surface Characterization, and Nickel Leaching'' on March 8 and 9, 2012, that provided information on current practices for performing these tests (see *http://www.fda.gov/MedicalDevices/NewsEvents/WorkshopsConferences/ucm287535.htm*). A group of participants from industry, test facilities, and academia provided comments on practices for corrosion testing and nickel ion release testing. Based on the discussion at the workshop, this draft guidance updates a key aspect of sample conditioning for pitting corrosion testing that is less burdensome, and includes additional information on when galvanic corrosion testing may be omitted with justification, based on information gained from the workshop. This guidance provides updates only for the following topics:

- Pitting corrosion potential;
- Galvanic corrosion;
- Surface characterization; and
- Nickel ion release.

This draft guidance provides cross-references and updates to the related sections of the existing ''Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems'' guidance. Following the close of the comment period on this guidance, FDA intends to consider the comments received, revise this draft guidance as appropriate, and publish it in final. Simultaneously, FDA will issue an update to the existing guidance to add cross-references where this selected updates guidance supersedes the existing recommendations. Subsequently, FDA will incorporate the elements of the final select updates guidance into an anticipated revision of the entire ''Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems'' guidance.

This draft guidance also lists the relevant product codes for stents addressed in the guidance. Of note is that the product code NXP (Stent, Tibial), which is not currently listed in the existing ''Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems'' guidance, has been added. This product code was not created until after the current guidance was published, however, the recommendations in this draft guidance are applicable to tibial stents. Further, FDA will include this product code in the anticipated revision of the entire ''Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems'' guidance.

II. Significance of Guidance

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the Agency's current thinking on certain non-clinical testing for coronary and peripheral stents. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute and regulations.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by using the Internet. A search capability for all CDRH guidance documents is available at *http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/default.htm.* Guidance documents are also available at *http://www.regulations.gov.*

To receive ''Select Updates for Non-Clinical Engineering Tests and Recommended Labeling for Intravascular Stents and Associated Delivery Systems,'' you may either send

an email request to *dsmica@fda.hhs.gov* to receive an electronic copy of the document or send a fax request to 301–847–8149 to receive a hard copy. Please use the document number 1826 to identify the guidance you are requesting.

IV. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 814 have been approved under OMB control number 0910–0231.

V. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

Dated: August 23, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–21191 Filed 8–29–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0019; OMB No. 1660–0026]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. The submission will describe the nature of the information collection, the categories of respondents, the estimated burden (i.e., the time, effort and resources used by respondents to respond) and cost, and the actual data collection instruments FEMA will use.

DATES: Comments must be submitted on or before September 30, 2013.

ADDRESSES: Submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the Desk Officer for the Department of Homeland Security, Federal Emergency Management Agency, and sent via electronic mail to *oira.submission@omb.eop.gov* or faxed to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Director, Records Management Division, 1800 South Bell Street, Arlington, VA 20598–3005, facsimile number (202) 646–3347, or email address *FEMA-Information-Collections-Management@dhs.gov.*

SUPPLEMENTARY INFORMATION:

Collection of Information

Title: State Administrative Plan for the Hazard Mitigation Grant Program.

Type of information collection: Extension, without change, of a currently approved information collection.

Form Titles and Numbers: None.

Abstract: The State Administrative Plan is a procedural guide that details how the State will administer the HMGP. The State must have a current administrative plan approved by the appropriate FEMA Regional Administrator before receiving HMGP funds. The administrative plan may take any form including a chapter within a comprehensive State mitigation program strategy.

Affected Public: State, local or Tribal government.

Estimated Number of Respondents: 32.

Estimated Total Annual Burden Hours: 512.

Estimated Cost: There are no recordkeeping, capital, start-up or maintenance costs associated with this information collection.

Dated: August 22, 2013.

Charlene D. Myrthil,

Director, Records Management Division, Mission Support Bureau, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2013–21244 Filed 8–29–13; 8:45 am]

BILLING CODE 9110–13–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0040]

Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants, FEMA–REP–10, Rev. 1

AGENCY: Federal Emergency Management Agency; DHS.

ACTION: Notice of availability of proposed policy; request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) requests public comments on the Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants, FEMA–REP–10, Rev. 1.

DATES: Comments must be received by October 29, 2013.

ADDRESSES: You may submit comments, identified by Docket ID FEMA–2013–0040, by one of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov Follow the instructions for submitting comments. Please note that this proposed policy is not a rulemaking and the Federal Rulemaking Portal is being utilized only as a mechanism for receiving comments.

Mail/Hand Delivery/Courier: Regulatory Affairs Division, Office of Chief Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

FOR FURTHER INFORMATION CONTACT: John Schafer, Engineer, Professional Services Branch, Technological Hazards Division, Protection and National Preparedness Directorate, *John.Schafer@fema.dhs.gov.* (202) 341–4896.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Instructions: All submissions received must include the agency name and docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice, which can be viewed by clicking on the ''Privacy Notice'' link on the homepage of *www.regulations.gov.*

You may submit your comments and material by methods specified in the **ADDRESSES** section. Please submit your comments and any supporting material by only one means to avoid the receipt and review of duplicate submissions.

Docket: The proposed policy is available in docket ID FEMA–2013–0040. For access to the docket to read background documents or comments received, go to the Federal eRulemaking Portal at *http://www.regulations.gov* and search for the docket ID. Submitted comments may also be inspected at FEMA, Office of Chief Counsel, 500 C Street SW., Washington, DC 20472.

II. Background

In November 1980, the Federal Emergency Management Agency (FEMA) issued FEMA–REP–10, Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants (NPPs). Since that time, there have been changes to FEMA and Nuclear Regulatory Commission (NRC) regulations, guidance, policies and advances in technology. Many of the Alert and Notification Systems (ANS) from the 1980s are undergoing replacement and upgrade cycles.

The new guidance:

- Allows FEMA in its evaluations of alert and notification systems to take into account technology that was not available when FEMA REP–10 was first developed, such as smartphones and social media.
- Removes technical information from FEMA–REP–10.
- Introduces the Evaluation Report which replaces the previously used Design Report.
- Presents a new evaluation tenet: FEMA, the State, local entities and Tribes will work collaboratively to develop the Evaluation Report that addresses both technical aspects (previously covered in the Design Report) and planning aspects (ANS/Communication Plans) demonstrating the achievement of minimally acceptable design objectives.
- Refocuses REP–10 into an internal review guide for FEMA Evaluators aligning with other REP evaluation guides.

This proposed policy is to be a companion document to NUREG–0654/FEMA–REP–1, Rev. 1 ''Criteria for Preparation and Evaluation of Emergency Response Plans and Preparedness in Support of Nuclear Power Plants'' and the FEMA Radiological Emergency Preparedness Program Manual. Both documents contribute to the achievement of reasonable assurance, which is a determination that State, local, Tribal, and utility offsite plans and preparedness are adequate to protect public health and safety in the emergency planning areas surrounding commercial nuclear power plants.

The proposed policy does not have the force or effect of law.

FEMA seeks comment on the proposed policy, which is available online at *http://www.regulations.gov* in docket ID FEMA–2013–0040. Based on the comments received, FEMA may make appropriate revisions to the proposed policy. Although FEMA will consider any comments received in the drafting of the final policy, FEMA will not provide a response to comments document. When FEMA issues a final policy, FEMA will publish a notice of availability in the **Federal Register** and make the final policy available at *http://www.regulations.gov.* The final policy will not have the force or effect of law.

Authority: 6 U.S.C. 313–314a; Sec. 109, Pub. L. 96–295; E.O. 12148; 44 CFR part 350.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2013–21265 Filed 8–29–13; 8:45 am]

BILLING CODE 9111–21–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4138–DR; Docket ID FEMA–2013–0001]

Florida; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Florida (FEMA–4138–DR), dated August 2, 2013, and related determinations.

DATES: Effective August 22, 2013.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Florida is hereby amended to include the following area among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of August 2, 2013.

Bay County for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2013–21262 Filed 8–29–13; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO3200000–L19900000.PP0000]

Renewal of Approved Information Collection

AGENCY: Bureau of Land Management, Interior.

ACTION: 30-day notice and request for comments.

SUMMARY: The Bureau of Land Management (BLM) has submitted an information collection request to the Office of Management and Budget (OMB) to continue the collection of information for BLM's regulations. These regulations pertain to the location, recording, and maintenance of mining claims and sites. The Office of Management and Budget (OMB) has assigned control number 1004–0114 to this information collection.

DATES: The OMB is required to respond to this information collection request within 60 days but may respond after 30 days. For maximum consideration, written comments should be received on or before September 30, 2013.

ADDRESSES: Please submit comments directly to the Desk Officer for the Department of the Interior (OMB #1004–0114), Office of Management and Budget, Office of Information and Regulatory Affairs, fax 202–395–5806, or by electronic mail at *oira_submission@omb.eop.gov.* Please provide a copy of your comments to the BLM. You may do so via mail, fax, or electronic mail.

Mail: U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW., Room 2134LM, Attention: Jean Sonneman, Washington, DC 20240.

Fax: to Jean Sonneman at 202–245–0050.

Electronic mail: Jean_Sonneman@blm.gov.

Please indicate ''Attn: 1004–0114'' regardless of the form of your comments.

FOR FURTHER INFORMATION CONTACT: Sonia Santillan at 202–912–7123. Persons who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, to leave a message for Ms. Santillan. You may also review the information collection request online at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act (44 U.S.C. 3501–3521) and OMB regulations at 5 CFR part 1320 provide that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond. In order to obtain and renew an OMB control number, Federal agencies are required to seek public comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d) and 1320.12(a)).

As required at 5 CFR 1320.8(d), the BLM published a 60-day notice in the **Federal Register** on June 5, 2013 (78 FR 33853), and the comment period ended August 5, 2013. The BLM now requests comments on the following subjects:

1. Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;

2. The accuracy of the BLM's estimate of the burden of collecting the information, including the validity of the methodology and assumptions used;

3. The quality, utility and clarity of the information to be collected; and

4. How to minimize the information collection burden on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

Please send comments as directed under **ADDRESSES** and **DATES**. Please refer to OMB control number 1004–0114 in your correspondence. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The following information is provided for the information collection:

Title: Recordation of Location Notices and Mining Claims; Payment of Fees (43 CFR parts 3832–3838).

OMB Control Number: 1004–0114.

Summary: The Bureau of Land Management (BLM) seeks to renew the previously approved information collection for the regulations at 43 CFR parts 3832 through 3838. These regulations pertain to the location, recording, and maintenance of mining claims and sites, in accordance with the General Mining Law (30 U.S.C. 22–54), Section 314 of the Federal Land Policy and Management Act (FLPMA) (43 U.S.C. 1744), certain other statutes pertaining to specific Federal lands, and the Stock Raising Homestead Act (43 U.S.C. 299 and 301).

Frequency of Collection: On occasion, except Form 3830–2 (which may be filed annually) and annual FLPMA documents (which are required to be filed annually).

Forms:

- Form 3830–2, Maintenance Fee Waiver Certification; and
- Form 3830–3, Notice of Intent to Locate a Lode or Placer Mining Claim(s) and/or a Tunnel Site(s) on Lands Patented under the Stock Raising Homestead Act of 1916, As Amended by the Act of April 16, 1993.

Description of Respondents: Mining claimants.

Estimated Annual Responses: 121,019.

Estimated Annual Burden Hours: 59,902.

Estimated Annual Non-Hour Costs: $1,677,670.

The estimated annual burdens are itemized in the following table:

A. Type of response	B. Number of responses	C. Time per response	D. Total hours (Column B × column C)
Notice of Intent to Locate Under the Stock Raising Homestead Act (43 CFR part 3838) Form 3830–3.	2	1 hour	2
Locating Mining Claims or Sites (43 CFR part 3832)	50,330	30 minutes	25,165
Recording a New Location Notice (43 CFR part 3833, subpart A).	50,330	30 minutes	25,165
Amending a Location Notice (43 CFR part 3833, subpart B).	3,678	30 minutes	1,839
Transfer of Interest (43 CFR part 3833, subpart C) or Acquisition of a Delinquent Co-Claimant's Interests in a Mining Claim or Site (43 CFR part 3837).	1,572	30 minutes	786
Waiver from Annual Maintenance Fee (43 CFR part 3835, subpart A) Form 3830–2 and/or nonform data.	3,681	20 minutes	1,227
Annual FLPMA Documents (43 CFR part 3835, subpart C) Form 3830–4.	11,416	30 minutes	5,708
Deferring Assessment Work (43 CFR part 3836, subpart B).	10	1 hour	10
TOTALS	121,019		59,902

Jean Sonneman,
Information Collection Clearance Officer, Bureau of Land Management.

[FR Doc. 2013–21281 Filed 8–29–13; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWY93000 L16100000.DU0000]

Notice of Availability of the Draft Visual Resource Management and Areas of Critical Environmental Concern Amendment to the Resource Management Plan for the Rawlins Field Office and Associated Environmental Assessment, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a Draft Visual Resources Management and Area of Critical Environmental Concern (ACEC) Resource Management Plan (RMP) Amendment and a Draft Environmental Assessment (EA) for the Draft Amendment for the Rawlins Field Office, Wyoming, and by this notice is announcing the opening of the comment period.

DATES: To ensure that comments will be considered, the BLM must receive written comments on the Draft RMP Amendment and Draft EA within 60 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings, and the BLM Web site at: *http://www.blm.gov/wy/st/en/programs/Planning/rmps/rawlins.html.*

ADDRESSES: You may submit comments related to the Draft Visual Resource Management and Areas of Critical Environmental Concern Amendment to the RMP for the Rawlins Field Office, Wyoming, and associated Draft EA by any of the following methods:

- *Email: BLM_WY_RL_RMP_VRM@blm.gov.* Please reference Rawlins VRM Review in the subject line.
- *Fax:* 307–328–4224.
- *Mail:* Bureau of Land Management, Rawlins Field Office, 1300 North Third Street, Rawlins, Wyoming 82301, or P.O. Box 2407, Rawlins, Wyoming 82301–2407.

All comments must include a legible full name and address on the envelope, letter, fax, postcard, or email. Copies of the Draft Visual Resource Management and Areas of Critical Environmental Concern Amendment to the RMP for the Rawlins Field Office, Wyoming, and associated Draft EA are available at the Rawlins Field Office, at the above address, and at the following locations:

- Bureau of Land Management, High Desert District Office, 280 Highway 191 North, Rock Springs, WY 82901, and
- Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, Cheyenne, WY 82009.

FOR FURTHER INFORMATION CONTACT: Sheila Lehman, Rawlins Field Office Planning and Environmental Coordinator:

- *Telephone:* 307–328–4200
- *Mail:* Bureau of Land Management, Rawlins Field Office, 1300 North Third Street, Rawlins, WY 82301–2407
- *Email: BLM_WY_RL_RMP_VRM@blm.gov.*

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM Field Office in Rawlins, Wyoming, has prepared a Draft RMP amendment with an associated EA, is announcing the beginning of the 60-day comment period, and seeks public comment on Visual Resource Management issues and proposed ACECs. The planning area is located in Albany, Carbon, Laramie, and eastern Sweetwater counties, Wyoming, and encompasses approximately 2,791,721 acres. The planning area does not include public land affected by the Chokecherry and Sierra Madre Visual RMP Amendment and Environmental Impact Statement (EIS). The Notice of Intent to prepare the amendment to the RMP was published on April 11, 2012 (77 FR 21803), and a 30-day public scoping period was held following publication from April 11, 2012, through May 10, 2012. The scoping comments were used during the preparation of the RMP Amendment and associated EA to help identify issues and concerns associated with the amendment, and to form the following alternatives:

- *Alternative 1:* No Action—Continuation of existing management direction for Visual Resources and ACECs; new information and data would not be incorporated;
- *Alternative 2:* Emphasis on the Development of Resources; incorporating new Visual Resource Inventory information and reducing the Blowout Penstemon ACEC;
- *Alternative 3:* Emphasis on the Protection of Resources; incorporating new Visual Resource Inventory information and expanding the Blowout Penstemon ACEC;
- *Alternative 4:* Emphasis on the Conservation of Resources; incorporating new Visual Resource Inventory information and expanding the Blowout Penstemon ACEC (Preferred Alternative).

This plan amendment addresses protests received following the publication of the 2008 Rawlins Proposed RMP/Final EIS, which identified issues with the Rawlins Field Office's analysis of both Visual Resources and the designation of ACECs. The Visual Resource Management decisions in the Proposed RMP/Final EIS were remanded and not approved in the Record of Decision until a complete Visual Resources Inventory was completed and a Visual Resource Management RMP amendment could be developed. In addition, comments received during initial scoping of the 2008 Rawlins RMP included nominations of five additional ACECs within the Rawlins Field Office boundary. Because the BLM did not review or consider relevance and importance criteria for the nominated ACECs in the 2008 Rawlins RMP planning process, these nominated areas are analyzed for ACEC designation in this planning process. The following ACEC nominations were evaluated to determine if the relevance and importance criteria were met, but were not included in any alternative because they did not meet relevance or importance criteria:

- McCarty Canyon; for scenic quality and wildlife habitat;
- Seminoe and Pathfinder Reservoirs; for sensitive plant species, scenic quality, and wildlife habitat;
- Flattop Mountain; for sensitive plant species, scenic quality, and wildlife habitat; and
- Ferris Mountain; for sensitive plant species and scenic quality.

The Ferris Dunes area was nominated as an ACEC in the 2008 Rawlins RMP for several sensitive plant species, a unique sand dune community and habitat, the desert kangaroo rat, and for scenic quality. The nominated Ferris

Dunes ACEC area includes the current Blowout Penstemon ACEC and additional area surrounding the existing ACEC. The nominated area was found to meet the relevance and importance criteria. The area is considered in this EA with additional use restrictions which would occur if the area is formally designated including limiting off-road travel and locatable/leasable mineral entry, intensive management of surface disturbing activities, and control of pesticide use. The RMP plan amendment will comply with the National Environmental Policy Act, the Federal Land Policy Management Act, and other applicable laws, executive orders, regulations, and be consistent with applicable policies. The planning effort will recognize valid existing rights. Decisions in the amendment will apply only to the BLM-administered public lands and Federal mineral estate in the planning area.

A collaborative and multi-jurisdictional approach will be used to jointly determine the desired future condition and management direction for Visual Resources and ACECs in the Rawlins Field Office Planning Area. To the extent possible and consistent with applicable laws, regulations and policies, the BLM management and planning decisions will complement the planning and management decisions of other agencies, State and local governments, and Native American tribes, with jurisdictions intermingled with, and adjacent to, the planning area.

A total of 9,369 comments were received during scoping, of which 214 were considered to be unique. A majority of the comments were received by individuals and non-governmental organizations, and identified the following key issues:

1. Impacts to historic trails and roads;
2. Potential changes to existing land use planning and consistency with current management;
3. Continuation of public involvement;
4. Socioeconomic impacts; and
5. Impacts of additional ACEC designations.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays. You may submit comments in writing to the BLM at any public meeting, or you may submit them to the BLM using one of the methods listed in the ''**ADDRESSES**'' section above. For your comments to be most effective and fully considered, you should submit comments by the close of the 60-day comment period.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 43 CFR 1610.2

Donald A. Simpson,

State Director, Wyoming.

[FR Doc. 2013–21118 Filed 8–29–13; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CACA 048811, LLCAD01500, L51010000.LVRWB13B5340.FX0000]

Notice of Intent To Prepare an Environmental Impact Statement for the Blythe Solar Power Project, Riverside County, CA

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Palm Springs/South Coast Field Office, Palm Springs, California, intends to prepare an Environmental Impact Statement (EIS) considering proposed amendments to the Blythe Solar Power Project (BSPP) right-of-way (ROW) grant (CACA–048811). The amendments include a change in technology, reduced project footprint, and operation by a different project owner. By this notice, the BLM is announcing the beginning of the scoping process to solicit public comments and identify issues for the EIS.

DATES: This notice initiates the public scoping process for the EIS. Comments on issues related to the EIS may be submitted in writing until September 30, 2013. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers, and on the BLM Web site at: *http://www.blm.gov/ca/st/en/fo/cdd.html.* In order to be fully addressed in the Draft EIS, all comments must be received prior to the close of the 30 day scoping period or 15 days after the last public meeting, whichever is later. We will provide additional opportunities for public participation upon publication of the Draft EIS.

ADDRESSES: You may submit comments on issues and alternatives related to the BSPP EIS by any of the following methods:

- *Web site: http://www.blm.gov/ca/st/en/fo/cdd.html.*
- *Email: fmcmenimen@blm.gov.*
- *Fax:* 760–833–7199, Attn: Frank McMenimen.
- *Mail:* ATTN: Frank McMenimen, Project Manager, BLM Palm Springs Field Office, 1201 Bird Center Drive, Palm Springs, CA 92262–8001.

Documents pertinent to this EIS may be examined at the BLM California Palm Springs Field Office.

FOR FURTHER INFORMATION CONTACT: Frank McMenimen; telephone 760–833–7199; address Frank McMenimen, Project Manager, BLM Palm Springs Field Office, 1201 Bird Center Drive, Palm Springs, CA 92262–8001; *email fmcmenimen@blm.gov.* Contact Mr. McMenimen to have your name added to our mailing list. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The BSPP was originally permitted and approved on October 22, 2010, as a 1,000 megawatt (MW) solar thermal generating plant located on 6,831 acres of BLM-administered public land in the Palm Springs Field Office (CACA–048811). The Project area is located 8 miles west of Blythe, California, and 3 miles north of Interstate 10 (I–10).

The ROW grant was originally issued to Palo Verde Solar I, LLC, a wholly-owned subsidiary of Solar Millennium, which filed for Bankruptcy in April 2012. In mid-October 2012, NextEra Blythe Solar Energy Center, LLC (NBSEC), purchased the un-built BSPP as part of the bankruptcy process. The BLM approved the assignment of the ROW grant from the Palo Verde Solar I, LLC, to NBSEC on August 22, 2012. NBSEC now proposes to modify the solar technology and reduce the size of the project within the previously approved BSPP footprint. The NBSEC is proposing to construct, operate, maintain, and decommission the BSPP

using solar photovoltaic (PV) technology with a capacity of 485 MWs on 4,138 acres of BLM-administered public land, as opposed to the originally approved 1,000 MWs on 6,831 acres. The NBSEC has submitted an amendment to the existing ROW grant (CACA 048811) to reduce the overall acreage of the project, change the authorized technology from concentrating solar trough to solar PV, adjust other aspects of the project layout related to the technology change, and reduce the BSPP's authorized capacity from 1,000 MW to 485 MW (the ''Modified Project''). In connection with its development of the Modified Project, NBSEC filed a partial relinquishment of the existing ROW grant with the BLM on March 7, 2013.

The BLM has determined that the requested amendment for the Modified Project is not within the range of alternatives analyzed in the EIS prepared in connection with the original 2010 decision for the project; therefore, the BLM must undertake additional NEPA analysis to evaluate the proposed amendment.

The purpose of the public scoping process is to determine relevant issues that will influence the scope of this environmental analysis, including alternatives, and to guide the process for developing the Draft EIS. The BLM has identified the following preliminary issues: Noise, visual resources, wildlife, vegetation, hydrology, air quality, and cumulative effects along with other areas with high potential for renewable energy development. The BLM published the Final EIS for the existing project on August 20, 2010. The BLM will incorporate the analysis of that Project by reference to the extent appropriate, and also seeks comments on whether new issues or information have arisen since the publication of that Final EIS. Although the proposed amendment would be entirely within the project footprint analyzed in the 2010 Final EIS, the BLM has determined that a new EIS would assist in planning and decision-making on whether to approve NBSEC's proposed amendment.

The BLM, in consultation with the California State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), and consulting parties pursuant to 36 CFR 800.4(b)(2), are phasing final identification and evaluation of historic properties for the project pursuant to 36 CFR 800.4(b)(2) because the alternatives under consideration consist of large land areas. In accordance with the requirements of 36 CFR 800.4(b)(2), the BLM executed a Programmatic Agreement (PA) in connection with its prior approval of the BSPP. The PA sets forth the process for completing phased compliance with Section 106 of the NHPA and also addresses subsequent modifications to the Project.

The BLM previously notified and invited federally recognized tribes to participate in the development of the PA. The Agua Caliente Band of Cahuilla Indians and the Colorado River Indian Tribes signed the PA as Concurring Parties. Tribes expressed their views and concerns about the importance and sensitivity of specific cultural resources to which they attach religious and cultural significance. The BLM will continue to consult with the tribes throughout the implementation of the PA regarding the adverse effects to historic properties to which they attach religious and cultural significance. The BLM will carry out its responsibilities to consult with tribes on a government-to-government basis and other members of the public pursuant to Section 106, Executive Order 13175, and other laws and policies to the extent applicable to its consideration of NBSEC's proposed amendment to the BSPP ROW grant. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration as part of that process.

Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the BLM's decision on the proposed project and amendment of the existing ROW authorization, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1501.7, 43 CFR 1610.2, 2091.3–1(e), and 2804.25(e).

Thomas Pogacnik,

Deputy State Director, California.

[FR Doc. 2013–21285 Filed 8–29–13; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS0100.L51010000. ER0000.LVRWF1304100; NVN–085801, NVN–088592, NVN–089530, and NVN–090050; MO# 4500053295; TAS: 14X5017]

Notice To Extend Mineral Segregation for the Proposed Silver State Solar Project Near Primm in Clark County, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Publication of this notice serves to extend the segregation of the identified lands for an additional two years from appropriation pursuant to the public land laws, including location pursuant to the *General Mining Act,* but not the *Mineral Lands Leasing Act* or the authority of the *Materials Act of 1947,* subject to valid existing rights in existence prior to the original segregation. This segregation extension is warranted to provide for the orderly administration of the public lands to facilitate the development of valuable renewable energy resources and to avoid conflicts between renewable energy generation and mining claims.

DATES: *Effective Date:* September 1, 2013.

FOR FURTHER INFORMATION CONTACT: For further information or to have your name added to the mailing list, contact Gregory Helseth, Renewable Energy Project Manager, at 702–515–5173; or email at *SilverStateSouthEIS@blm.gov*. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Silver State Solar, LLC, has submitted a right-of-way (ROW) application for the construction, operation, maintenance, and termination of a solar energy generation facility on a portion of the ROW application on 13,043 acres of public lands east of Primm, Nevada. The ROW application is assigned BLM case number NVN–089530. This application expands on ROW application NVN–085801. The proposed solar energy project would consist of photovoltaic panels and related ROW appurtenances, including a substation and switchyard facilities, and would produce about 250 megawatts of electricity. The lands

covered by the ROW application were initially segregated from the operation of the public land laws through a Notice published in the **Federal Register** on September 1, 2011 (76 FR 54483). The prior segregation was made pursuant to an Interim Final Segregation Rule, which was in effect at the time. The BLM is in the process of preparing a Supplemental Environmental Impact Statement in connection with its review of the ROW application.

The BLM published a Final Segregation Rule (78 FR 25204) on April 30, 2013, that amended the BLM regulations found in 43 CFR 2090 and 2800. As with the Interim Final Segregation Rule, the Final Rule allows the BLM to temporarily segregate from the operation of the public land laws, by publication of a **Federal Register** notice, public lands included in a pending solar energy generation ROW application in order to promote the orderly administration of the public lands. The Final Rule also allows a State Director to grant a one-time extension of the initial 2-year project-specific segregation if the State Director determines that such an extension is necessary for the orderly administration of the public lands.

As noted above, the initial 2 year segregation (76 FR 54483) will expire on August 31, 2013. Based on the status of the BLM's processing of the ROW application, the Nevada State Director has determined that the continued segregation of the lands identified below is necessary for the orderly administration of the public lands in order to prevent the filing of mining claims in the ROW application area prior to any final decision by the BLM, which would hinder the development of the project and increase the costs of such development. This one-time 2-year extension of the existing segregation does not affect valid existing rights in mining claims located before the original segregation of the affected lands. Licenses, permits, cooperative agreements, or discretionary land use authorizations of a temporary nature which would not impact lands identified in this notice may be allowed with the approval of an authorized officer of the BLM during the temporary segregative period. The lands segregated under this notice are described as follows:

Mount Diablo Meridian

T. 26 S., R. 59 E.,
sec. 13, lots 1 to 8, inclusive;
sec. 14;
sec. 23, E½;
secs. 24, 25 and 26;
sec. 27, SE¼;
sec. 34, E½, that portion of public lands in the NW¼; lying east of the easterly right-of-way of CC 0360;
secs. 35 and 36.

T. 27 S., R. 59 E.,
secs. 1 and 2;
sec. 3, lots 1 to 4, inclusive, NE¼SE¼NE¼, SE¼SE¼NE¼, NE¼NE¼SE¼, SE¼NE¼SE¼, and SE¼SE¼SE¼;
sec. 9, NE¼SE¼, SW¼SE¼, SE¼SW¼SE¼, NE¼SW¼SE¼, SE¼NW¼SE¼, and NE¼NW¼SE¼, that portion of public lands lying east of the easterly right-of-way of CC 0360;
sec. 10, SE¼NE¼, N½NE¼, and S½;
secs. 11 to 15, inclusive;
secs. 22, 23 and 24;
sec. 25, N½;
sec. 26;
sec. 27, lots 4 to 6, inclusive.

The area described contains 13,043 acres, more or less, in Clark County, Nevada.

The BLM intends to resurvey T. 27 S., R. 59 E., sec. 3, lots 1 to 3, inclusive. The description will be replaced for those lands upon final approval of the official plat of survey.

The segregation extension of land identified in this notice will not exceed 2 years from the effective date. Termination of the segregation, as provided in the Final Rule, is the date that is the earliest of the following: Upon issuance of a decision by the authorized officer granting, granting with modifications, or denying the application for a ROW; automatically at the end of the 2 year segregation extension; or upon publication of a **Federal Register** notice of termination of the segregation.

Upon termination or expiration of the segregation of these lands, all lands subject to this segregation will automatically reopen to appropriation under the public land laws, including the United States Mining Laws.

Authority: 43 CFR parts 2800 and 2090.

Gary Johnson,

State Director, Acting.

[FR Doc. 2013–21105 Filed 8–29–13; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNML00000 L71220000 EU0000 LVTFG09G6150; NMNM124955]

Notice of Realty Action: Direct Sale of Public Land in Doña Ana County, NM

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM), Las Cruces District Office, proposes to sell two parcels of public land totaling 2.47 acres in Doña Ana County, New Mexico. The public land would be sold to the Union Pacific Railroad for $11,000 which is more than the appraised fair market value.

DATES: Written comments regarding the proposed sale must be received by the BLM on or before October 15, 2013.

ADDRESSES: Written comments concerning the proposed sale should be sent to the District Manager, BLM Las Cruces District Office, 1800 Marquess Street, Las Cruces, NM 88005.

FOR FURTHER INFORMATION CONTACT: Anthony Hom, Realty Specialist, at the address above, by telephone 575–525–4331, or by email at *Anthony_Hom@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The public land described below is proposed for direct sale to Union Pacific Railroad, the adjoining landowner, in accordance with Sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 U.S.C. 1713 and 1719) and is described as follows:

New Mexico Principal Meridian, New Mexico

T. 28 S., R. 2 E.,
Sec. 11, lot 2;
Sec. 14, lot 7.

The area described contains 2.47 acres, in Doña Ana County, New Mexico.

The public land has been identified as suitable for disposal by exchange or sale in the BLM Doña Ana County Resource Management Plan, as amended by Environmental Assessment (NM–030–2008–025) Decision Record approved on January 12, 2009. The land is not needed for any other Federal purpose and its disposal would be in the public interest. The purpose of the sale is to dispose of public land which is difficult and uneconomic to manage as part of the public land because the parcels are small and isolated. The BLM is proposing a direct sale to Union Pacific Railroad, the owner of the adjoining land on both parcels of public land proposed for sale. Lots 2 and 7 are encumbered by a 200-foot wide railroad easement, currently held by Union Pacific Railroad, authorized in 1881 under the authority of the General Railroad Act of 1875. Lot 2 is also

entirely encumbered with a road maintained by Doña Ana County and a road right-of-way NMNM 122009 granted to Doña Ana County. The BLM has completed a mineral potential report which concluded there were no known mineral values on the land proposed for sale. The BLM proposes the conveyance of the Federal mineral interests would occur simultaneously with the sale of the land. In addition to this Notice, notice of this sale will also be published once a week for 3 weeks in the *Las Cruces Sun-News*.

On August 30, 2013, the above described land will be segregated from all forms of appropriation under the public land laws, including the mining laws, except for the sale provisions of FLPMA. Until completion of the sale, the BLM will no longer accept land use applications affecting the identified public land, except applications for the amendment of previously filed right-of-way applications or existing authorizations to increase the term of the grants in accordance with 43 CFR 2802.15 and 2886.15. This temporary segregation will terminate upon issuance of a patent, publication in the **Federal Register** of a termination of the segregation, or on August 31, 2015, unless extended by the BLM State Director in accordance with 43 CFR 2711.1–2(d) prior to the termination date. The land would not be sold until at least October 29, 2013. The Union Pacific Railroad would be required to pay a $50 nonrefundable filing fee for processing the conveyance of the mineral interests. Any conveyance document issued would contain the following terms, conditions, and reservations:

1. A reservation of a right-of-way to the United States for ditches and canals constructed by authority of the United States under the Act of August 30, 1890 (43 U.S.C 945);
2. A condition that the conveyance be subject to all valid existing rights of record;
3. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or operations on the patented land; and
4. Additional terms and conditions that the authorized officer deems appropriate. Detailed information concerning the proposed land sale including the appraisal, planning and environmental documents, and a mineral report are available for review at the BLM Las Cruces District Office at the address above.

Public comments regarding the proposed sale may be submitted in writing to the attention of the BLM Las Cruces District Manager at the address above on or before October 15, 2013. Comments received in electronic form, such as email or facsimile, will not be considered. Any adverse comments regarding the proposed sale will be reviewed by the BLM State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action in whole or in part. In the absence of timely filed objections, this realty action will become the final determination of the Department of the Interior.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 43 CFR 2711.1–2.

Bill Childress,

District Manager, Las Cruces.

[FR Doc. 2013–21327 Filed 8–29–13; 8:45 am]

BILLING CODE 4310–FB–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–13718: PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology, Indianapolis, IN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (DHPA) has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and associated funerary objects and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to the Indiana Department of Natural Resources DHPA through the University of Indianapolis. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to the Indiana Department of Natural Resources DHPA through the University of Indianapolis at the address in this notice by September 30, 2013.

ADDRESSES: Dr. Christopher W. Schmidt, University of Indianapolis, 1400 E. Hanna Ave., Indianapolis, IN 46227, telephone (317) 788–2103.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of Indiana Department of Natural Resources DHPA and in the physical custody of the University of Indianapolis. The human remains and associated funerary objects were removed from the Meyer Site in Spencer County, IN.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the University of Indianapolis professional staff in consultation with representatives of the Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; and the Pokagon Band of the Potawatomi Indians, Michigan and Indiana.

History and Description of the Remains

In 2004, human remains representing, at minimum, 30 individuals were removed from site 12SP1082 (Meyer site), in Spencer County, IN. The remains were excavated by archeologist Anne Bader and transferred to the Indiana Department of Natural

Resources and the University of Indianapolis. No known individuals were identified. The 3,562 associated funerary objects include 20 bifaces; 11 bone pins; 4 bone beads; 3 Matanzas points; 3 chert drills; 2 bone awls; 1 knife; 1 unidentified point; and 3,517 artifacts found nearby including shell, animal bone, nutshell, hematite, charcoal, and chert flakes.

Determinations Made by the Indiana Department of Natural Resources DHPA

Officials of the Indiana Department of Natural Resources DHPA have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on morphological characteristics and cultural treatments.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 30 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 3,562 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and associated funerary objects and any present-day Indian tribe.
- Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains and associated funerary objects were removed is the aboriginal land of the Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; and the Pokagon Band of the Potawatomi Indians, Michigan and Indiana.
- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains and associated funerary objects may be to the Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; and the Pokagon Band of the Potawatomi Indians, Michigan and Indiana.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Dr. Christopher W. Schmidt, University of Indianapolis, 1400 E. Hanna Ave., Indianapolis, IN 46227, telephone (317) 788–2103, by September 30, 2013. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; and the Pokagon Band of the Potawatomi Indians, Michigan and Indiana may proceed.

The Indiana Department of Natural Resources DHPA is responsible for notifying the Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; and the Pokagon Band of the Potawatomi Indians, Michigan and Indiana that this notice has been published.

Dated: August 6, 2013.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2013–21251 Filed 8–29–13; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–13833; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before August 10, 2013. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation. Comments may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service,1201 Eye St. NW., 8th floor, Washington, DC 20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by September 16, 2013. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 14, 2013.

Patrick Andrus,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

CALIFORNIA

Los Angeles County

Strathmore Apartments, 11005–11013 ½ Strathmore Dr., Los Angeles, 13000754

INDIANA

Allen County

Foster Park Neighborhood Historic District, (Park and Boulevard System of Fort Wayne, Indiana MPS) Roughly bounded by Old Mill Rd., Rudisell Blvd., Kimmel Dr. & Lexington Ave., Fort Wayne, 13000755

Knox County

Gregg Park, 2204 Washington Ave., Vincennes, 13000756

Kimmell Park, 2014 Oliphant Dr., Vincennes, 13000757

La Porte County

Elston Grove Historic District, Bounded by Michigan Blvd., 11th, Pine & 6th Sts., Michigan City, 13000759

Lake County

St. Augustine's Episcopal Church, 2425 W. 19th Ave., Gary, 13000758

Marshall County

Plymouth Northside Historic District, Center & Michigan Sts. between Adams & Novelty Sts. & the blks. surrounding the courthouse square, Plymouth, 13000760

KANSAS

Marshall County

Alcove Spring (Boundary Increase), E. River Rd, Blue Rapids, 13000761

Pottawatomie County

Scott Spring, Address Restricted, Westmoreland, 13000762

MICHIGAN

Dickinson County

Iron Mountain Central Historic District, Broadly Fleshiem to C St. & Iron Mountain to Stockbridge Ave., Iron Mountain, 13000763

NEW JERSEY

Monmouth County

Fort Monmouth Historic District, Oceanport Ave., Oceanport Borough, 13000764

NEW MEXICO

Colfax County

Santa Fe Trail—Segment West of Point of Rocks, (Santa Fe Trail MPS) Address Restricted, Gladstone, 13000765

Eddy County

Artesia Residential Historic District, Roughly bounded by W. Missouri Ave., W. Main, S. 2nd & S. 10th Sts., Artesia, 13000766

Grant County

Silver City Historic District (Boundary Increase), Roughly bounded by College Ave., the Big Ditch, San Vicente & Black, Silver City, 13000767

Lincoln County

Old Dowlin Mill, 641 Sudderth Dr., Ruidoso, 13000768

Luna County

Downtown Deming Historic District, Roughly bounded by Silver Ave., Pine, Maple & Copper Sts., Deming, 13000769

Mora County

Santa Fe Trail—Alpine Mesa Segment, (Santa Fe Trail MPS) Address Restricted, Ocate, 13000770

Santa Fe Trail—Mora County Segment North of Wagon Mound, (Santa Fe Trail MPS) Address Restricted, Wagon Mound, 13000771

Santa Fe Trail—Piojo Ranch Segments District, (Santa Fe Trail MPS) Address Restricted, Watrous, 13000772

San Juan County

Pond, Florence and John R., House, 1875 NM 170, La Plata, 13000773

Santa Fe County

El Rancho de las Golondrinas Section—El Camino Real de Tierra Adento, (Camino Real in New Mexico, AD 1598–1881 MPS) Address Restricted, Santa Fe, 13000774

La Cieneguilla South Section—El Camino Real de Tierra Adento, (Camino Real in New Mexico, AD 1598–1881 MPS) Address Restricted, La Cienega, 13000775

Santa Fe Trail—Canada de los Alamos Site, (Santa Fe Trail MPS) Address Restricted, Canoncito at Apache Canyon, 13000776

Union County

Santa Fe Trail—Magazine Ruts Segment, (Santa Fe Trail MPS) Address Restricted, Sofia, 13000777

NEW YORK

Chemung County

Eaton, Warren E., Motorless Flight Facility, 62 Soaring Hill Dr., Big Flats, 13000778

Suffolk County

COIMBRA (shipwreck and remains), (World War II Shipwrecks along the East Coast and Gulf of Mexico MPS) Address Restricted, Westhampton, 13000779

NORTH CAROLINA

Dare County

DIXIE ARROW (shipwreck and remains), (World War II Shipwrecks along the East Coast and Gulf of Mexico MPS) Address Restricted, Ocracoke, 13000781

E.M. CLARK (shipwreck and remains), (World War II Shipwrecks along the East Coast and Gulf of Mexico MPS) Address Restricted, Cape Hatteras, 13000780

EMPIRE GEM (shipwreck and remains), (World War II Shipwrecks along the East Coast and Gulf of Mexico MPS) Address Restricted, Cape Hatteras, 13000782

WISCONSIN

Winnebago County

North Main Street Bungalow Historic District, North Main St. generally bounded by Nevada & Huron Aves., Oshkosh, 13000783

[FR Doc. 2013–21161 Filed 8–29–13; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–13720;PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: Colorado College, Colorado Springs, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Colorado College, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the Colorado College. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the Colorado College at the address in this notice by September 30, 2013.

ADDRESSES: Jermyn Davis, Chief of Staff, President's Office, Colorado College, 14 E. Cache La Poudre, Colorado Springs, CO 80903, telephone (719) 389–6201, email *Davis@ColoradoCollege.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Colorado College, Colorado Springs, CO, that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Items

On an unknown date, two cultural items were removed from Morocco ruin in Goodyear, Maricopa County, AZ, by an unknown individual. On an unknown date, Charles E. Strausenback of Espanola, NM, donated the items to the Colorado College Museum. In the late 1960s, the museum was closed and these items were placed on long-term loan to the Fine Arts Center (formerly known as the Taylor Museum and the Colorado Springs Fine Arts Center). According to museum documentation, the site from which the items were removed is ''Morrosco Ruins, 30 miles Southwest of Phoenix, Arizona.'' According to the Tribal Historic Preservation Officer (THPO) at the Gila River Indian Community of the Gila River Indian Reservation, Arizona, no site by this name exists. However, there is a Morocco Ruin [AZ T:11:106 (Arizona State Museum)], which the THPO believes to be the site from which the cultural items were removed. Morocco Ruin is a Hohokam Classic period village with a probable pre-Classic period component. The two unassociated funerary objects are one ceramic cremation jar and one ceramic bowl, which served as a lid to the jar.

On an unknown date, one cultural item was removed from an unknown location in southwest Arizona by an unknown individual. On an unknown date, the item was acquired by the Colorado College Museum. In the late 1960s, the museum was closed and this item was placed on long-term loan to the Fine Arts Center (formerly known as the Taylor Museum and the Colorado Springs Fine Arts Center). The one unassociated funerary object is a Hohokam ceramic cremation vessel.

On June 26, 2013, the Gila River Indian Community of the Gila River Indian Reservation, Arizona, submitted a repatriation request for the three unassociated funerary objects on behalf of itself and the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and the Tohono O'odham Nation of Arizona (hereafter referred to as ''The Four Southern Tribes of Arizona''), which have a close relationship of shared group identity that can be traced historically and prehistorically between

the Four Southern Tribes of Arizona and the Huhugam. The term Hohokam is an English adaption of Huhugam and has become known in the larger society as an archeological culture.

Determinations Made by the Colorado College

Officials of the Colorado College have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the three cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Jermyn Davis, Chief of Staff, President's Office, Colorado College, 14 E. Cache La Poudre, Colorado Springs, CO 80903, telephone (719) 389–6201, email *Davis@ColoradoCollege.edu,* by September 30, 2013. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to Gila River Indian Community of the Gila River Indian Reservation, Arizona, may proceed.

The Colorado College is responsible for notifying the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico, that this notice has been published.

Dated: August 6, 2013.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2013–21261 Filed 8–29–13; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On June 26, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Illinois in the lawsuit entitled *United States, et al.* v. *Gateway Energy & Coke Company, et al.,* Civil Action No. 3:13–cv–00616–DRH–SCW.

The United States, on behalf of the U.S. Environmental Protection Agency, has filed a complaint under the Clean Air Act asserting claims relating to two Midwestern heat recovery coking facilities, one of which is located in Granite City, Illinois (the ''Gateway Facility''), and the other of which is located in Franklin Furnace, Ohio (the ''Haverhill Facility''). The United States seeks civil penalties and injunctive relief against the owners and operators of the Gateway and Haverhill Facilities. The Haverhill Coke Company, LLC, formerly known as the Haverhill North Coke Company, is an owner and operator of the Haverhill Facility along with SunCoke Energy, Inc. (''SunCoke'') (together ''the Haverhill Defendants''). The Gateway Energy & Coke Company, LLC is an owner and operator of the Gateway Facility along with SunCoke (together ''the Gateway Defendants'').

The States of Illinois and Ohio are co-plaintiffs in this action. The State of Illinois asserts claims in this action relating to the Gateway Facility under the Illinois Environmental Protection Act (''Illinois Act''), 415 ILCS 5/1 *et seq.* (2010), and seeks injunctive relief and civil penalties against the Gateway Defendants for violations of the Illinois Act. The State of Ohio asserts claims in this action relating to the Haverhill Facility under Chapter 3745 of the Ohio Revised Code (''ORC''), and the rules adopted thereunder, and seeks injunctive relief and civil penalties against the Haverhill Defendants for violations of ORC Chapter 3704. The Complaint alleges that the Gateway Defendants operated the Gateway Facility and the Haverhill Defendants operated the Haverhill Facility in excess of bypass venting limits specified in their Prevention of Significant Deterioration permits, and that the Haverhill Defendants failed to comply with emissions monitoring and reporting requirements.

The Consent Decree would require (1) Installation of process equipment to provide redundancy that will allow hot coking gases to be routed to a pollution control device instead of vented directly to the atmosphere in the event of equipment downtime; (2) installation of continuous emissions monitoring systems for sulfur dioxide, at one bypass vent per process unit (two at the Haverhill Facility and one at the Gateway Facility); (3) payment of a civil penalty of $1.995 million, of which $1.27 million will go to the United States, $575,000 to the State of Illinois, and $150,000 to the State of Ohio; and (4) performance of a lead hazard abatement supplemental environmental project at a cost of $255,000 at the Gateway Facility.

In a **Federal Register** Notice published on July 2, 2013, the Department of Justice announced its intention to receive comments relating to the Consent Decree for a period of thirty (30) days from the date of that publication. 78 Fed. Reg. 39,770 (July 2, 2013). That period was extended in response to a request to September 3, 2013. The United States has received another request for an extension and is therefore extending the public comment period for thirty (30) additional days, until October 3, 2013. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States, et al.* v. *Gateway Energy & Coke Company, et al.,* D.J. Ref. Nos. 90–5–2–1–09890 and 90–5–2–1–10065. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By e-mail	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $29.75 (25 cents per page

reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is $16.25.

Maureen Katz,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2013–21181 Filed 8–29–13; 8:45 am]

BILLING CODE 4410–15–P

OFFICE OF MANAGEMENT AND BUDGET

OMB Sequestration Update Report to the President and Congress for Fiscal Year 2014

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice of availability of the OMB Sequestration Update Report to the President and Congress for FY 2014.

SUMMARY: OMB is issuing the Sequestration Update Report to the President and Congress for FY 2014 to report on the status of pending discretionary appropriations legislation and compliance with the discretionary caps. The report finds that unless the discretionary limits are restored to the levels agreed to in the American Taxpayer Relief Act of 2012, OMB's estimates of House action for the 12 annual appropriations bills show that a sequestration of approximately $47.9 billion in discretionary programs in the defense (or revised security) category would be required. Similarly, OMB's estimates of appropriations action by the Senate indicate that a sequestration of approximately $54.1 billion in discretionary programs in the defense category and $34.3 billion in discretionary programs in the non-defense (or revised nonsecurity) category would be required. The report also contains OMB's Preview Estimate of the Disaster Relief Funding Adjustment for FY 2014.

DATES: *Effective Date:* August 20, 2013. Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, requires the Office of Management and Budget (OMB) to issue a Sequestration Update Report on August 20th of each year. With regard to this update report and to each of the three required sequestration reports, section 254(b) specifically states the following:

Submission and Availability of Reports—Each report required by this section shall be submitted, in the case of CBO, to the House of Representatives, the Senate and OMB and, in the case of OMB, to the House of Representatives, the Senate, and the President on the day it is issued. On the following day a notice of the report shall be printed in the **Federal Register**.

ADDRESSES: The OMB Sequestration Reports to the President and Congress is available on-line on the OMB home page at: *http://www.whitehouse.gov/omb/legislative_reports/sequestration.*

FOR FURTHER INFORMATION CONTACT: Thomas Tobasko, 6202 New Executive Office Building, Washington, DC 20503, Email address: *ttobasko@omb.eop.gov,* telephone number: (202) 395–5745, FAX number: (202) 395–4768 or Jenny Winkler Murray, 6236 New Executive Office Building, Washington, DC 20503, Email address: *jwinkler@omb.eop.gov,* telephone number: (202) 395–7763, FAX number: (202) 395–4768. Because of delays in the receipt of regular mail related to security screening, respondents are encouraged to use electronic communications.

Sylvia M. Burwell,

Director.

[FR Doc. 2013–20928 Filed 8–29–13; 8:45 am]

BILLING CODE P

NATIONAL CREDIT UNION ADMINISTRATION

Agency Information Collection Activities: Submission to OMB for Reinstatement, With Change, of a Previously Approved Collection

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice and request for comments.

SUMMARY: The NCUA, as part of their continuing effort to reduce paperwork and respondent burden, invite the general public and other Federal agencies to take this opportunity to comment on information collections, as required by the Paperwork Reduction Act of 1995. NCUA is soliciting comments concerning the Suspicious Activity Report (SAR). As Bank Secrecy Act (BSA) administrator, the Financial Crimes Enforcement Network (FinCEN) transitioned from a system originally designed for collecting industry specific paper forms to a modernized information technology environment centered on electronic reporting. Based on financial institution type, depository institutions, broker-dealers in securities, futures commission merchants and introducing brokers in commodities, insurance companies, mutual funds, money services businesses, and casinos currently filed reports on four separate forms. FinCEN's objective is to have one electronically-filed dynamic and interactive BSA–SAR that will be used by all filing institutions to report suspicious activity as of April 1, 2013.

There are no proposed changes to the regulatory reporting criteria for information collection. Federally insured credit unions will continue to follow the regulation, interagency guidance, and filing instructions to determine when a report should be filed and what information should be included on the report.

DATES: Written comments should be received on or before September 30, 2013.

ADDRESSES: Interested parties are invited to submit written comments to the NCUA Contact and the OMB Reviewer listed below:

NCUA Contact: Tracy Crews, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, Fax No. 703–837–2861, Email: *OCIOPRA@ncua.gov.*

OMB Contact: Office of Management and Budget, ATTN: Desk Officer for the National Credit Union Administration, Office of Information and Regulatory Affairs, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Requests for additional information, a copy of the collection, or a copy of submitted comments should be directed to Tracy Crews at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314–3428, or at (703) 518–6444.

SUPPLEMENTARY INFORMATION: The interactive BSA–SAR includes several new data fields and introduces data fields from the SARs of other industries. On March 29, 2012, FinCEN released guidance [1] titled, ''Filing FinCEN's new Currency Transaction Report and Suspicious Activity Report''. This guidance clarified expectations and notes that FinCEN is making available additional and more specific data elements (i.e., characterizations of suspicious activity and types of financial services) as a more efficient way to bring information about suspicious activity to the attention of FinCEN and law enforcement. The guidance clarified the addition of new and expanded data elements; however, the guidance does not create an expectation that financial institutions will revise internal programs, or develop new programs, to capture

[1] *http://www.fincen.gov/statutes_regs/guidance/pdf/FIN-2012-G002.pdf.*

information that reflects the expanded lists.

Additional information about the paperwork burden associated with these requirements, including statutory and regulatory history, a description of the reporting requirements, and how the estimated total annual burden was calculated, is discussed below.

Background and Justification

Since 1996, the federal banking agencies [2] and FinCEN have required certain types of financial institutions to report known or suspected violations of law and suspicious transactions. To fulfill these requirements, supervised credit unions file a SARs.[3] Law enforcement agencies use the information submitted on the reporting form to initiate investigations and NCUA staff use the information in the examination and oversight of supervised institutions.

The NCUA's suspicious activity reporting rules apply to all federally insured credit unions. The NCUA is only responsible for the paperwork burden imposed on these institutions. Other federal banking agencies account for the paperwork burden for the institutions they supervise. The annual burden per respondent varies depending on the nature of the activity being reported.

The suspicious activity report filing requirement became effective on April 1, 1996. Prior to the effective date, the NCUA, the other federal banking agencies, and FinCEN each issued new and nearly identical rules mandating the use of the interagency Suspicious Activity Report by Depository Institutions (SAR–DI) for the reporting of suspicious activities. In separate actions, FinCEN also enacted regulations requiring other types of financial institutions, such as brokers or dealers in securities and futures; money services businesses (money transmitters; issuers and sellers of money orders and travelers' checks; check cashers, and dealers in foreign exchange); casinos and card clubs; and insurance companies to file reports on suspicious activities.

In January 2003, check boxes were added to Part III of the SAR–DI to note terrorist financing and identity theft as suspicious activities and the safe harbor language in the instructions was updated to reflect changes made by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001. In 2006, the SAR–DI form was revised to support a new joint filing initiative aimed at reducing the total number of duplicate reports filed for a single suspicious transaction. On May 1, 2007, FinCEN published a **Federal Register** notice (72 FR 23891) [4] announcing the delayed implementation of these revisions, which ultimately were never implemented.

On July 15, 2011, FinCEN received final approval of the BSA–SAR [5] from the Office of Management and Budget which concluded FinCEN's October 15, 2010, request for comment.

Description of Information Collection

Federally insured credit unions follow the SAR instructions to determine when a SAR should be filed and what information should be included on the SAR.

Proposed Revisions

The BSA–SAR would integrate four institution specific SARs into one universal data collection. The previous five parts of the SAR–DI remain with changes to their titles and placement in order of completion.

The proposed BSA–SAR is described below by form Part. Fields from other industry SARs that may be new to depository institutions as well as specific data fields that are new to all types of industry filers have been identified. In the description provided below, questions for which an answer must be provided (referred to as ''critical fields'') are identified with the * symbol in front of the data element number.

Type of Filing

Field 1 is the Type of Filing and it would require the filer to designate the category that best describes the filing from the choices of:

* 1. Check all that apply—a. Initial report; b. Correct/amend prior report; c. Continuing activity report; d. Joint report; e. Prior report document control/file number if 1b or 1c are checked

On the current SAR–DI there is only one choice in data field 1 for those reports that corrected a prior report.

Part I: Subject Information

Part I is titled Subject Information and would require the filer to provide information for *each* subject involved in the suspicious activity. Subject Information is titled *Suspect* Information on the current SAR–DI. As with the existing SAR–DI, multiple subjects may be included in Part I.

Each of the critical fields (*) in this Part have a new check box that may be used if the information is unknown. If that box is checked, the filer would not need to enter any information in that field.

In Part I, with the exception of the unknown check box, these data fields would remain the same with no additions or changes from the SAR–DI:

* 3.Individual's last name or entity's legal name—a. (check if) unknown
* 4. First name—a. (check if) unknown
5. Middle initial (middle name for electronic filers)
7. Occupation or type of business
* 8. Address—a. (check if) unknown
* 9. City—a. (check if) unknown
* 10. State—a. (check if) unknown
* 11. ZIP/Postal Code—a. (check if)
* 12. Country Code—a. (check if) unknown
* 13. TIN—a. (check if) unknown
* 16. Date of birth mm/dd/yyyy—a. (check if) unknown

Listed below are the remaining data fields in Part I that would be considered new data fields or data fields that would be modified.

2. Check—a. If entity; b. If all critical (*) subject information is unavailable (If 2b is checked this Part may be left blank)
5a. Gender—b. (Check if) Male; c. (Check if) Female; d. (Check if) Unknown
6. Alternate name, e.g. AKA for an Individual or DBA for an Entity
7a. NAICS Code (North American Industry Classification system code that corresponds to 7)
14. TIN type (* if 13 is completed)—a. EIN; b. SSN–ITIN; c. Foreign
* 15. Form of identification for subject—a. (check if) unknown (or not obtained); b. (check if) Driver's license/state ID; c. (check if) Passport; d. (check if) Alien registration; e. Number; f. Issuing state; g. Issuing country; z. (check if) Other
17. Phone number type—a. (check if) Home; b. (check if) Work; c. (check if) Mobile; d. (check if) Fax
18. Phone number—a. Extension (if any)
19. Email address (if available)
19a. Web site (URL) address (if available)
20. Corroborative statement to filer?—a. (check if) Yes; b. (check if) No (This

[2] The Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

[3] In 1996, the NCUA, together with the other federal banking agencies issued nearly identical regulations to implement the SAR process for banking organizations.

[4] *http://www.fincen.gov/statutes_regs/frn/pdf/sar_fr_notice.pdf*

[5] *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201104-1506-002*

was Admission/Confession on the SAR–DI)

21. Relationship of the subject to the filing institution (check all that apply)—a. Institution TIN; b. Accountant; c. Agent; d. Appraiser; e. Attorney; f. Borrower; g. Customer; h. Director; i. Employee; j. No relationship to institution; k. Officer; l. Owner or Controlling Shareholder; z. Other
22. If item 21h, 21i, 21j, or 21k is checked, indicate status of relationship—a. (check if) Relationship continues; b. (check if) Terminated; c. (check if) Suspended/barred; d. (check if) Resigned
23. Action date if 22 b, c, or d is checked
* 24. Financial Institution EIN and account number(s) affected that are related to subject, if any—a. (check if) No known account involved; b. (check if) Non-US Financial Institution; c. TIN; d. account number; e. (check if) closed;
25. Subject's role in suspicious activity (if applicable); a. (check if) Purchaser/Sender; b. (check if) Payee/Receiver; c. (check if) Both a & b

Part II—Suspicious Activity Information

Part II, Suspicious Activity Information, would require the filer to describe the suspicious activity that occurred.

Part II items would cover all filer institution types so all filers would see field options that may not pertain to their report (such as casino activities). Filers would only be required to complete those items that apply to their institution and pertain to the report being filed.

In Part II, with the exception of the unknown check box, these data fields would remain the same as the current SAR–DI:

* 27. Date or date range of suspicious activity for this report—a. From: mm/dd/yyyy; b. To: mm/dd/yyyy

The remaining data fields in this Part, specifically the characterizations of suspicious activity, would be modified and expanded when compared to the current SAR–DI. There are now ten general categories and each category would be further broken down to specific types of suspicious activity.

* 26. Amount involved in this report—a. (check if) Amount unknown; b. (check if) No amount involved.
28. Cumulative amount only if box 1c (continuing activity report) is checked
29. Structuring—a. Alters transaction to avoid BSA recordkeeping requirement; b. Alters transactions to avoid CTR requirement; c. Customer cancels transaction to avoid BSA reporting and recordkeeping requirements; d. Multiple transactions below BSA recordkeeping threshold; e. Multiple transactions below CTR threshold; f. Suspicious inquiry by customer regarding BSA reporting or recordkeeping requirements; z. Other (specify type of suspicious activity in space provided)
30. Terrorist Financing—a. Known or suspected terrorist/terrorist organization; z. Other (specify type of suspicious activity in space provided)
31. Fraud (Type)—a. ACH; b. Business loan; c. Check; d. Consumer loan; e. Credit/Debit card; f. Healthcare; g. Mail; h. Mass-marketing; i. Pyramid scheme; j. Wire; z. Other (specify type of suspicious activity in space provided)
32. Casinos—a. Inquiry about end of business day; b. Minimal gaming with large transactions; c. Suspicious intra-casino funds transfers; d. Suspicious use of counter checks or markers; z. Other (specify type of suspicious activity in space provided)
33. Money laundering—a. Exchanges small bills for large bills or vice versa; b. Suspicion concerning the physical condition of funds; c. Suspicion concerning the source of funds; d. Suspicious designation of beneficiaries, assignees or joint owners; e. Suspicious EFT/wire transfers; f. Suspicious exchange of currencies; g. Suspicious receipt of government payments/benefits; h. Suspicious use of multiple accounts; i. Suspicious use of noncash monetary instruments; j. Suspicious use of third-party transactors (straw-man); k. Trade Based Money Laundering/Black Market Peso Exchange; l. Transaction out of pattern for customer(s); z. Other (specify type of suspicious activity in space provided)
34. Identification/Documentation—a. Changes spelling or arrangement of name; b. Multiple individuals with same or similar identities; c. Provided questionable or false documentation; d. Refused or avoided request for documentation; e. Single individual with multiple identities; z. Other
35. Other suspicious activities—a. Account takeover; b. Bribery or gratuity; c. Counterfeit instruments; d. Elder financial exploitation; e. Embezzlement/theft/disappearance of funds; f. Forgeries; g. Identity theft; h. Little or no concern for product performance penalties, fees, or tax consequences; i. Misuse of ''free look''/cooling off/right of rescission; j. Misuse of position or self-dealing; k. Suspected public/private corruption (domestic); l. Suspected public/private corruption (foreign); m. suspicious use of informal value transfer system; n. Suspicious use of multiple transaction locations; o. Transaction with no apparent economic, business, or lawful purpose; p. Two or more individuals working together; q. Unauthorized electronic intrusion; r. Unlicensed or unregistered MSB; z. Other (specify type of suspicious activity in space provided)
36. Insurance—a. Excessive insurance; b. Excessive or unusual cash borrowing against policy/annuity; c. Proceeds sent to or received unrelated third party; d. Suspicious life settlement sales insurance (e.g. STOLI's, Viaticals); e. Suspicious termination of policy or contract; f. Unclear or no insurable interest; z. Other (specify type of suspicious activity in space provided)
37. Securities/Futures/Options—a. Insider trading; b. Market manipulation/wash trading; c. Misappropriation; d. Unauthorized pooling; z. Other (specify type of suspicious activity in space provided)
38. Mortgage fraud—a. Appraisal fraud; b. Foreclosure fraud; c. Loan modification fraud; d. Reverse mortgage fraud; z. Other
39. Were any of the following instrument/product type(s) involved in the suspicious activity? Check all that apply: a. Bonds/Notes; b. Commercial mortgage; c. Commercial paper; d. Credit card; e. Debit card; f. Forex transactions; g. Futures/Options on futures; h. Hedge fund; i. Home equity loan; j. Home equity line of credit; k. Insurance/Annuity products; l. Mutual fund; m. Options on securities; n. Penny stocks/Microcap securities; o. Prepaid access; p. Residential mortgage; q. Security futures products; r. Stocks; s. Swap, hybrid or other derivative; z. Other (specify type in space provided)
40. Were any of the following instrument type(s)/payment mechanism(s) involved in the suspicious activity? Check all that apply—a. Bank/Cashier's check; b. Foreign currency; c. Funds transfer; d. Gaming instruments; e. Government payment; f. Money orders; g. Personal/Business check; h. Travelers check; i. U.S. Currency; z. Other (specify type in space provided)
41. Commodity type (if applicable)
42. Product/Instrument description (if needed)
43. Market where traded (list of codes will be provided—dropdown menu for electronic filers)
44. IP Address (if available) (multiple entries allowed for electronic filers)

45. CUSIP number (multiple entries allowed for electronic filers)
46. CUSIP number (multiple entries allowed for electronic filers)

Part III—Information About Financial Institution Where Activity Occurred

Part III information would be about the financial institution(s) where the suspicious activity occurred. A separate Part III record would be completed on each financial institution involved in the suspicious activity. The data fields in Part III would be modified and expanded when compared to the current SAR–DI.

* 47. Type of financial institution (check only one)—a. Casino/Card club; b. Depository institution; c. Insurance company; d. MSB; e. Securities/Futures; z. Other (specify type of institution in space provided)
* 48. Primary Federal Regulator—A = Commodities Futures Trading Commission (CFTC); B = Federal Reserve Board (FRB); C = Federal Deposit Insurance Corporation (FDIC); D = Internal Revenue Service (IRS); E = National Credit Union Administration (NCUA); F = Office of the Comptroller of the Currency (OCC); G = Securities and Exchange Commission (SEC); Z = Not Applicable
49. If item 47a is check indicate type (Check only one)—a. State licensed casino; b. Tribal authorized casino; c. Card club; d. Other (specify)
50. If item 47e is checked, indicate type of Securities and Futures institution or individual where activity occurred—check box(es) for functions that apply to this report—a. Clearing broker-securities; b. Futures Commission Merchant; c. Holding company; d. Introducing broker-commodities; e. Introducing broker-securities; f. Investment Advisor; g. Investment company; h. Retail foreign exchange dealer; i. Subsidiary of financial/bank holding company; z. Other *(specify type of institution or individual in space provided)*
51. Financial institution identification number (Check one box to indicate type)—a. (check if) CRD number; b. (check if) IARD number; c. (check if) NFA number; d. (check if) RSSD number; e. (check if) SEC number; f. Identification number
52. Financial institution's role in transaction (if applicable)—a. (check if) Selling location; b. (check if) Paying location; (check if) Both a & b
* 53. Legal name of financial institution—a. (check if) unknown
54. Alternate name, e.g., AKA—individual or trade name, DBA—entity
* 55. TIN—a. (check if) unknown
56. TIN type (* if 55 is completed)—a. EIN; b. SSN–ITIN; c. Foreign
* 57. Address—a. (check if) unknown
* 58. City—a. (check if) unknown
59. State
* 60 ZIP/Postal Code—a. (check if) unknown
* 61. Country
62. Internal control/file number
63. Loss to financial institution (if applicable)
64. Branch's role in transaction (if applicable)—a. (check if) Selling location; b. (check if) Paying location; c. (check if) Both a & b
* 65. Address of branch or office where activity occurred—a. (if no branch activity involved, check box a)
66. RSSD number (of the branch)
67. City
68. State
69. ZIP/Postal Code
70. Country (2 letter code—list provided)

Part IV—Filing Institution Contact Information

Part IV information would be about the lead financial institution or holding company that is filing the BSA–SAR. There would be only one Part IV record for each filing. Part IV would take fields previously contained in Part I, Part III, and Part IV on the SAR–DI as well as added new fields.

* 78. Primary Federal Regulator—A = Commodities Futures Trading Commission (CFTC); B = Federal Reserve Board (FRB); C = Federal Deposit Insurance Corporation (FDIC); D = Internal Revenue Service (IRS); E = National Credit Union Administration (NCUA); F = Office of the Comptroller of the Currency (OCC); G = Securities and Exchange Commission (SEC); Z = Not Applicable
* 79. Filer name (Holding company, lead financial institution)
* 80. TIN
* 81. TIN type—a. EIN; b. SSN/ITIN; c. Foreign
* 82. Type of financial institution (check only one)—a. Casino/Card club; b. Depository institution; c. Insurance company; d. MSB; e. Securities/Futures; z. Other (specify type of institution in space provided)
83. Type of Securities and Futures institution or individual filing this report-check box(es) for function that apply to this report—a. Clearing broker—securities; b. CPO/CTA; c. Futures Commission Merchant; d. Holding company; e. Introducing broker—commodities; f. Introducing broker—securities; g. Investment Adviser; h. Investment company; i. Retail foreign exchange dealer; j. SRO Futures; k. SRO Securities; l. Subsidiary of financial/bank holding company; z. Other (specify type of institution or individual in space provided)
84. Filing institution identification number (Check one box to indicate type)—a. (check if) CRD number; b. (check if) IARD number; c. (check if) NFA number; d. (check if) RSSD number; e. (check if) SEC number; f. Identification number
* 85. Address
* 86. City
87. State
* 88. ZIP/Postal Code
* 89. Country
90. Alternate name, e.g., AKA—individual or trade name, DBA—entity
91. Internal control/file number
92. LE contact agency
93. LE contact name
94. LE contact phone number—a. Extension (if any)
95. LE contact date
* 96. Designated contact office
* 97. Designated contact office phone number including area code—a. Extension (if any)
* 98. Date filed

Part V—Suspicious Activity Information Explanation/Description

Part V would require the filer to provide a chronological and complete narrative account of the activity, including what is unusual, irregular, or suspicious about the activity. In the BSA–SAR this part would be a text file that is limited to 17,000 characters (approximately six pages). Institutions may, but are not required to, attach a MS Excel-compatible file (no larger than 1 MB) providing details in tabular form of transactions subject to the suspicious activity discussed in the text file.

Consultation Outside the Agency

As set forth above, the SAR was originally developed in 1996 by an interagency group that consisted of the federal banking agencies, the U.S. Departments of Justice and Treasury, and several law enforcement agencies. The general framework of the BSA–SAR report and revisions to the BSA–SAR data elements have been discussed on an interagency basis.

Estimate of Respondent Burden

The burden per institution varies depending on the nature of the activity being reported. Because of these changes to the BSA–SAR, the estimated

average burden would increase to 2 hours per response. Between January 1, 2012, and December 31, 2012, federally insured credit unions filed 67,537 [6] SARs. Based on this data the annual reporting burden for the federally insured credit unions is estimated to be 135,074 hours with the proposed revisions.

Title: Suspicious Activity Report by Depository Institutions (SAR).

OMB Control Numbers: 3133–0094.

Form Numbers: 2362.

Abstract: In 1985, the Banking Supervisory Agencies issued procedures to be used by banks and certain other financial institutions operating in the United States to report known or suspected criminal activities to the appropriate law enforcement and Banking Supervisory Agencies. Beginning in 1994, the Banking Supervisory Agencies and FinCEN redesigned the reporting process resulting in the Suspicious Activity Report, which became effective in April 1996. The report is authorized by 12 CFR 748.1 (NCUA). The regulation was issued under the authority contained in Section 1789(a) (NCUA).

Current Action: NCUA proposes to renew, with revision, the previously approved form.

Type of Review: Reinstatement of a previously approved collection.

Affected Public: Business, for-profit institutions, and non-profit institutions.

Estimated Number of Respondents: 6,753.

Estimated Total Annual Responses: 67,537.

Estimated Total Annual Burden: at an estimated 2 hours per form, Total *Annual Burden:* 135,074 hours.

Records required to be retained under the Bank Secrecy Act and these regulations issued by the Banking Supervisory Agencies must be retained for five years. Generally, information collected pursuant to the Bank Secrecy Act is confidential, but may be shared as provided by law with regulatory and law enforcement authorities.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology, and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

By the National Credit Union Administration Board on August 22, 2013.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2013–20949 Filed 8–29–13; 8:45 am]

BILLING CODE 7535–01–P

[6] *The SAR* Activity Review—*By the Numbers; Issue 18.*

OFFICE OF NATIONAL DRUG CONTROL POLICY

Technology Innovations for Substance Abuse and Mental Health Treatment Conference & Related Health Information Technology (HIT) Meeting

AGENCY: Office of National Drug Control Policy.

ACTION: Notice.

SUMMARY: The Office of National Drug Control Policy (ONDCP) and the Substance Abuse and Mental Health Administration (SAMHSA) in partnership with the Office of the National Coordinator for Health Information Technology, and the National Institutes of Health's Office of Behavioral and Social Sciences Research, will host a Technology Innovations for Substance Abuse and Mental Health Treatment Conference highlighting promising innovations for treating these disorders. This conference will bring together innovators in technology and health care experts promoting the dissemination of innovative, evidence-based technologies that advance prevention, treatment, and recovery for these disorders. The conference will be held on September 16, 2013 from 8:00 a.m. to 5:00 p.m. in the South Court Auditorium, Eisenhower Executive Office Building, 17th Street and Pennsylvania Avenue NW., Washington DC, 20500.

The goal of this conference is to highlight advances in health information technologies (HIT) for behavioral health, and promote technology advances and dissemination of evidence-based tools that address patient safety and the advancement of successful prevention, treatment and recovery. The specific conference objectives are to: (1) Promote evidence-based tools to advance treatment of substance use and mental health disorders; (2) advance the Administration's 2010 *National Drug Control Strategy* blueprint and the HIT initiatives at SAMHSA and the Office of the National Coordinator; and (3) encourage the use of technologies to improve health, improve quality of care, and increase patient engagement.

On Tuesday, September 17, SAMHSA and ONDCP are holding a smaller meeting with state representatives and health system administrators on HIT systems to discuss technical issues and obtain experiential and anecdotal information from each of the attendees. This group will not be deliberating or providing consensus advice or recommendations to SAMHSA or ONDCP. The meeting will be held 9:00 a.m. to 1:00 p.m. in the 5th Floor Conference Room of ONDCP at 750 17th Street NW., Washington DC, 20503.

Members of the public who wish to attend on either day are required to call ONDCP's Technology Innovations for Substance Abuse and Mental Health Treatment Conference telephone line at (202) 395–5696 to reserve a seat and arrange building access by no later than Monday, September 9, 2013. Seating for members of the public is limited and will be assigned on a first call, first served basis. The September 16 conference will be live-streamed on-line for members of the public who wish to observe, and conference material will be available to the public following the meeting. Go to *http://www.whitehouse.gov/ondcp* for more information.

To Attend or For Further Information Contact: June Sivilli at (202) 395–5696 or email *rsvpITSept16@ondcp.eop.gov.*

Dated: August 27, 2013.

Daniel S. Rader,

Deputy General Counsel.

[FR Doc. 2013–21213 Filed 8–29–13; 8:45 am]

BILLING CODE 3180–F3–P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95–541)

AGENCY: National Science Foundation.

ACTION: Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978, Public Law 95–541.

SUMMARY: The National Science Foundation (NSF) is required to publish a notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 671 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by September 30, 2013. This application may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Division of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

FOR FURTHER INFORMATION CONTACT: Adrian Dahood, ACA Permit Officer, at the above address or *ACApermits@nsf.gov* or (703) 292–7149.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95–541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas a requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

Application Details

1. Applicant

Harry Anderson,
Bainbridge Island, Washington.
Permit Application: 2014–010.

Activity for Which Permit is Requested: Waste Permit; The applicant proposes to fly to King George Island in early 2014. One person will fly the aircraft, a 2001 Lancair Columbia 300, from Punta Arenas Chile and land at the Chilean station Lieutenant Rodolfo Marsh Martin Aerodrome on King George Island. The pilot will refuel the aircraft and take off and return to Punta Arenas in the same day. With the exception of emissions resulting from operating the aircraft, all wastes generated during the flight will be contained and transported to Punta Arenas Chile for proper disposal. Absorbent pads will be used during refueling to prevent any spills. The applicant will also carry a spill kit with him.

Location: King George Island, Antarctic Peninsula Region.

Dates: January 1, 2014 to March 31 2014.

Nadene G. Kennedy,

Polar Coordination Specialist, Division of Polar Programs.

[FR Doc. 2013–21209 Filed 8–29–13; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL TRANSPORTATION SAFETY BOARD

Public Forum—Safety Culture: Enhancing Transportation Safety

On Tuesday and Wednesday, September 10–11, 2013, the National Transportation Safety Board (NTSB) will convene a forum titled, ''Safety Culture: Enhancing Transportation Safety.'' The forum will begin at 9:00 a.m. on both days and is open to all. Attendance is free, and no registration is required. NTSB Acting Chairman Deborah A.P. Hersman will serve as the Presiding Officer of the forum, and all five NTSB Board Members will serve as members of the Board of Inquiry. The forum is organized into six issue areas:

- Research Perspectives on Organizational Accidents;
- Techniques to Enhance Organizational Safety;
- Non-Transportation Perspectives on Safety Culture;
- Organizational Leadership Perspectives on Safety Culture;
- Safety Culture Management and Oversight in Transportation; and
- Companies and their Safety Culture Experiences.

The forum will address ways of enhancing safety by providing first-hand accounts of efforts from both transportation and non-transportation industries to develop effective safety cultures and to implement specific safety-enhancement techniques. Highlighting progress while recognizing remaining challenges, the invited panelists will discuss advances in safety culture research, and describe the roles, responsibilities, and methods for developing effective safety cultures within their industries.

There will also be a review of some recent organizational accidents that have been investigated by the NTSB. Invited panelists will include researchers, regulators, and industry leaders. Below is the preliminary agenda:

Tuesday, September 10 (9:00 a.m.–5:00 p.m.)

1. Opening Statement by Acting Chairman Hersman.
2. Introduction of the Technical Panels and Panelists.
3. Presentations from Panels One, Two, and Three and questions from the Board of Inquiry and the Technical Panels.
4. Closing Statement by Acting Chairman Hersman.

Wednesday, September 11 (9:00 a.m.–5:00 p.m.)

1. Opening Statement by Acting Chairman Hersman.
2. Introduction of the Technical Panels and Panelists.
3. Presentations from Panels Four, Five, and Six and questions from the Board of Inquiry and the Technical Panels.
4. Closing statement by Acting Chairman Hersman.

The full agenda and a list of participants can be found at: *http://www.ntsb.gov/news/events/2013/safetyculture/index.html.*

The forum will be held in the NTSB Board Room and Conference Center, located at 429 L'Enfant Plaza E., SW., Washington, DC. The public can view the forum in person or by live webcast at *http://www.ntsb.gov.* Webcast archives are generally available by the end of the next day following the forum, and webcasts are archived for a period of 3 months after the date of the event.

Individuals requesting specific accommodations should contact Rochelle Hall at *rochelle.hall@ntsb.gov* or by telephone at (202) 314–6305 by Friday, September 6, 2013.

NTSB Media Contact: Peter Knudson—*peter.knudson@ntsb.gov.*

NTSB Forum Managers: Loren Groff, Ph.D.—*loren.groff@ntsb.gov.*

Barry Strauch, Ph.D.—barry.strauch@ntsb.gov.

NTSB Forum Coordinator: Gena Evans—*gena.evans@ntsb.gov.*

Dated: August 23, 2013.

Candi R. Bing,

Federal Register Liaison Officer.

[FR Doc. 2013–21226 Filed 8–29–13; 8:45 am]

BILLING CODE 7533–01–P

NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meeting; Finance, Budget and Program Committee Meeting of the Board of Directors

TIME AND DATE: 1:00 p.m., Monday, September 9, 2013.

PLACE: 999 North Capitol St NE., Suite 900, Boardroom, Washington, DC 20005.

STATUS: Open.

CONTACT PERSON FOR MORE INFORMATION: Erica Hall, Assistant Corporate Secretary (202) 220–2376; *ehall@nw.org.*

AGENDA:

I. CALL TO ORDER
II. FY2014 Preliminary Budget Approval
III. Report on Settlement Opportunity
IV. Non-NWO Grant Policy
V. Final DC Move Budget
VI. National Industry Standards for Homeownership Education & Counseling
VII. Quarterly Program Reports
VIII. Financial Report
IX. FY13 Corporate Scorecard Report Update and FY14 Draft Dashboard & Milestones
X. FY 13 Grants Report
XI. Adjournment

Erica Hall,

Assistant Corporate Secretary.

[FR Doc. 2013–21379 Filed 8–28–13; 4:15 pm]

BILLING CODE 7570–02–P

NUCLEAR REGULATORY COMMISSION

[NRC–2013–0185]

Draft Program-Specific Guidance About Irradiator Licenses

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft NUREG; request for comments.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is revising its licensing guidance for irradiator licenses. The NRC is requesting public comment on draft NUREG–1556, Volume 6, Revision 1, ''Consolidated Guidance about Materials Licenses: Program-Specific Guidance about 10 CFR Part 36 Irradiator Licenses.'' The document has been updated from the previous revision to include safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. This document is intended for use by applicants, licensees, and the NRC staff and will also be available to Agreement States.

DATES: Submit comments by September 30, 2013. Comments received after this date will be considered if it is practical to do so, but the NRC is only able to assure consideration of comments received on or before this date.

ADDRESSES: You may access information and comment submissions related to this document, which the NRC possesses and are publicly available, by searching on *http://www.regulations.gov* under Docket ID NRC–2013–0185. You may submit comments by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0185. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.*
- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: 3WFN–06–A44MP, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on accessing information and submitting comments, see ''Accessing Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Tomas Herrera, Office of Federal and State Materials and Environmental Management Programs; U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–7138; email: *Tomas.Herrera@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC–2013–0185 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly available, by the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0185.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The draft NUREG–1556, Volume 6, Revision 1, is available under ADAMS Accession Number ML13234A057.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

The draft NUREG–1556, Volume 6, Revision 1, is also available on the NRC's public Web site on the: (1) ''Consolidated Guidance About Materials Licenses (NUREG–1556)'' page at *http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/;* and the (2) ''Draft NUREG-Series Publications for Comment'' page at *http://www.nrc.gov/public-involve/doc-comment.html#nuregs.*

B. Submitting Comments

Please include Docket ID NRC–2013–0185 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Further Information

The NUREG provides guidance to an applicant applying for a license for an irradiator under 10 CFR Part 36 and provides the NRC criteria for evaluating a license application. The purpose of this notice is to provide the public with an opportunity to review and provide comments on draft NUREG–1556, Volume 6, Revision 1; ''Consolidated Guidance about Materials Licenses: Program-Specific Guidance about 10 CFR Part 36 Irradiator Licenses.'' These comments will be considered in the final version or subsequent revisions.

Dated at Rockville, Maryland, this 26th day of August, 2013.

For the Nuclear Regulatory Commission.

Brian J. McDermott,

Director, Division of Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Program.

[FR Doc. 2013–21249 Filed 8–29–13; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2013–0186]

Draft Guidance for Reciprocity

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft NUREG; request for comments.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is revising its licensing guidance for reciprocity. The NRC is requesting public comment on draft NUREG–1556, Volume 19, Revision 1, ''Consolidated Guidance about Materials Licenses: Guidance for Agreement State Licensees about NRC Form 241 'Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, of Offshore Waters' and Guidance for NRC Licensees Proposing to Work in Agreement State Jurisdiction (Reciprocity).'' The document has been updated from the previous revision to include safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. This document is intended for use by applicants, licensees, and the NRC staff and will also be available to Agreement States.

DATES: Submit comments by September 30, 2013. Comments received after this date will be considered if it is practical to do so, but the NRC is only able to assure consideration of comments received on or before this date.

ADDRESSES: You may access information and comment submissions related to this document, which the NRC possesses and are publicly available, by searching on *http://www.regulations.gov* under Docket ID NRC–2013–0186. You may submit comments by any of the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0186. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.*
- Mail comments to: Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: 3WFN–06–A44MP, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on accessing information and submitting comments, see ''Accessing Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Tomas Herrera, Office of Federal and State Materials and Environmental Management Programs; U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–7138; email: *Tomas.Herrera@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC–2013–0186 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly available, by the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0186.
- NRC's Agencywide Documents Access and Management System (ADAMS): You may access publicly available documents online in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The draft NUREG–1556, Volume 19, Revision 1, is available under ADAMS Accession Number ML13234A048.
- NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

The draft NUREG–1556, Volume 19, Revision 1, is also available on the NRC's public Web site on the: (1) ''Consolidated Guidance About Materials Licenses (NUREG–1556)'' page at *http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/;* and the (2) ''Draft NUREG-Series Publications for Comment'' page at *http://www.nrc.gov/public-involve/doc-comment.html#nuregs.*

B. Submitting Comments

Please include Docket ID NRC–2013–0186 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Further Information

The NUREG provides guidance to an applicant applying to perform work under reciprocity and provides the NRC criteria for evaluating a reciprocity application. The purpose of this notice is to provide the public with an opportunity to review and provide comments on draft NUREG–1556, Volume 19, Revision 1; ''Consolidated Guidance about Materials Licenses: Guidance for Agreement State Licensees about NRC Form 241 'Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, of Offshore Waters' and Guidance for NRC Licensees Proposing to Work in Agreement State Jurisdiction (Reciprocity).'' These comments will be considered in the final version or subsequent revisions.

Dated at Rockville, Maryland, this 26th day of August, 2013.

For the Nuclear Regulatory Commission.

Brian J. McDermott,

Director, Division of Materials Safety and State Agreements, Office of Federal and State Materials, and Environmental Management Programs.

[FR Doc. 2013–21250 Filed 8–29–13; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Request To Amend a License To Export Radioactive Waste

Pursuant to 10 CFR 110.70 (b) ''Public Notice of Receipt of an Application,'' please take notice that the Nuclear Regulatory Commission (NRC) has received the following request for an export license amendment. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link *http://www.nrc.gov/reading-rm.html* at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within thirty days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

A request for a hearing or petition for leave to intervene may be filed with the NRC electronically in accordance with NRC's E-Filing rule promulgated in August 2007, 72 FR 49139 (Aug. 28, 2007). Information about filing electronically is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* To ensure timely electronic filing, at least 5 (five) days prior to the filing deadline, the petitioner/requestor should contact the Office of the Secretary by email at *HEARINGDOCKET@NRC.GOV,* or by calling (301) 415–1677, to request a digital ID certificate and allow for the creation of an electronic docket.

In addition to a request for hearing or petition for leave to intervene, written comments, in accordance with 10 CFR 110.81, should be submitted within thirty (30) days after publication of this notice in the **Federal Register** to Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemaking and Adjudications.

The information concerning this export license amendment application follows.

NRC Export License Amendment Application

DESCRIPTION OF MATERIAL

Name of applicant Date of application Date Received Application No. Docket No.	Material type	Total quantity	End use	Country of destination
Perma-Fix Northwest. Inc. July 30, 2013 ..... August 12, 2013 .... XW012/04 ..... 11005699	No change in material (Class A radioactive waste).	No increase (up to a maximum total of 5,500 tons of low-level waste).	Amend to add three additional facilities to the list of ''Ultimate Foreign Consignee(s).'' No other changes to the existing license which authorizes the export of nonconforming waste and/or waste resulting from processing materials imported under IW022 (and subsequent amendments).	Canada.

Dated this 21st day of August 2013 at Rockville, Maryland.

For the Nuclear Regulatory Commission.

Mark R. Shaffer,

Deputy Director, Office of International Programs.

[FR Doc. 2013–21253 Filed 8–29–13; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Request To Amend a License To Import Radioactive Waste

Pursuant to 10 CFR 110.70 (b) ''Public Notice of Receipt of an Application,'' please take notice that the Nuclear Regulatory Commission (NRC) has received the following request for an import license amendment. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link *http://www.nrc.gov/reading-rm.html* at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within thirty days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

A request for a hearing or petition for leave to intervene may be filed with the NRC electronically in accordance with NRC's E-Filing rule promulgated in August 2007, 72 FR 49139 (Aug. 28, 2007). Information about filing electronically is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* To ensure timely electronic filing, at least 5 (five) days prior to the filing deadline, the petitioner/requestor should contact the Office of the Secretary by email at *HEARINGDOCKET@NRC.GOV,* or by calling (301) 415–1677, to request a digital ID certificate and allow for the creation of an electronic docket.

In addition to a request for hearing or petition for leave to intervene, written comments, in accordance with 10 CFR 110.81, should be submitted within thirty (30) days after publication of this notice in the **Federal Register** to Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemaking and Adjudications.

The information concerning this import license amendment application follows.

NRC Import License Amendment Application

DESCRIPTION OF MATERIAL

Name of applicant Date of application Date received Application No. Docket No.	Material type	Total quantity	End use	Country from
Perma-Fix Northwest, Inc. July 30, 2013 August 12, 2013 IW022/04 11005700	No change in material (Class A radioactive waste).	No increase (up to a maximum total of 5,500 tons of low-level waste).	Amend to add three additional facilities to the list of ''Foreign Suppliers.'' No other changes to the existing license which authorizes the import of low-level waste for recycling and processing for volume reduction. The attributed Canadian waste will be returned under XW012 (and subsequent amendments).	Canada.

Dated this 21st day of August 2013, at Rockville, Maryland.

For the Nuclear Regulatory Commission.

Mark R. Shaffer,

Deputy Director, Office of International Programs.

[FR Doc. 2013–21252 Filed 8–29–13; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Notice of Revision of Standard Form 15

AGENCY: U.S. Office of Personnel Management.

ACTION: Notice of Revision.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, May 22, 1995), this notice announces the Office of Personnel Management's (OPM) plan to submit to the Office of Management and Budget (OMB) a request for clearance of a revised information collection, Standard Form (SF) 15, Application for 10-Point Veteran Preference. The SF–15 is used by agencies, OPM examining offices, and agency appointing officials to adjudicate individuals' claims for veterans' preference in accordance with the Veterans' Preference Act of 1944. OPM's revisions will (1) remove obsolete items; and (2) update language as a result of the enactment of the VOW (Veterans Opportunity to Work) to Hire Heroes Act of 2011 (Pub. L. 112–56). The SF 15 will be revised to create a PDF fillable form for applicant use. The only acceptable version of this form will be as stated above, but consistent with current practice, the form may be submitted electronically or in hard copy. Upon publication, please destroy any prior versions you have in stock. The SF 15 will be obtainable on the OPM Web site at *www.opm.gov/forms/html.sf.asp.*

DATES: The revised form is effective September 30, 2013.

FOR FURTHER INFORMATION CONTACT: Mike Gilmore by telephone at (202) 606–2429; by fax at (202) 606–2329; by TTY at (202) 418–3134; or by email at *Michael.gilmore@opm.gov.*

U. S. Office of Personnel Management.

Elaine Kaplan,

Acting Director.

[FR Doc. 2013–21219 Filed 8–29–13; 8:45 am]

BILLING CODE 6325–39–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70260; File No. SR–NASDAQ–2013–112]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Change the Expiration Date for Most Option Contracts to the Third Friday of the Expiration Month Instead of the Saturday Following the Third Friday

August 26, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 21, 2013, The NASDAQ Stock Market LLC (''NASDAQ'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange rules to change the expiration date for most option contracts to the third Friday of the expiration month instead of the Saturday following the third Friday. The text of the proposed rule change is available at *http://nasdaq.cchwallstreet.com/,* at the Exchange's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to change the expiration date for most option contracts to the third Friday of the expiration month instead of the Saturday following the third Friday. More specifically, the Exchange is proposing to amend rule text referencing Saturday expirations. The Exchange notes, however, that this change will apply to all standard expiration contracts including those in which the rules are silent on the expiration date.[3] The Exchange is making this filing to harmonize its rules in connection with a recently approved rule filing made by The Options Clearing Corporation (''OCC'') which made substantially similar changes.[4]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Mini Options expirations are the same as those for standard expirations and would be amended as specified in this proposal.

[4] *See* Securities Exchange Act Release No. 34–69772 (June 17, 2013), 78 FR 37645 (June 21, 2013)(order approving SR–OCC–2013–004).

The Exchange believes that the industry must remain consistent in expiration dates, and, thus, is proposing to update its rules to remain consistent with those of OCC. In addition, the Exchange understands that other exchanges have and will be filing similar rules to effect this industry-wide initiative.[5]

Most option contracts (''standard expiration contracts'') currently expire at the ''expiration time'' (11:59 p.m. Eastern Time) on the *Saturday* following the third Friday of the specified expiration month (the ''expiration date'').[6] With this filing, the Exchange is proposing to give advance notice to its members and member organizations that the expiration date for standard expiration contracts is changing to the third Friday of the expiration month.[7] (The expiration time would continue to be 11:59 p.m. Eastern Time on the expiration date.) The change would apply only to standard expiration contracts expiring after February 1, 2015, and the Exchange, similar to OCC, does not propose to change the expiration date for any outstanding option contracts. The change will apply only to series of option contracts opened for trading after the effective date of the OCC rule change and having expiration dates later than February 1, 2015. Option contracts having non-standard expiration dates (''non-standard expiration contracts'') will be unaffected by this proposed rule change, except that FLEX options having expiration dates later than February 1, 2015 cannot expire on a Saturday unless they are specified by OCC as grandfathered.[8]

In order to provide a smooth transition to the Friday expiration OCC has begun to move the expiration exercise procedures to Friday for all standard expiration contracts even though the contracts would continue to expire on Saturday.[9] After February 1, 2015, virtually all standard expiration contracts will actually expire on Friday. The only standard expiration contracts that will expire on a Saturday after February 1, 2015 are certain options that were listed prior to the effectiveness of the OCC rule change, and a limited number of options that may be listed prior to necessary systems changes of the options exchanges, which are expected to be completed in August 2013. After these systems changes are made, NASDAQ will not list any additional options with Saturday expiration dates falling after February 1, 2015. NASDAQ understands that the other exchanges are committed to the same listing schedule.[10]

The Exchange notes that OCC, industry groups, clearing members and the other exchanges have been active participants in planning for the transition to the Friday expiration.[11] In March 2012, OCC began to discuss moving standard contract expirations to Friday expiration dates with industry groups, including two Securities Industry and Financial Markets Association (''SIFMA'') committees, the Operations and Technology Steering Committee and the Options Committee, and at two major industry conferences, the SIFMA Operations Conference and the Options Industry Conference.[12] OCC also discussed the project with the Intermarket Surveillance Group and at an OCC Operations Roundtable. In each case, there was broad support for the initiative.[13]

Certain option contracts have already been listed with Saturday expiration dates as distant as December 2015 (which is the furthest out expiration as of the date of this filing). Additionally, until NASDAQ completes certain systems enhancements in August 2013, it remains possible that additional option contracts may be listed with Saturday expiration dates beyond February 1, 2015. For these contracts, transitioning to a Friday expiration for newly listed option contracts expiring after February 1, 2015 would create a situation under which certain options with open interest would expire on a Saturday while other options with open interest would expire on a Friday in the same expiration month.

Clearing members have expressed a clear preference to not have a mix of options with open interest that expire on different days in a single month.[14] Accordingly, OCC represented in its recently approved filing that it will not issue and clear any new option contract with a Friday expiration if existing option contracts of the same options class expire on the Saturday following the third Friday of the same month. However, Friday expiration processing will be in effect for these Saturday expiration contracts. As with standard expiration options during the transition period, exercise requests received after Friday expiration processing is complete but before the Saturday contract expiration time will continue to be processed without fines or penalties.

Thus, the Exchange is proposing to update its rules to reflect the above discussed change. More specifically, the Exchange is proposing to add Section 2(q) to Chapter XIV, Index Rules to define ''expiration date'' to be consistent with the revised OCC definition.[15] Thus, consistent with the OCC filing, the Exchange is proposing to add language to these rules stating that any series expiring prior to February 1, 2015 will have a Saturday expiration date while any series expiring on or after February 1, 2015 will have a Friday expiration date.[16]

The Exchange also is proposing to adopt changes to Option Rules, Chapter XIV, Sections 10, 11(a)(5), 11(a)(6) and 11(d) for consistency to reflect the change in the expiration date definition. To the extent applicable to the timeframes herein, the Exchange is also proposing, with this filing, to replace any reference in the purpose section of any past Exchange rule filings or alerts to any expiration date other than Friday for a standard options contract with the new Friday standard. Essentially, the Exchange is now proposing to replace any relevant historic references to expiration dates to be replaced with the proposed Friday expiration. As stated above, the Exchange believes the proposed change will keep the Exchange consistent with the processing at OCC and will enable the Exchange to give effect to the industry-wide initiative. In addition, the Exchange understands that other exchanges will be filing similar rules, thus creating a uniform expiration date for standard options on listed classes.[17]

The Exchange plans to release an Options Trader Alert to its members and member organizations to inform them of this change prior to the implementation of the rule.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations

[5] *See* Securities Exchange Act Release Nos. 70091 (August 1, 2013), 78 FR 48212 (August 7, 2013)(SR–CBOE–2013–073) and 69996 (July 17, 2013), 78 FR 44183 (July 23, 2013)(SR–MIAX–2013–32).

[6] Examples of options with non-standard expiration contracts include: Quarterly Equity and Exchange-Traded Fund Shares (''ETFs'') Option Series (Chapter IV, Section 6, Commentary .04), Quarterly Options Series for indexes (Chapter XIV, Section 11(g)), Short Term Option Series (Chapter IV, Section 6, Commentary .07) and Short Term Option Series for indexes (Chapter XIV, Section 11(h)).

[7] The Exchange will provide notice to members and member organizations regarding the anticipated change by issuing an Options Trader Alert.

[8] *See* note 6 *supra.*

[9] *See* SR–OCC–2013–04.

[10] *See* note 5 *supra.*

[11] *See* note 9 *supra.*

[12] *Id.*

[13] *Id.*

[14] *Id.*

[15] *Id.*

[16] With the exception of expirations that were listed prior to the effective date of the OCC filing and have open interest.

[17] *See* note 5 *supra.*

thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[18] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[19] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that keeping its rules consistent with those of the industry will protect all participants in the market by eliminating confusion. The proposed changes thus allow for a more orderly market by allowing all options markets, including the clearing agencies, to have the same expiration date for standard options.

In addition, the proposed changes will foster cooperation and coordination with persons engaged in regulating clearing, settling, processing information with respect to, and facilitating transactions in securities by aligning a pivotal part of the options processing to be consistent industry wide. If the industry were to differ, investors would suffer from confusion and be more vulnerable to violate different exchange rules. The proposed changes do not permit unfair discrimination between any members because they are applied to all members equally. In the alternative, the Exchange believes that it helps all members by keeping the Exchange consistent with OCC practices and those of other Exchanges.

B. Self-Regulatory Organization's Statement on Burden on Competition

NASDAQ does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. Specifically, the Exchange does not believe the proposed rule change will impose a burden on intramarket competition because it will be applied to all members equally. In addition, the Exchange does not believe the proposed rule change will impose any burden to intermarket competition because it will be applied industry wide and apply to all market participants. The proposed rule change is structured to enhance competition because the shift from an expiration date of the Saturday following the third Friday to the third Friday is anticipated to be adopted industry-wide and will apply to all multiply listed classes. This in turn will allow NASDAQ to compete more effectively with other exchanges making similar rule changes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received. The Exchange notes, however, that a favorable comment was submitted to the OCC filing.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act[21] and Rule 19b–4(f)(6)[22] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2013–112 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NASDAQ–2013–112. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR–NASDAQ–2013–112 and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21232 Filed 8–29–13; 8:45 am]

BILLING CODE 8011–01–P

[18] 15 U.S.C. 78f (b).

[19] 15 U.S.C. 78f(b)(5).

[20] *Id.*

[21] 15 U.S.C. 78s(b)(3)(A).

[22] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70258; File No. SR–BX–2013–050]

Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Change the Expiration Date For Most Option Contracts to the Third Friday of the Expiration Month Instead of the Saturday Following the Third Friday

August 26, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 21, 2013, NASDAQ OMX PHLX LLC (''BX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange rules to change the expiration date for most option contracts to the third Friday of the expiration month instead of the Saturday following the third Friday. The text of the proposed rule change is available at *http://nasdaqomxbx.cchwallstreet.com/,* at the Exchange's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to change the expiration date for most option contracts to the third Friday of the expiration month instead of the Saturday following the third Friday. More specifically, the Exchange is proposing to amend rule text referencing Saturday expirations. The Exchange notes, however, that this change will apply to all standard expiration contracts including those in which the rules are silent on the expiration date. The Exchange is making this filing to harmonize its rules in connection with a recently approved rule filing made by The Options Clearing Corporation (''OCC'') which made substantially similar changes.[3] The Exchange believes that the industry must remain consistent in expiration dates, and, thus, is proposing to update its rules to remain consistent with those of OCC. In addition, the Exchange understands that other exchanges have and will be filing similar rules to effect this industry-wide initiative.[4]

Most option contracts (''standard expiration contracts'') currently expire at the ''expiration time'' (11:59 p.m. Eastern Time) on the *Saturday* following the third Friday of the specified expiration month (the ''expiration date'').[5] With this filing, the Exchange is proposing to give advance notice to its members and member organizations that the expiration date for standard expiration contracts is changing to the third Friday of the expiration month.[6] (The expiration time would continue to be 11:59 p.m. Eastern Time on the expiration date.) The change would apply only to standard expiration contracts expiring after February 1, 2015, and the Exchange, similar to OCC, does not propose to change the expiration date for any outstanding option contracts. The change will apply only to series of option contracts opened for trading after the effective date of the OCC rule change and having expiration dates later than February 1, 2015. Option contracts having non-standard expiration dates (''non-standard expiration contracts'') will be unaffected by this proposed rule change, except that FLEX options having expiration dates later than February 1, 2015 cannot expire on a Saturday unless they are specified by OCC as grandfathered.[7]

In order to provide a smooth transition to the Friday expiration OCC has begun to move the expiration exercise procedures to Friday for all standard expiration contracts even though the contracts would continue to expire on Saturday.[8] After February 1, 2015, virtually all standard expiration contracts will actually expire on Friday. The only standard expiration contracts that will expire on a Saturday after February 1, 2015 are certain options that were listed prior to the effectiveness of the OCC rule change, and a limited number of options that may be listed prior to necessary systems changes of the options exchanges, which are expected to be completed in August 2013. After these systems changes are made, BX will not list any additional options with Saturday expiration dates falling after February 1, 2015. BX understands that the other exchanges are committed to the same listing schedule.[9]

The Exchange notes that OCC, industry groups, clearing members and the other exchanges have been active participants in planning for the transition to the Friday expiration.[10] In March 2012, OCC began to discuss moving standard contract expirations to Friday expiration dates with industry groups, including two Securities Industry and Financial Markets Association (''SIFMA'') committees, the Operations and Technology Steering Committee and the Options Committee, and at two major industry conferences, the SIFMA Operations Conference and the Options Industry Conference.[11] OCC also discussed the project with the Intermarket Surveillance Group and at an OCC Operations Roundtable. In each case, there was broad support for the initiative.[12]

Certain option contracts have already been listed with Saturday expiration dates as distant as December 2015

[3] *See* Securities Exchange Act Release No. 34–69772 (June 17, 2013), 78 FR 37645 (June 21, 2013) (order approving SR–OCC–2013–004).

[4] *See* Securities Exchange Act Release Nos. 70091 (August 1, 2013), 78 FR 48212 (August 7, 2013) (SR–CBOE–2013–073) and 69996 (July 17, 2013), 78 FR 44183 (July 23, 2013) (SR–MIAX–2013–32).

[5] Examples of options with non-standard expiration contracts include: Quarterly Equity and Exchange-Traded Fund Shares (''ETFs'') Option Series (Chapter IV, Section 6, Commentary .04), Quarterly Options Series for indexes (Chapter XIV, Section 11(g)), Short Term Option Series (Chapter IV, Section 6, Commentary .07) and Short Term Option Series for indexes (Chapter XIV, Section 11(h)).

[6] The Exchange will provide notice to members and member organizations regarding the anticipated change by issuing an Options Trader Alert.

[7] *See* note 5 *supra.*

[8] *See* SR–OCC–2013–04.

[9] *See* note 4 *supra.*

[10] *See* note 8 *supra.*

[11] *Id.*

[12] *Id.*

(which is the furthest out expiration as of the date of this filing). Additionally, until BX completes certain systems enhancements in August 2013, it remains possible that additional option contracts may be listed with Saturday expiration dates beyond February 1, 2015. For these contracts, transitioning to a Friday expiration for newly listed option contracts expiring after February 1, 2015 would create a situation under which certain options with open interest would expire on a Saturday while other options with open interest would expire on a Friday in the same expiration month.

Clearing members have expressed a clear preference to not have a mix of options with open interest that expire on different days in a single month.[13] Accordingly, OCC represented in its recently approved filing that it will not issue and clear any new option contract with a Friday expiration if existing option contracts of the same options class expire on the Saturday following the third Friday of the same month. However, Friday expiration processing will be in effect for these Saturday expiration contracts. As with standard expiration options during the transition period, exercise requests received after Friday expiration processing is complete but before the Saturday contract expiration time will continue to be processed without fines or penalties.

Thus, the Exchange is proposing to update its rules to reflect the above discussed change. More specifically, the Exchange is proposing to add Section 2(p) to Chapter XIV, Index Rules to define ''expiration date'' to be consistent with the revised OCC definition.[14] Thus, consistent with the OCC filing, the Exchange is proposing to add language to these rules stating that any series expiring prior to February 1, 2015 will have a Saturday expiration date while any series expiring on or after February 1, 2015 will have a Friday expiration date.[15]

The Exchange also is proposing to adopt changes to Chapter XIV, Index Rules, Sections 11(a)(5) and 11(d) for consistency to reflect the change in the expiration date definition. To the extent applicable to the timeframes herein, the Exchange is also proposing, with this filing, to replace any reference in the purpose section of any past Exchange rule filings or alerts to any expiration date other than Friday for a standard options contract with the new Friday standard. Essentially, the Exchange is now proposing to replace any relevant historic references to expiration dates to be replaced with the proposed Friday expiration. As stated above, the Exchange believes the proposed change will keep the Exchange consistent with the processing at OCC and will enable the Exchange to give effect to the industry-wide initiative. In addition, the Exchange understands that other exchanges will be filing similar rules, thus creating a uniform expiration date for standard options on listed classes.[16]

The Exchange plans to release an Options Trader Alert to its members and member organizations to inform them of this change prior to the implementation of the rule.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[17] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[18] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[19] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that keeping its rules consistent with those of the industry will protect all participants in the market by eliminating confusion. The proposed changes thus allow for a more orderly market by allowing all options markets, including the clearing agencies, to have the same expiration date for standard options.

In addition, the proposed changes will foster cooperation and coordination with persons engaged in regulating clearing, settling, processing information with respect to, and facilitating transactions in securities by aligning a pivotal part of the options processing to be consistent industry wide. If the industry were to differ, investors would suffer from confusion and be more vulnerable to violate different exchange rules. The proposed changes do not permit unfair discrimination between any members because they are applied to all members equally. In the alternative, the Exchange believes that it helps all members by keeping the Exchange consistent with OCC practices and those of other Exchanges.

B. Self-Regulatory Organization's Statement on Burden on Competition

BX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. Specifically, the Exchange does not believe the proposed rule change will impose a burden on intramarket competition because it will be applied to all members equally. In addition, the Exchange does not believe the proposed rule change will impose any burden to intermarket competition because it will be applied industry wide and apply to all market participants. The proposed rule change is structured to enhance competition because the shift from an expiration date of the Saturday following the third Friday to the third Friday is anticipated to be adopted industry-wide and will apply to all multiply listed classes. This in turn will allow BX to compete more effectively with other exchanges making similar rule changes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received. The Exchange notes, however, that a favorable comment was submitted to the OCC filing.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A)

[13] *Id.*

[14] *Id.*

[15] With the exception of expirations that were listed prior to the effective date of the OCC filing and have open interest.

[16] *See* note 4 *supra.*

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

[19] *Id.*

of the Act [20] and Rule 19b–4(f)(6) [21] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–BX–2013–050 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BX–2013–050. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR–BX–2013–050 and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21230 Filed 8–29–13; 8:45 am]

BILLING CODE 8011–01–P

[20] 15 U.S.C. 78s(b)(3)(A).

[21] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[22] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70253; File No. SR–NASDAQ–2013–107]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Proposed Rule Change Relating to the Listing and Trading of the Shares of the First Trust Global Tactical Commodity Strategy Fund of First Trust Exchange-Traded Fund VII

August 26, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that, on August 16, 2013, The NASDAQ Stock Market LLC (''Exchange'' or ''Nasdaq'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq proposes to list and trade the shares of the First Trust Global Tactical Commodity Strategy Fund (the ''Fund'') of First Trust Exchange-Traded Fund VII (the ''Trust'') under Nasdaq Rule 5735 (''Managed Fund Shares''). The shares of the Fund are collectively referred to herein as the ''Shares.''

The text of the proposed rule change is available at *http://nasdaq.cchwallstreet.com/,* at Nasdaq's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NASDAQ included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NASDAQ has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to list and trade the Shares of the Fund under Nasdaq Rule 5735, which governs the listing and trading of Managed Fund Shares [3] on the Exchange.[4] The Fund will be an actively managed exchange-traded fund (''ETF''). The Shares will be

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] A Managed Fund Share is a security that represents an interest in an investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a–1) (the ''1940 Act'') organized as an open-end investment company or similar entity that invests in a portfolio of securities selected by its investment adviser consistent with its investment objectives and policies. In contrast, an open-end investment company that issues Index Fund Shares, listed and traded on the Exchange under Nasdaq Rule 5705, seeks to provide investment results that correspond generally to the price and yield performance of a specific foreign or domestic stock index, fixed income securities index or combination thereof.

[4] The Commission approved Nasdaq Rule 5735 in Securities Exchange Act Release No. 57962 (June 13, 2008), 73 FR 35175 (June 20, 2008) (SR–NASDAQ–2008–039). The Fund would not be the first actively-managed fund listed on the Exchange; *see* Securities Exchange Act Release No. 66489 (February 29, 2012), 77 FR 13379 (March 6, 2012) (SR–NASDAQ–2012–004) (order approving listing and trading of WisdomTree Emerging Markets Corporate Bond Fund). Additionally, the Commission has previously approved the listing and trading of a number of actively managed WisdomTree funds on NYSE Arca, Inc. pursuant to Rule 8.600 of that exchange. *See, e.g.,* Securities Exchange Act Release No. 64643 (June 10, 2011), 76 FR 35062 (June 15, 2011) (SR–NYSEArca–2011–21) (order approving listing and trading of WisdomTree Global Real Return Fund). The Exchange believes the proposed rule change raises no significant issues not previously addressed in those prior Commission orders.

offered by the Trust, which was established as a Massachusetts business trust on November 6, 2012.[5] The Trust is registered with the Commission as an investment company and has filed a registration statement on Form N–1A (''Registration Statement'') with the Commission.[6] The Fund is a series of the Trust. With respect to the futures contracts held indirectly through a wholly-owned subsidiary controlled by the Fund and organized under the laws of the Cayman Islands (referred to herein as the ''First Trust Subsidiary''), not more than 10% of the weight[7] of such futures contracts in the aggregate shall consist of instruments whose principal trading market is not a member of the Intermarket Surveillance Group (''ISG'') or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement.

First Trust Advisors L.P. will be the investment adviser (''Adviser'') to the Fund. First Trust Portfolios L.P. (the ''Distributor'') will be the principal underwriter and distributor of the Fund's Shares. Brown Brothers Harriman & Co. (''BBH'') will act as the administrator, accounting agent, custodian (''Custodian'') and transfer agent to the Fund.

Paragraph (g) of Rule 5735 provides that if the investment adviser to the investment company issuing Managed Fund Shares is affiliated with a broker-dealer, such investment adviser shall erect a ''fire wall'' between the investment adviser and the broker-dealer with respect to access to information concerning the composition and/or changes to such investment company portfolio.[8] In addition, paragraph (g) further requires that personnel who make decisions on the open-end fund's portfolio composition must be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the open-end fund's portfolio. Rule 5735(g) is similar to Nasdaq Rule 5705(b)(5)(A)(i); however, paragraph (g) in connection with the establishment of a ''fire wall'' between the investment adviser and the broker-dealer reflects the applicable open-end fund's portfolio, not an underlying benchmark index, as is the case with index-based funds. The Adviser is not a broker-dealer, although it is affiliated with the Distributor, a broker-dealer. The Adviser has implemented a fire wall with respect to its broker-dealer affiliate regarding access to information concerning the composition and/or changes to the portfolio. In the event (a) the Adviser becomes newly affiliated with a broker-dealer, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate, if applicable, regarding access to information concerning the composition and/or changes to the portfolio and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio. The Fund does not currently intend to use a sub-adviser.

First Trust Global Tactical Commodity Strategy Fund

According to the Registration Statement, the Fund's investment objective will be to provide total return by providing investors with commodity exposure while seeking a relatively stable risk profile. The Fund will pursue its objective by seeking to invest through a wholly-owned subsidiary in a broadly diversified portfolio comprised principally of commodity futures contracts.

Principal Investments

Fund's Investments

The Fund will be an actively managed ETF that will seek to achieve attractive risk adjusted returns by investing in exchange-traded commodity futures contracts and exchange-traded commodity linked instruments[9] (collectively, ''Commodities'') through the First Trust Subsidiary. The Fund will seek to gain exposure to the futures markets through investments in the First Trust Subsidiary. The Fund's investment in the First Trust Subsidiary may not exceed 25% of the Fund's total assets. The remainder of the Fund's assets will primarily be invested in: (1) Short-term investment grade fixed income securities that include U.S. government and agency securities,[10] sovereign debt obligations of non-U.S. countries, and repurchase agreements;[11] (2) money market instruments;[12] (3) ETFs and other investment companies

[5] The Commission has issued an order granting certain exemptive relief to the Trust under the 1940 Act (the ''Exemptive Order''). *See* Investment Company Act Release No. 30029 (April 10, 2012) (File No. 812–13795). In compliance with Nasdaq Rule 5735(b)(5), which applies to Managed Fund Shares based on an international or global portfolio, the Trust's application for exemptive relief under the 1940 Act states that the Fund will comply with the federal securities laws in accepting securities for deposits and satisfying redemptions with redemption securities, including that the securities accepted for deposits and the securities used to satisfy redemption requests are sold in transactions that would be exempt from registration under the Securities Act of 1933 (15 U.S.C. 77a).

[6] *See* Registration Statement on Form N–1A for the Trust, dated November 13, 2012 (File Nos. 333–184918 and 811–22767). The descriptions of the Fund and the Shares contained herein are based, in part, on information in the Registration Statement.

[7] To be calculated as the value of the contract divided by the total absolute notional value of the First Trust Subsidiary's futures contracts.

[8] An investment adviser to an open-end fund is required to be registered under the Investment Advisers Act of 1940 (the ''Advisers Act''). As a result, the Adviser and its related personnel are subject to the provisions of Rule 204A–1 under the Advisers Act relating to codes of ethics. This Rule requires investment advisers to adopt a code of ethics that reflects the fiduciary nature of the relationship to clients as well as compliance with other applicable securities laws. Accordingly, procedures designed to prevent the communication and misuse of non-public information by an investment adviser must be consistent with Rule 204A–1 under the Advisers Act. In addition, Rule 206(4)–7 under the Advisers Act makes it unlawful for an investment adviser to provide investment advice to clients unless such investment adviser has (i) adopted and implemented written policies and procedures reasonably designed to prevent violation, by the investment adviser and its supervised persons, of the Advisers Act and the Commission rules adopted thereunder; (ii) implemented, at a minimum, an annual review regarding the adequacy of the policies and procedures established pursuant to subparagraph (i) above and the effectiveness of their implementation; and (iii) designated an individual (who is a supervised person) responsible for administering the policies and procedures adopted under subparagraph (i) above.

[9] Exchange-traded commodity linked instruments include: (1) ETFs that provide exposure to commodities as would be listed under Nasdaq Rules 5705 and 5735; and (2) pooled investment vehicles that invest primarily in commodities and commodity-related instruments as would be listed under Nasdaq Rules 5710 and 5711. Such pooled investment vehicles are commonly referred to as ''exchange traded funds'' but they are not registered as investment companies because of the nature of their underlying investments.

[10] Such securities will include securities that are issued or guaranteed by the U.S. Treasury, by various agencies of the U.S. government, or by various instrumentalities, which have been established or sponsored by the U.S. government. U.S. Treasury obligations are backed by the ''full faith and credit'' of the U.S. government. Securities issued or guaranteed by federal agencies and U.S. government-sponsored instrumentalities may or may not be backed by the full faith and credit of the U.S. government.

[11] According to the Registration Statement, the Fund intends to enter into repurchase agreements only with financial institutions and dealers believed by the Adviser to present minimal credit risks in accordance with criteria approved by the Fund's Board of Trustees (the ''Board''). The Adviser will review and monitor the creditworthiness of such institutions. The Adviser will monitor the value of the collateral at the time the transaction is entered into and at all times during the term of the repurchase agreement.

[12] For the Fund's purposes, money market instruments will include: Short-term, high-quality securities issued or guaranteed by non-U.S. governments, agencies and instrumentalities; non-convertible corporate debt securities with remaining maturities of not more than 397 days that satisfy ratings requirements under Rule 2a–7 of the 1940 Act; money market mutual funds; and deposits and other obligations of U.S. and non-U.S. banks and financial institutions. As a related matter, according to the Registration Statement, the Fund may invest in shares of money market mutual funds to the extent permitted by the 1940 Act.

registered under the 1940 Act; and (4) cash and other cash equivalents.

The Fund will not invest directly in Commodities. The Fund expects to exclusively gain exposure to these investments by investing in the First Trust Subsidiary.

The Fund will use the fixed-income securities as investments and to collateralize the First Trust Subsidiary's commodity exposure on a day-to-day basis. The Fund may also invest directly in ETFs [13] and other investment companies, including exchange-traded closed-end funds that provide exposure to commodities, equity securities and fixed income securities to the extent permitted under the 1940 Act.[14]

The Fund's investment in the First Trust Subsidiary will be designed to help the Fund achieve exposure to commodity returns in a manner consistent with the federal tax requirements applicable to the Fund and other regulated investment companies.

First Trust Subsidiary's Investments

The First Trust Subsidiary will seek to make investments generally in Commodities while managing volatility, as measured by annualized standard deviation, to a more consistent range than statistically weighted commodity indices. The investment weightings of the underlying Commodities held by the First Trust Subsidiary will be rebalanced in an attempt to stabilize risk levels. The dynamic weighting process will result in a disciplined, systematic investment process which will be keyed off of the Adviser's volatility forecasting process.

The First Trust Subsidiary will be advised by the Adviser.[15] The Fund's investment in the First Trust Subsidiary is intended to provide the Fund with exposure to commodity markets within the limits of current federal income tax laws applicable to investment companies such as the Fund, which limit the ability of investment companies to invest directly in the derivative instruments. The First Trust Subsidiary will have the same investment objective as the Fund, but unlike the Fund, it may invest without limitation in Commodities. The First Trust Subsidiary's investments will provide the Fund with exposure to domestic and international markets.

The First Trust Subsidiary may have both long and short positions in Commodities. However, for a given Commodity the First Trust Subsidiary will have a net long exposure. The First Trust Subsidiary will initially consider investing in futures contracts set forth in the following table. The table also provides each instrument's trading hours, exchange and ticker symbol. The table is subject to change.

Commodity	Bloomberg exchange code [16]	Exchange name [17]	Trading hours (E.T.)	Contract ticker (generic Bloomberg ticker)
Cattle, Live/Choice Average	CME	Chicago Mercantile Exchange	18:00–17:00	LC
Cocoa	NYB	ICE Futures Exchange	04:00–14:00	CC
Cotton/1–1/16″	NYB	ICE Futures Exchange	21:00–14:30	CT
Feeder Cattle	CME	Chicago Mercantile Exchange	18:00–17:00	FC
Coffee 'C'/Colombian	NYB	ICE Futures Exchange	03:30–14:00	KC
Soybeans/No. 2 Yellow	CBT	Chicago Board of Trade	20:00–14:15	S
Soybean Meal/48% Protein	CBT	Chicago Board of Trade	20:00–14:15	SM
Soybean Oil/Crude	CBT	Chicago Board of Trade	20:00–14:15	BO
Corn/No. 2 Yellow	CBT	Chicago Board of Trade	20:00–14:15	C
Wheat/No. 2 Hard Winter	KCB	Kansas City Board of Trade	20:00–14:15	KW
Wheat/No. 2 Soft Red	CBT	Chicago Board of Trade	20:00–14:15	W
Sugar #11/World Raw	NYB	ICE Futures Exchange	02:30–14:00	SB
Hogs, Lean/Average Iowa/S Minn.	CME	Chicago Mercantile Exchange	18:00–17:00	LH
Crude Oil, WTI/Global Spot	NYM	New York Mercantile Exchange	18:00–17:15	CL
Crude Oil, Brent/Global Spot	ICE	ICE Futures Exchange	20:00–18:00	CO
NY Harb ULSD	NYM	New York Mercantile Exchange	18:00–17:15	HO
Gas-Oil-Petroleum	ICE	ICE Futures Exchange	20:00–18:00	QS
Natural Gas, Henry Hub	NYM	New York Mercantile Exchange	18:00–17:15	NG
Gasoline, Blendstock (RBOB)	NYM	New York Mercantile Exchange	18:00–17:15	XB
Gold	CMX	COMEX	18:00–17:15	GC
Silver	CMX	COMEX	18:00–17:15	SI
Platinum	NYM	New York Mercantile Exchange	18:00–17:15	PL
Copper High Grade/Scrap No. 2 Wire.	CMX	COMEX	18:00–17:15	HG
Aluminum, LME Primary 3 Month Rolling Forward.	LME	London Metal Exchange	15:00–14:45	LA

[13] As described in the Registration Statement, an ETF is an investment company registered under the 1940 Act that holds a portfolio of securities. Many ETFs are designed to track the performance of a securities index, including industry, sector, country and region indexes. ETFs included in the Fund will be listed and traded in the U.S. on registered exchanges. The Fund may invest in the securities of ETFs in excess of the limits imposed under the 1940 Act pursuant to exemptive orders obtained by other ETFs and their sponsors from the Commission. The ETFs in which the Fund may invest include Index Fund Shares (as described in Nasdaq Rule 5705), Portfolio Depositary Receipts (as described in Nasdaq Rule 5705), and Managed Fund Shares (as described in Nasdaq Rule 5735). While the Fund may invest in inverse ETFs, the Fund will not invest in leveraged or inverse leveraged (*e.g.,* 2X or –3X) ETFs.

[14] The equity securities (including shares of ETFs and closed-end funds) in which the Fund may invest will be limited to securities that trade in markets that are members of the ISG, which includes all U.S. national securities exchanges, or are parties to a comprehensive surveillance sharing agreement with the Exchange.

[15] The First Trust Subsidiary will not be registered under the 1940 Act and will not be directly subject to its investor protections, except as noted in the Registration Statement. However, the First Trust Subsidiary will be wholly-owned and controlled by the Fund and will be advised by the Adviser. Therefore, the Fund's ownership and control of the First Trust Subsidiary will prevent the First Trust Subsidiary from taking action contrary to the interests of the Fund or its shareholders. The Board will have oversight responsibility for the investment activities of the Fund, including its expected investment in the First Trust Subsidiary, and the Fund's role as the sole shareholder of the First Trust Subsidiary. The Adviser will receive no additional compensation for managing the assets of the First Trust Subsidiary. The First Trust Subsidiary will also enter into separate contracts for the provision of custody, transfer agency, and accounting agent services with the same or with affiliates of the same service providers that provide those services to the Fund.

[16] The exchange codes listed are Bloomberg shorthand codes for the corresponding exchanges. The New York Board of Trade is currently owned by the ICE Futures Exchange; Bloomberg continues to use NYB as its shorthand code for certain contracts formerly traded on the New York Board of Trade.

[17] All of the exchanges are ISG members except for the London Metal Exchange (''LME''). The LME falls under the jurisdiction of the United Kingdom Financial Conduct Authority (''FCA''). The FCA is responsible for ensuring the financial stability of the exchange members' businesses, whereas the LME is largely responsible for the oversight of day-to-day exchange activity, including conducting the arbitration proceedings under the LME arbitration regulations.

Commodity	Bloomberg exchange code [16]	Exchange name [17]	Trading hours (E.T.)	Contract ticker (generic Bloomberg ticker)
Lead, LME Primary 3 Month Rolling Forward.	LME	London Metal Exchange	15:00–14:45	LL
Nickel, LME Primary 3 Month Rolling Forward.	LME	London Metal Exchange	15:00–14:45	LN
Tin, LME Primary 3 Month Rolling Forward.	LME	London Metal Exchange	15:00–14:45	LT
Zinc, LME Primary 3 Month Rolling Forward.	LME	London Metal Exchange	15:00–14:45	LX

As U.S. and London exchanges list additional contracts, as currently listed contracts on those exchanges gain sufficient liquidity or as other exchanges list sufficiently liquid contracts, the Adviser will include those contracts in the list of possible investments of the First Trust Subsidiary. The list of commodities futures and commodities markets considered for investment can and will change over time.

Commodities Regulation

The Commodity Futures Trading Commission (''CFTC'') has recently adopted substantial amendments to CFTC Rule 4.5 relating to the permissible exemptions and conditions for reliance on exemptions from registration as a commodity pool operator. As a result of the instruments that will be indirectly held by the Fund, the Adviser has registered as a commodity pool operator [18] and is also a member of the National Futures Association (''NFA''). The Fund and the First Trust Subsidiary are subject to regulation by the CFTC and NFA and additional disclosure, reporting and recordkeeping rules imposed upon commodity pools.

Other Investments

The Fund may invest in certificates of deposit issued against funds deposited in a bank or savings and loan association. In addition, the Fund may invest in bankers' acceptances, which are short-term credit instruments used to finance commercial transactions.

The Fund may invest in bank time deposits, which are monies kept on deposit with banks or savings and loan associations for a stated period of time at a fixed rate of interest. In addition, the Fund may invest in commercial paper, which are short-term unsecured promissory notes, including master demand notes issued by corporations to finance their current operations. Master demand notes are direct lending arrangements between the Fund and a corporation. The Fund may invest in commercial paper only if it has received the highest rating from at least one nationally recognized statistical rating organization or, if unrated, judged by the Adviser to be of comparable quality.

Investment Restrictions

According to the Registration Statement, the Fund may not invest more than 25% of the value of its total assets in securities of issuers in any one industry or group of industries. This restriction will not apply to obligations issued or guaranteed by the U.S. government, its agencies or instrumentalities, or securities of other investment companies.[19]

The First Trust Subsidiary's shares will be offered only to the Fund and the Fund will not sell shares of the First Trust Subsidiary to other investors. The Fund and the First Trust Subsidiary will not invest in any non-U.S. equity securities (other than shares of the First Trust Subsidiary). The Fund will not purchase securities of open-end or closed-end investment companies except in compliance with the 1940 Act.

Pursuant to the Exemptive Order, the Fund will not invest directly in options contracts, futures contracts or swap agreements, however, this restriction will not apply to the First Trust Subsidiary.

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser and master demand notes.[20] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid securities. Illiquid securities include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.[21]

The Fund intends to qualify for and to elect to be treated as a separate regulated investment company under SubChapter M of the Internal Revenue Code.[22]

Under the 1940 Act, the Fund's investment in investment companies will be limited to, subject to certain exceptions: (i) 3% of the total outstanding voting stock of any one investment company, (ii) 5% of the Fund's total assets with respect to any one investment company, and (iii) 10%

[18] As defined in Section 1a(11) of the Commodity Exchange Act.

[19] *See* Form N–1A, Item 9. The Commission has taken the position that a fund is concentrated if it invests more than 25% of the value of its total assets in any one industry. *See, e.g.,* Investment Company Act Release No. 9011 (October 30, 1975), 40 FR 54241 (November 21, 1975).

[20] In reaching liquidity decisions, the Adviser may consider the following factors: The frequency of trades and quotes for the security; the number of dealers wishing to purchase or sell the security and the number of other potential purchasers; dealer undertakings to make a market in the security; and the nature of the security and the nature of the marketplace trades (*e.g.,* the time needed to dispose of the security, the method of soliciting offers, and the mechanics of transfer).

[21] The Commission has stated that long-standing Commission guidelines have required open-end funds to hold no more than 15% of their net assets in illiquid securities and other illiquid assets. *See* Investment Company Act Release No. 28193 (March 11, 2008), 73 FR 14618 (March 18, 2008), FN 34. *See also* Investment Company Act Release No. 5847 (October 21, 1969), 35 FR 19989 (December 31, 1970) (Statement Regarding ''Restricted Securities''); Investment Company Act Release No. 18612 (March 12, 1992), 57 FR 9828 (March 20, 1992) (Revisions of Guidelines to Form N–1A). A fund's portfolio security is illiquid if it cannot be disposed of in the ordinary course of business within seven days at approximately the value ascribed to it by the fund. *See* Investment Company Act Release No. 14983 (March 12, 1986), 51 FR 9773 (March 21, 1986) (adopting amendments to Rule 2a–7 under the 1940 Act); Investment Company Act Release No. 17452 (April 23, 1990), 55 FR 17933 (April 30, 1990) (adopting Rule 144A under the Securities Act of 1933).

[22] 26 U.S.C. 851.

of the Fund's total assets with respect to investment companies in the aggregate.

The Fund's and the First Trust Subsidiary's investments will be consistent with the Fund's investment objective and will not be used to enhance leverage.

Net Asset Value

According to the Registration Statement, the Fund's net asset value (''NAV'') will be determined as of the close of trading (normally 4:00 p.m., Eastern time (''E.T.'')) on each day the New York Stock Exchange (''NYSE'') is open for business. NAV will be calculated for the Fund by taking the market price of the Fund's total assets, including interest or dividends accrued but not yet collected, less all liabilities, and dividing such amount by the total number of Shares outstanding. The result, rounded to the nearest cent, will be the NAV per Share. All valuations will be subject to review by the Board or its delegate.

The Fund's and the First Trust Subsidiary's investments will be valued at market value or, in the absence of market value with respect to any investment, at fair value in accordance with valuation procedures adopted by the Board and in accordance with the 1940 Act. Portfolio securities traded on more than one securities exchange will be valued at the last sale price or, if so disseminated by an exchange, the official closing price, as applicable, on the business day as of which such value is being determined at the close of the exchange representing the principal market for such securities. Portfolio securities traded in the over-the-counter market will be valued at their closing bid prices. Short-term investments that mature in less than 60 days when purchased will be valued at cost adjusted for amortization of premiums and accretion of discounts.

Exchange-traded futures contracts will be valued at the closing price in the market where such contracts are principally traded.

Certain securities may not be able to be priced by pre-established pricing methods. Such securities may be valued by the Board or its delegate at fair value. The use of fair value pricing by the Fund will be governed by valuation procedures adopted by the Board and in accordance with the provisions of the 1940 Act. These securities generally include, but are not limited to, restricted securities (securities which may not be publicly sold without registration under the Securities Act of 1933) for which a pricing service is unable to provide a market price; securities whose trading has been formally suspended; a security whose market price is not available from a pre-established pricing source; a security with respect to which an event has occurred that is likely to materially affect the value of the security after the market has closed but before the calculation of the Fund's net asset value or make it difficult or impossible to obtain a reliable market quotation; and a security whose price, as provided by the pricing service, does not reflect the security's ''fair value.'' As a general principle, the current ''fair value'' of a security would appear to be the amount which the owner might reasonably expect to receive for the security upon its current sale. The use of fair value prices by the Fund generally results in the prices used by the Fund that may differ from current market quotations or official closing prices on the applicable exchange. A variety of factors may be considered in determining the fair value of such securities.

Creation and Redemption of Shares

The Trust will issue and sell Shares of the Fund only in Creation Unit aggregations, and only in aggregations of 50,000 Shares, on a continuous basis through the Distributor, without a sales load, at the NAV next determined after receipt, on any business day, of an order in proper form.

The consideration for purchase of Creation Unit aggregations of the Fund may consist of (i) cash in lieu of all or a portion of the Deposit Securities, as defined below, and/or (ii) a designated portfolio of securities determined by the Adviser that generally will conform to the holdings of the Fund consistent with its investment objective (the ''Deposit Securities'') per each Creation Unit aggregation and generally an amount of cash (the ''Cash Component'') computed as described below. Together, the Deposit Securities and the Cash Component (including the cash in lieu amount) will constitute the ''Fund Deposit,'' which will represent the minimum initial and subsequent investment amount for a Creation Unit aggregation of the Fund.

The consideration for redemption of Creation Unit aggregations of the Fund may consist of (i) cash in lieu of all or a portion of the Fund Securities as defined below, and/or (ii) a designated portfolio of securities determined by the Adviser that generally will conform to the holdings of the Fund consistent with its investment objective per each Creation Unit aggregation (''Fund Securities'') and generally a Cash Component, as described below.

The Cash Component is sometimes also referred to as the Balancing Amount. The Cash Component will serve the function of compensating for any differences between the NAV per Creation Unit aggregation and the Deposit Amount (as defined below). For example, for a creation the Cash Component will be an amount equal to the difference between the NAV of Fund Shares (per Creation Unit aggregation) and the ''Deposit Amount''—an amount equal to the market value of the Deposit Securities and/or cash in lieu of all or a portion of the Deposit Securities. If the Cash Component is a positive number (*i.e.,* the NAV per Creation Unit aggregation exceeds the Deposit Amount), the Authorized Participant (defined below) will deliver the Cash Component. If the Cash Component is a negative number (*i.e.,* the NAV per Creation Unit aggregation is less than the Deposit Amount), the Authorized Participant will receive the Cash Component.

The Custodian, through the National Securities Clearing Corporation (''NSCC''), will make available on each business day, prior to the opening of business of the NYSE (currently 9:30 a.m., E.T.), the list of the names and the quantity of each Deposit Security to be included in the current Fund Deposit (based on information at the end of the previous business day). Such Fund Deposit will be applicable, subject to any adjustments as described below, in order to effect creations of Creation Unit aggregations of the Fund until such time as the next-announced composition of the Deposit Securities is made available.

The identity and quantity of the Deposit Securities required for a Fund Deposit for the Shares may change as rebalancing adjustments and corporate action events are reflected within the Fund from time to time by the Adviser consistent with the investment objective of the Fund. In addition, the Trust will reserve the right to permit or require the substitution of an amount of cash, *i.e.,* a ''cash in lieu'' amount, to be added to the Cash Component to replace any Deposit Security that may not be available in sufficient quantity for delivery or which might not be eligible for trading by an Authorized Participant or the investor for which it is acting or other relevant reason.

In addition to the list of names and numbers of securities constituting the current Deposit Securities of a Fund Deposit, the Custodian, through the NSCC, will also make available on each business day, the estimated Cash Component, effective through and including the previous business day, per Creation Unit aggregation of the Fund.

According to the Registration Statement, to be eligible to place orders with respect to creations and

redemptions of Creation Units, an entity must be (i) a ''Participating Party,'' *i.e.,* a broker-dealer or other participant in the clearing process through the continuous net settlement system of the NSCC or (ii) a Depository Trust Company (''DTC'') Participant (a ''DTC Participant''). In addition, each Participating Party or DTC Participant (each, an ''Authorized Participant'') must execute an agreement that has been agreed to by the Distributor and the Custodian with respect to purchases and redemptions of Creation Units.

All orders to create Creation Unit aggregations must be received by the transfer agent no later than the closing time of the regular trading session on the NYSE (ordinarily 4:00 p.m., E.T.) in each case on the date such order is placed in order for creations of Creation Unit aggregations to be effected based on the NAV of Shares of the Fund as next determined on such date after receipt of the order in proper form.

In order to redeem Creation Units of the Fund, an Authorized Participant must submit an order to redeem for one or more Creation Units. All such orders must be received by the Fund's transfer agent in proper form no later than the close of regular trading on the NYSE (ordinarily 4:00 p.m. E.T.) in order to receive that day's closing NAV per Share.

Availability of Information

The Fund's Web site (*www.ftportfolios.com*), which will be publicly available prior to the public offering of Shares, will include a form of the prospectus for the Fund that may be downloaded. The Web site will include the Share's ticker, Cusip and exchange information along with additional quantitative information updated on a daily basis, including, for the Fund: (1) Daily trading value, the prior business day's reported NAV and closing price, mid-point of the bid/ask spread at the time of calculation of such NAV (the ''Bid/Ask Price'') [23] and a calculation of the premium and discount of the Bid/Ask Price against the NAV; and (2) data in chart format displaying the frequency distribution of discounts and premiums of the daily Bid/Ask Price against the NAV, within appropriate ranges, for each of the four previous calendar quarters. On each business day, before commencement of trading in Shares in the Regular Market Session [24] on the Exchange, the Fund will disclose on its Web site the identities and quantities of the portfolio of securities, Commodities and other assets (the ''Disclosed Portfolio'' as defined in Nasdaq Rule 5735(c)(2)) held by the Fund and the First Trust Subsidiary that will form the basis for the Fund's calculation of NAV at the end of the business day.[25] The Disclosed Portfolio will include, as applicable, the names, quantity, percentage weighting and market value of securities, Commodities and other assets held by the Fund and the First Trust Subsidiary and the characteristics of such assets. The Web site and information will be publicly available at no charge.

In addition, for the Fund, an estimated value, defined in Rule 5735(c)(3) as the ''Intraday Indicative Value,'' that reflects an estimated intraday value of the Fund's portfolio (including the First Trust Subsidiary's portfolio), will be disseminated. Moreover, the Intraday Indicative Value, available on the NASDAQ OMX Information LLC proprietary index data service [26] will be based upon the current value for the components of the Disclosed Portfolio and will be updated and widely disseminated by one or more major market data vendors and broadly displayed at least every 15 seconds during the Regular Market Session.

The dissemination of the Intraday Indicative Value, together with the Disclosed Portfolio, will allow investors to determine the value of the underlying portfolio of the Fund on a daily basis and will provide a close estimate of that value throughout the trading day.

Intra-day, executable price quotations on the securities, Commodities and other assets held by the Fund and the First Trust Subsidiary, will be available from major broker-dealer firms or on the exchange on which they are traded, as applicable. Intra-day price information will also be available through subscription services, such as Bloomberg, Markit and Thomson Reuters, which can be accessed by Authorized Participants and other investors.

Investors will also be able to obtain the Fund's Statement of Additional Information (''SAI''), the Fund's Shareholder Reports, and its Form N–CSR and Form N–SAR, filed twice a year. The Fund's SAI and Shareholder Reports will be available free upon request from the Fund, and those documents and the Form N–CSR and Form N–SAR may be viewed on-screen or downloaded from the Commission's Web site at *www.sec.gov.* Information regarding market price and volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. The previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last sale information for the Shares will be available via Nasdaq proprietary quote and trade services, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association plans for the Shares and any underlying exchange-traded products.

Additional information regarding the Fund and the Shares, including investment strategies, risks, creation and redemption procedures, fees, Fund holdings disclosure policies, distributions and taxes will be included in the Registration Statement. All terms relating to the Fund that are referred to, but not defined in, this proposed rule change are defined in the Registration Statement.

Initial and Continued Listing

The Shares will be subject to Rule 5735, which sets forth the initial and continued listing criteria applicable to Managed Fund Shares. The Exchange represents that, for initial and/or continued listing, the Fund and the First Trust Subsidiary must be in compliance with Rule 10A–3 [27] under the Act. A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange. The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio

[23] The Bid/Ask Price of the Fund will be determined using the midpoint of the highest bid and the lowest offer on the Exchange as of the time of calculation of the Fund's NAV. The records relating to Bid/Ask Prices will be retained by the Fund and its service providers.

[24] *See* Nasdaq Rule 4120(b)(4) (describing the three trading sessions on the Exchange: (1) Pre-Market Session from 4 a.m. to 9:30 a.m. E.T.; (2) Regular Market Session from 9:30 a.m. to 4 p.m. or 4:15 p.m. E.T.; and (3) Post-Market Session from 4 p.m. or 4:15 p.m. to 8 p.m. E.T.).

[25] Under accounting procedures to be followed by the Fund, trades made on the prior business day (''T'') will be booked and reflected in NAV on the current business day (''T+1''). Notwithstanding the foregoing, portfolio trades that are executed prior to the opening of the Exchange on any business day may be booked and reflected in NAV on such business day. Accordingly, the Fund will be able to disclose at the beginning of the business day the portfolio that will form the basis for the NAV calculation at the end of the business day.

[26] Currently, the NASDAQ OMX Global Index Data Service (''GIDS'') is the NASDAQ OMX global index data feed service, offering real-time updates, daily summary messages, and access to widely followed indexes and Intraday Indicative Values for ETFs. GIDS provides investment professionals with the daily information needed to track or trade NASDAQ OMX indexes, listed ETFs, or third-party partner indexes and ETFs.

[27] *See* 17 CFR 240.10A–3.

will be made available to all market participants at the same time.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares of the Fund. Nasdaq will halt trading in the Shares under the conditions specified in Nasdaq Rules 4120 and 4121, including the trading pauses under Nasdaq Rules 4120(a)(11) and (12). Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) The extent to which trading is not occurring in the securities, Commodities and other assets constituting the Disclosed Portfolio of the Fund and the First Trust Subsidiary; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. Trading in the Shares also will be subject to Rule 5735(d)(2)(D), which sets forth circumstances under which Shares of the Fund may be halted.

Trading Rules

Nasdaq deems the Shares to be equity securities, thus rendering trading in the Shares subject to Nasdaq's existing rules governing the trading of equity securities. Nasdaq will allow trading in the Shares from 4:00 a.m. until 8:00 p.m. E.T. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in Nasdaq Rule 5735(b)(3), the minimum price variation for quoting and entry of orders in Managed Fund Shares traded on the Exchange is $0.01.

Surveillance

The Exchange represents that trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and also the Financial Industry Regulatory Authority (''FINRA'') on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws.[28] The Exchange represents that these procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws.

The surveillances referred to above generally focus on detecting securities trading outside their normal patterns, which could be indicative of manipulative or other violative activity. When such situations are detected, surveillance analysis follows and investigations are opened, where appropriate, to review the behavior of all relevant parties for all relevant trading violations.

FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary with other markets and other entities that are members of the ISG[29] and FINRA may obtain trading information regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement.

In addition, with respect to the futures contracts held indirectly through the First Trust Subsidiary, not more than 10% of the weight[30] of such futures contracts in the aggregate shall consist of instruments whose principal trading market is not a member of ISG or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement. In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (1) The procedures for purchases and redemptions of Shares in Creation Units (and that Shares are not individually redeemable); (2) Nasdaq Rule 2111A, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in the Shares to customers; (3) how information regarding the Intraday Indicative Value is disseminated; (4) the risks involved in trading the Shares during the Pre-Market and Post-Market Sessions when an updated Intraday Indicative Value will not be calculated or publicly disseminated; (5) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (6) trading information.

In addition, the Information Circular will advise members, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Fund. Members purchasing Shares from the Fund for resale to investors will deliver a prospectus to such investors. The Information Circular will also discuss any exemptive, no-action and interpretive relief granted by the Commission from any rules under the Act.

Additionally, the Information Circular will reference that the Fund is subject to various fees and expenses described in the Registration Statement. The Information Circular will also disclose the trading hours of the Shares of the Fund and the applicable NAV calculation time for the Shares. The Information Circular will disclose that information about the Shares of the Fund will be publicly available on the Fund's Web site.

2. Statutory Basis

Nasdaq believes that the proposal is consistent with Section 6(b) of the Act in general and Section 6(b)(5) of the Act in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed and traded on the Exchange pursuant to the initial and continued listing criteria in Nasdaq Rule 5735. The Exchange represents that trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and also FINRA on behalf of the Exchange, which are designed to

[28] FINRA surveils trading on the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

[29] For a list of the current members of ISG, *see www.isgportal.org.* The Exchange notes that not all components of the Disclosed Portfolio may trade on markets that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

[30] To be calculated as the value of the contract divided by the total absolute notional value of the First Trust Subsidiary's futures contracts.

detect violations of Exchange rules and applicable federal securities laws. The Adviser is affiliated with a broker-dealer and has implemented a fire wall with respect to its broker-dealer affiliate regarding access to information concerning the composition and/or changes to the Fund's portfolio. In addition, paragraph (g) of Nasdaq Rule 5735 further requires that personnel who make decisions on the open-end fund's portfolio composition must be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the open-end fund's portfolio. The Fund's and the First Trust Subsidiary's investments will be consistent with the Fund's investment objective and will not be used to enhance leverage. FINRA may obtain information via ISG from other exchanges that are members of ISG. In addition, the Exchange may obtain information regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement. With respect to the futures contracts held indirectly through the First Trust Subsidiary, not more than 10% of the weight [31] of such futures contracts in the aggregate shall consist of instruments whose principal trading market is not a member of the ISG or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement. The Fund will invest up to 25% of its total assets in the First Trust Subsidiary. The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities and master demand notes. The Fund will not invest directly in Commodities and the Fund expects to exclusively gain exposure to these investments by investing in the First Trust Subsidiary. The Fund will use the fixed-income securities as investments and to collateralize the First Trust Subsidiary's commodity exposure on a day-to-day basis. The Fund may also invest directly in ETFs and other investment companies, including exchange-traded closed-end funds, that provide exposure to commodities, equity securities and fixed income securities to the extent permitted under the 1940 Act. The Fund and the First Trust Subsidiary will not invest in any non-U.S. equity securities (other than shares of the First Trust Subsidiary).

The proposed rule change is designed to promote just and equitable principles of trade and to protect investors and the public interest in that the Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time. In addition, a large amount of information will be publicly available regarding the Fund and the Shares, thereby promoting market transparency. Moreover, the Intraday Indicative Value, available on the NASDAQ OMX Information LLC proprietary index data service will be widely disseminated by one or more major market data vendors at least every 15 seconds during the Regular Market Session. On each business day, before commencement of trading in Shares in the Regular Market Session on the Exchange, the Fund will disclose on its Web site the Disclosed Portfolio of the Fund and the First Trust Subsidiary that will form the basis for the Fund's calculation of NAV at the end of the business day. Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services, and quotation and last sale information for the Shares will be available via Nasdaq proprietary quote and trade services, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association plans for the Shares and any underlying exchange-traded products. Intra-day price information will be available through subscription services, such as Bloomberg, Markit and Thomson Reuters, which can be accessed by Authorized Participants and other investors.

The Fund's Web site will include a form of the prospectus for the Fund and additional data relating to NAV and other applicable quantitative information. Trading in Shares of the Fund will be halted under the conditions specified in Nasdaq Rules 4120 and 4121 or because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable, and trading in the Shares will be subject to Nasdaq Rule 5735(d)(2)(D), which sets forth circumstances under which Shares of the Fund may be halted. In addition, as noted above, investors will have ready access to information regarding the Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest in that it will facilitate the listing and trading of an additional type of actively-managed exchange-traded product that will enhance competition among market participants, to the benefit of investors and the marketplace. As noted above, FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary with other markets and other entities that are members of the ISG and FINRA may obtain trading information regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and in the Commodities and other exchange-traded securities and instruments held by the Fund and the First Trust Subsidiary from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement. Furthermore, as noted above, investors will have ready access to information regarding the Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares.

For the above reasons, Nasdaq believes the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed rule change will facilitate the listing and trading of an additional type of actively-managed exchange-traded fund that will enhance competition among market participants, to the benefit of investors and the marketplace.

[31] To be calculated as the value of the contract divided by the total absolute notional value of the First Trust Subsidiary's futures contracts.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission shall: (a) By order approve or disapprove such proposed rule change, or (b) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml);* or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2013–107 on the subject line.

Paper Comments:

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number *SR–NASDAQ–2013–107.* This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml).* Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number *SR–NASDAQ–2013–107* and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21184 Filed 8–29–13; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70256; File No. SR–BYX–2013–029]

Self-Regulatory Organizations; BATS Y-Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Related to Registration and Continuing Education Fees for BATS Y-Exchange, Inc.

August 26, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 16, 2013, BATS Y-Exchange, Inc. (the ''Exchange'' or ''BYX'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the Exchange. The Exchange has designated the proposed rule change as one establishing or changing a member due, fee, or other charge imposed by the Exchange under Section 19(b)(3)(A)(ii) of the Act[3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposed rule change effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange filed a proposal to amend Rule 2.5, entitled ''Restrictions,'' to include the Regulatory Fees that will be charged to certain registered persons at the Exchange for the proficiency examination and continuing education (''CE'') requirements under the Rule. Changes to Exchange fees pursuant to this proposal are effective upon filing.

The text of the proposed rule change is available at the Exchange's Web site at *http://www.batstrading.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to add Interpretation and Policy .01(j) to Rule 2.5 to include the examination fee that will be charged to individuals that choose to complete the Proprietary Traders Qualification Examination (''Series 56''). Specifically, the Exchange is proposing to add a $195 examination fee for this examination. The Exchange also proposes to add Interpretation and Policy .02(f) to Rule 2.5 to include a $60 session fee for those individuals that must complete the S501 Series 56 Proprietary Trader Continuing Education Program (''S501'').

Examination Fee

Recently, the Exchange amended Interpretation and Policy .01(f) to Rule 2.5 to include the registration and qualification requirements for persons registered as Proprietary Traders with

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[32] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

the Exchange.[5] Under this provision, those who wish to register as a Proprietary Trader with the Exchange must complete the Series 56 examination. Thus, the Exchange is proposing to include the $195 fee that will be charged to individuals who wish to complete this examination. This fee will be collected with [sic] the administrator of the Series 56, which is currently FINRA. The Exchange will not invoice or collect this fee.

Rule 2.5 does not currently set forth the examination fees for other qualification examinations required or accepted by the Exchange because these programs are within the jurisdiction of the Financial Industry Regulatory Authority (''FINRA''), which collects these examination fees from its members. The Series 56, however, applies to Exchange Members that are not required by Section 15(b)(8)[6] of the Act to become FINRA Members. Therefore, [sic] Exchange believes it is appropriate to include the Series 56 examination fee within Rule 2.5 to make the cost of this examination clear to Exchange Members. The examination fee is designed to reflect the costs of maintaining and developing the Series 56 and to ensure that the examination's content is and continues to be adequate for testing the competence and knowledge generally applicable to proprietary trading.

Continuing Education Fees

Interpretation and Policy .02(a) to Rule 2.5 requires all Registered Representatives to complete the Regulatory Element of the CE program beginning with the ''occurrence of their second registration anniversary date and every three years thereafter or as otherwise prescribed by the Exchange.'' Recently, the Exchange amended Interpretation and Policy .02 to enumerate the different CE programs appropriate for each category of registration with the Exchange.[7] The Exchange is now proposing to outline the necessary fees associated with the Regulatory Element of the S501.[8]

The Exchange has determined that this fee change is necessary to administer the Series 56 CE program. Specifically, the $60 session fee will be used to fund the CE program administered to Proprietary Traders that have a Series 56 registration and are required to complete the S501. The Exchange believes the $60 fee is reasonable and proportional based upon the programming of the CE. In addition, the $60 fee will only be used for the administration of the CE, while the costs associated with the development of the S501 are included in the examination fee. Like the examination fee for the Series 56, the S501 fee will be collected by the administrator of the Program, which is currently FINRA. The Exchange will not invoice or collect this fee. The Exchange is not proposing to include the CE fees for the other CE programs enumerated in the Rule. Like the registration examinations, these CE programs are within FINRA's jurisdiction and FINRA collects the session fees from its members.

Because the CE element is separate and different from the CE programs already administered, the proposed change would put Registered Representatives on notice of the associated fees. The proposed fee would also allow the Exchange to fund the S501, which is more tailored to the Series 56 registration. In addition, the Exchange believes other exchanges will be assessing the same fee for this CE program. The proposed changes are to take effect on August 19, 2013.

2. Statutory Basis

The Exchange believes that its proposal is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(5) of the Act,[10] which requires that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, and processing information with respect to, and facilitation of transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.[11] The proposed changes fulfill this requirement because the fees are allocated to all individuals who have or wish to have a Series 56 registration. The proposed fees are reasonably designed to allow FINRA to cover its cost of administering the Series 56 examination program on behalf of the Exchange. The fee for the Series 56 examination is greater than the fee for the CE program because the examination fee is also designed to cover the costs associated with developing both the Series 56 examination and the related S501. The S501 fee is meant only to cover the costs of administering the CE sessions. The Exchange notes that it will not invoice or collect funds from Members that are subject to these fees because these fees will be paid directly to FINRA. The Exchange and the current administrator of the examination and CE program, FINRA, incur costs in maintaining and developing the examination and CE program to ensure the content is and continues to be adequate for testing the competence and knowledge generally applicable to proprietary trading. The Exchange believes it is reasonable and equitable to include these fees in Interpretations and Policies .01(j) and .02(f) to make the costs of the Series 56 and its related CE requirement clear to Members. Moreover, the Exchange believes other exchanges will be assessing the same fees for this examination and related CE program.[12]

Finally, the Exchange believes the proposed rule change is consistent with Section 6(b)(1) of the Act,[13] which requires that the Exchange be organized and have the capacity to be able to carry out the purposes of the Act such that it can enforce compliance with the Act by persons registered with the Exchange.

[5] *See* SR–BYX–2013–028 (filed Aug. 15, 2013), *available at http://www.batstrading.com/regulation/rule_filings/byx.*

[6] 15 U.S.C. 78o(b)(8).

[7] *Id.* [sic]

[8] The Exchange has assisted with the development of, and plan to administer, the Series 56 and S501 along with the following participating self-regulatory organizations: BATS Exchange, Inc., Chicago Board Options Exchange (''CBOE''), C2 Options Inc. (''C2''), the Chicago Stock Exchange, Inc., the New York Stock Exchange, LLC, NYSE Arca, Inc., NYSE Amex, LLC, the NASDAQ Stock Market LLC, the National Stock Exchange, Inc., NASDAQ OMX BX, Inc., NASDAQ OMX PHLX, LLC, EDGA Exchange, Inc. (''EDGA''), EDGX Exchange, Inc. (''EDGX''), International Securities Exchange, LLC, and BOX Options Exchange, LLC.

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

[12] CBOE, C2, EDGX, and EDGA have already assessed this $60 fee. Securities Exchange Act Release No. 70064 (July 30, 2013), 78 FR 47469 (Aug. 5, 2013) (SR–CBOE–2013–078); Securities Exchange Act Release No. 70194 (Aug. 14, 2013) (SR–C2–2013–030); Securities Exchange Act Release No. 70162 (Aug. 12, 2013) (SR–EDGX–2013–31); Securities Exchange Act Release No. 70163 (Aug. 12, 2013) (SR–EDGA–203–24 [sic]). EDGX and EDGA have also already assessed the $195 examination fee. Securities Exchange Act Release No. 70162 (Aug. 12, 2013) (SR–EDGX–2013–31); Securities Exchange Act Release No. 70163 (Aug. 12, 2013) (SR–EDGA–203–24 [sic]).

[13] 15 U.S.C. 78f(b)(1).

As previously discussed, the proposed rule change is designed to fund the administration of the Series 56 and S501. Thus, the proposed rule change will help the Exchange enforce compliance with the Act and Exchange Rules by those persons registered as Proprietary Traders.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. In particular, the proposed rule change will not impose any burden on intermarket competition because it will merely serve to aid the Exchange in fulfilling its obligations as a Self-Regulatory Organization by funding the administration of the Series 56 and S501. The proposed rule change will not impose any burden on intramarket competition because all Registered Representatives are required to pass a qualification examination and fulfill the appropriate CE requirement as outlined in Interpretations and Policies .01 and .02 of Rule 2.5, and the fees for the Series 56 and S501 will apply uniformly to all Members. In addition, as noted above, the Exchange believes other exchanges will be assessing the same fees for the Series 56 and related CE program to be collected by FINRA.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [14] and paragraph (f) of Rule 19b–4 thereunder.[15] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–BYX–2013–029 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BYX–2013–029. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BYX–2013–029 and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21186 Filed 8–29–13; 8:45 am]

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[14] 15 U.S.C. 78s(b)(3)(A).

[15] 17 CFR 240.19b–4(f).

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70259; File No. SR–Phlx–2013–89]

Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Change the Expiration Date For Most Option Contracts to the Third Friday of the Expiration Month Instead of the Saturday Following the Third Friday

August 26, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 21, 2013, NASDAQ OMX PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange rules to change the expiration date for most option contracts to the third Friday of the expiration month instead of the Saturday following the third Friday. The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqomxphlx.cchwallstreet.com/nasdaqomxphlx/phlx,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.196–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to change the expiration date for most option contracts to the third Friday of the expiration month instead of the Saturday following the third Friday. More specifically, the Exchange is proposing to amend rule text referencing Saturday expirations. The Exchange notes, however, that this change will apply to all standard expiration contracts including those in which the rules are silent on the expiration date.[3] The Exchange is making this filing to harmonize its rules in connection with a recently approved rule filing made by The Options Clearing Corporation (''OCC'') which made substantially similar changes.[4] The Exchange believes that the industry must remain consistent in expiration dates, and, thus, is proposing to update its rules to remain consistent with those of OCC. In addition, the Exchange understands that other exchanges have and will be filing similar rules to effect this industry-wide initiative.[5]

Most option contracts (''standard expiration contracts'') currently expire at the ''expiration time'' (11:59 p.m. Eastern Time) on the Saturday following the third Friday of the specified expiration month (the ''expiration date'').[6] With this filing, the Exchange is proposing to give advance notice to its members and member organizations that the expiration date for standard expiration contracts is changing to the third Friday of the expiration month.[7] (The expiration time would continue to be 11:59 p.m. Eastern Time on the expiration date.) The change would apply only to standard expiration contracts expiring after February 1, 2015, and the Exchange, similar to OCC, does not propose to change the expiration date for any outstanding option contracts. The change will apply only to series of option contracts opened for trading after the effective date of the OCC rule change and having expiration dates later than February 1, 2015. Option contracts having non-standard expiration dates (''non-standard expiration contracts'') will be unaffected by this proposed rule change, except that FLEX options having expiration dates later than February 1, 2015 cannot expire on a Saturday unless they are specified by OCC as grandfathered.[8]

In order to provide a smooth transition to the Friday expiration OCC has begun to move the expiration exercise procedures to Friday for all standard expiration contracts even though the contracts would continue to expire on Saturday.[9] After February 1, 2015, virtually all standard expiration contracts will actually expire on Friday. The only standard expiration contracts that will expire on a Saturday after February 1, 2015 are certain options that were listed prior to the effectiveness of the OCC rule change, and a limited number of options that may be listed prior to necessary systems changes of the options exchanges, which are expected to be completed in August 2013. After these systems changes are made, Phlx will not list any additional options with Saturday expiration dates falling after February 1, 2015. Phlx understands that the other exchanges are committed to the same listing schedule.[10]

The Exchange notes that OCC, industry groups, clearing members and the other exchanges have been active participants in planning for the transition to the Friday expiration.[11] In March 2012, OCC began to discuss moving standard contract expirations to Friday expiration dates with industry groups, including two Securities Industry and Financial Markets Association (''SIFMA'') committees, the Operations and Technology Steering Committee and the Options Committee, and at two major industry conferences, the SIFMA Operations Conference and the Options Industry Conference.[12] OCC also discussed the project with the Intermarket Surveillance Group and at an OCC Operations Roundtable. In each case, there was broad support for the initiative.[13]

Certain option contracts have already been listed with Saturday expiration dates as distant as December 2015 (which is the furthest out expiration as of the date of this filing). Additionally, until Phlx completes certain systems enhancements in August 2013, it remains possible that additional option contracts may be listed with Saturday expiration dates beyond February 1, 2015. For these contracts, transitioning to a Friday expiration for newly listed option contracts expiring after February 1, 2015 would create a situation under which certain options with open interest would expire on a Saturday while other options with open interest would expire on a Friday in the same expiration month.

Clearing members have expressed a clear preference to not have a mix of options with open interest that expire on different days in a single month.[14] Accordingly, OCC represented in its recently approved filing that it will not issue and clear any new option contract with a Friday expiration if existing option contracts of the same options class expire on the Saturday following the third Friday of the same month. However, Friday expiration processing will be in effect for these Saturday expiration contracts. As with standard expiration options during the transition period, exercise requests received after Friday expiration processing is complete but before the Saturday contract expiration time will continue to be processed without fines or penalties.

Thus, the Exchange is proposing to update its rules to reflect the above discussed change. More specifically, the Exchange is proposing to amend Rules 1000(b)(21) and 1000A(b)(14), the definition of ''expiration date'' for each of options on stock or Exchange-Traded Fund Shares and options on stock indexes, to be consistent with the revised OCC definition.[15] Thus, consistent with the OCC filing, the Exchange is proposing to add language to these rules stating that any series expiring prior to February 1, 2015 will have a Saturday expiration date while any series expiring on or after February

[3] These standard expiration contracts also include proprietary products of the Exchange such as Alpha Index option contracts (Rule 1009A(f)), U.S. Dollar-Settled Foreign Currency option contracts (Rule 1057) and PHLX FOREX option contracts (Rules 1000C–1009C). Standard expiration contracts also include the MSCI EM Index option contracts (Rule 1108A) and Full Value MSCI EAFE Index option contracts (Rule 1109A) which are listed pursuant to a license agreement with MSCI Inc. Mini Options expirations are the same as those for standard expirations and would be amended as specified in this proposal.

[4] *See* Securities Exchange Act Release No. 34–69772 (June 17, 2013), 78 FR 37645 (June 21, 2013) (order approving SR–OCC–2013–004).

[5] *See* Securities Exchange Act Release Nos. 70091 (August 1, 2013), 78 FR 48212 (August 7, 2013) (SR–CBOE–2013–073) and 69996 (July 17, 2013), 78 FR 44183 (July 23, 2013) (SR–MIAX–2013–32).

[6] Examples of options with non-standard expiration contracts include: FLEX options (Rule 1079), Quarterly Equity and Exchange-Traded Fund Shares (''ETFs'') Option Series (Rule 1012, Commentary .08), Quarterly Expiring Index Options Series (Rule 1101A(b)(iv)), Quarterly Options Index Series Program (Rule 1101A(b)(v)), Short Term Option Series (Rule 1012, Commentary .11) and Short Term Option Index Series (Rule 1101A(b)(vi)).

[7] The Exchange will provide notice to members and member organizations regarding the anticipated change by issuing an Options Trader Alert.

[8] *See* note 6 *supra.*

[9] *See* SR–OCC–2013–04.

[10] *See* note 5 *supra.*

[11] *See* note 9 *supra.*

[12] *Id.*

[13] *Id.*

[14] *Id.*

[15] *Id.*

1, 2015 will have a Friday expiration date.[16]

The Exchange also is proposing to change Exchange Rules 1037, 1042(c) and (h), 1057, 1006A, 1009A(f), 1042A(b), 1101A(c), Rule 1101A, Commentary .01, 1006C(a) and Options Floor Procedure Advice B–10 for consistency to reflect the change in the expiration date definitions. To the extent applicable to the timeframes herein, the Exchange is also proposing, with this filing, to replace any reference in the purpose section of any past Exchange rule filings or alerts to any expiration date other than Friday for a standard options contract with the new Friday standard. Essentially, the Exchange is now proposing to replace any relevant historic references to expiration dates to be replaced with the proposed Friday expiration. As stated above, the Exchange believes the proposed change will keep the Exchange consistent with the processing at OCC and will enable the Exchange to give effect to the industry-wide initiative. In addition, the Exchange understands that other exchanges will be filing similar rules, thus creating a uniform expiration date for standard options on listed classes.[17]

The Exchange plans to release an Options Trader Alert to its members and member organizations to inform them of this change prior to the implementation of the rule.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[18] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[19] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that keeping its rules consistent with those of the industry will protect all participants in the market by eliminating confusion. The proposed changes thus allow for a more orderly market by allowing all options markets, including the clearing agencies, to have the same expiration date for standard options.

In addition, the proposed changes will foster cooperation and coordination with persons engaged in regulating clearing, settling, processing information with respect to, and facilitating transactions in securities by aligning a pivotal part of the options processing to be consistent industry wide. If the industry were to differ, investors would suffer from confusion and be more vulnerable to violate different exchange rules. The proposed changes do not permit unfair discrimination between any members because they are applied to all members equally. In the alternative, the Exchange believes that it helps all members by keeping the Exchange consistent with OCC practices and those of other Exchanges.

B. Self-Regulatory Organization's Statement on Burden on Competition

Phlx does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. Specifically, the Exchange does not believe the proposed rule change will impose a burden on intramarket competition because it will be applied to all members equally. In addition, the Exchange does not believe the proposed rule change will impose any burden to intermarket competition because it will be applied industry wide and apply to all market participants. The proposed rule change is structured to enhance competition because the shift from an expiration date of the Saturday following the third Friday to the third Friday is anticipated to be adopted industry-wide and will apply to all multiply listed classes. This in turn will allow Phlx to compete more effectively with other exchanges making similar rule changes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received. The Exchange notes, however, that a favorable comment was submitted to the OCC filing.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act[21] and Rule 19b–4(f)(6)[22] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–Phlx–2013–89 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission,

[16] With the exception of expirations that were listed prior to the effective date of the OCC filing and have open interest.

[17] *See* note 5 *supra.*

[18] 15 U.S.C. 78f(b).

[19] 15 U.S.C. 78f(b)(5).

[20] *Id.*

[21] 15 U.S.C. 78s(b)(3)(A).

[22] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–Phlx–2013–89. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR–Phlx–2013–89 and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21231 Filed 8–29–13; 8:45 am]

BILLING CODE 8011–01–P

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70255; File No. SR–BOX–2013–42]

Self-Regulatory Organizations; BOX Options Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule

August 26, 2013.

Pursuant to Section 19(b)(1) under the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 19, 2013, BOX Options Exchange LLC (the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A)(ii) of the Act,[3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to amend the Fee Schedule to establish fees for the Proprietary Trader Program (S501) Continuing Education Regulatory Element Session on the BOX Market LLC (''BOX'') options facility. While changes to the fee schedule pursuant to this proposal will be effective upon filing, the changes will become operative on August 19, 2013. The text of the proposed rule change is available from the principal office of the Exchange, at the Commission's Public Reference Room and also on the Exchange's Internet Web site at *http://boxexchange.com.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule for trading on BOX to establish fees for the Proprietary Trader Program (S501) Continuing Education Regulatory Element Session. Specifically, the Exchange is proposing to add subsection C., Continuing Education Fee, to Section VI (Regulatory Fees) in the BOX Fee Schedule and add a $60 session fee for each individual who is required to have Proprietary Trader (''Series 56'') registration.

BOX Rule 2020 (Participant Eligibility and Registration) outlines the registration and qualification requirements (including prerequisite examinations) for Options Participants. Each person associated with a Participant who is included within the definition of Representative [5] may register with the Exchange as a Limited Representative—Proprietary Trader if A) his activities in the investment banking or securities business are limited solely to proprietary trading; and B) he passes an appropriate Qualification Examination for Limited Representative–Proprietary Trader. The appropriate Qualification Examination is the Series 56; and C) he is an associated person of a proprietary trading firm.[6] Interpretive Material 4 to BOX Rule 2040 requires the Regulatory Element of the Continuing Education Requirement for all persons engaged or to be engaged in the options securities business of [sic] Participant who are to function as Principals or Representatives of Members.[7] Recently, the Exchange amended IM–2040–5 to enumerate the different Continuing Education (''CE'') programs offered by the Exchange including the S501 Series 56 Proprietary Trader Continuing Education Program (''S501'').[8] The Exchange is now proposing to outline the necessary fee associated with the Regulation Element of the Series 56.

The Exchange has determined that these changes are necessary to administer the Series 56 CE program. Specifically, the $60 session fee will be used to fund the CE program administered to Proprietary Traders that have a Series 56 registration [9] and are required to complete the S501.

[5] *See* BOX Rule 100 (a)(56). The term ''Representative'' means persons associated with a Participant, including assistant officers other than principals, who are engaged in the investment banking or securities business for the Participant including the functions of supervision, solicitation, or conduct of business in securities or who are engaged in the training of persons associated with a Participant for any of these functions.

[6] *See* BOX Rule 2020.

[7] *See* Interpretive Material 4 to BOX Rule 2040.

[8] *See* Securities Act [sic] Release No. 34–70224 (August 16, 2013) (SR–BOX–2013–41) (immediately effective rule change to specify the different CE requirements for registered persons based upon their registration with the Exchange).

[9] Both individuals that have successfully passed the Series 56 examination and individuals that have had the examination waived by the Exchange are required to take the S501.

Because the CE element is separate and different from the CE already administered, the proposed change would put Participants on notice of the associated fees. The proposed fee would allow the Exchange to fund the S501 which is more tailored to the Series 56 registration. Also, the Exchange believes other exchanges will be assessing the same fee for this CE program. The proposed changes are to take effect on August 19, 2013.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b)(4) and Section 6(b)(5) of the Act.[10] Specifically, the Exchange believes the proposed rule change is consistent with the requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitation [sic] transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed rule change [sic] is equitable and not unfairly discriminatory as it is allocated to all BOX Participants with a Series 56 registration which is required under BOX Rule 2020. In addition, the fee is reasonable as it is intended to recoup the costs of development and maintenance of the program. In addition, the Exchange believes other exchanges will be assessing the same fee for this CE program. The Exchange believes the proposed rule change will protect investors and the public interest by covering the administration of the program and allow the Exchange to tailor a CE fee for the Series 56. This allows the Exchange to better prevent fraudulent and manipulative acts and practices because the CE will properly educate Proprietary Traders in the topics of securities laws and other rules and help them to comply with those laws and rules.

Finally, the Exchange also believes the proposed rule change is consistent with Section 6(b)(1) of the Act,[12] which provides that the Exchange be organized and have the capacity to be able to carry out the purposes of the Act and to enforce compliance by the individuals with a series 56 registration with the Act, the rules and regulations thereunder, and the rules of the Exchange. The proposed rule change [sic] is designed to fund the administration of the S501, and, more specifically, to help more closely cover the costs of educating individuals that hold a Series 56 registration. Thus, the proposed changes will help the Exchange to enforce compliance of its Participants with the Act and Exchange rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. In particular, the proposed rule change will not impose any burden on intermarket competition as it will merely serve to aid the Exchange in fulfilling its obligations as a Self-Regulatory Organization by further funding the administration of the new CE. The proposed rule change will not impose any burden on intramarket competition as all Participants are required to pass a qualification exam as outlined in BOX Rule 2020 and fulfill a CE requirement as outlined in IM–2040–5 to BOX Rule 2040. In addition, the Exchange believes other exchanges will be assessing the same fee for this CE program.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action Effectiveness

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Exchange Act [13] and Rule 19b–4(f)(2) thereunder,[14] because it establishes or changes a due, fee, or other charge applicable only to a member.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–BOX–2013–42 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BOX–2013–42. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal

[10] 15 U.S.C. 78f(b)(4) and (5).

[11] *Id.*

[12] 15 U.S.C. 78f(b)(1).

[13] 15 U.S.C. 78s(b)(3)(A)(ii).

[14] 17 CFR 240.19b–4(f)(2).

identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BOX–2013–42 and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21185 Filed 8–29–13; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70257; File No. SR–BATS–2013–047]

Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Related to Registration and Continuing Education Fees for BATS Exchange, Inc.

August 26, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 16, 2013, BATS Exchange, Inc. (the ''Exchange'' or ''BATS'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the Exchange. The Exchange has designated the proposed rule change as one establishing or changing a member due, fee, or other charge imposed by the Exchange under Section 19(b)(3)(A)(ii) of the Act [3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposed rule change effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange filed a proposal to amend Rule 2.5, entitled ''Restrictions,'' to include the Regulatory Fees that will be charged to certain registered persons at the Exchange for the proficiency examination and continuing education (''CE'') requirements under the Rule. Changes to Exchange fees pursuant to this proposal are effective upon filing.

The text of the proposed rule change is available at the Exchange's Web site at *http://www.batstrading.com*, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to add Interpretation and Policy .01(j) to Rule 2.5 to include the examination fee that will be charged to individuals that choose to complete the Proprietary Traders Qualification Examination (''Series 56''). Specifically, the Exchange is proposing to add a $195 examination fee for this examination. The Exchange also proposes to add Interpretation and Policy .02(f) to Rule 2.5 to include a $60 session fee for those individuals that must complete the S501 Series 56 Proprietary Trader Continuing Education Program (''S501'').

Examination Fee

Recently, the Exchange amended Interpretation and Policy .01(f) to Rule 2.5 to include the registration and qualification requirements for persons registered as Proprietary Traders with the Exchange.[5] Under this provision, those who wish to register as a Proprietary Trader with the Exchange must complete the Series 56 examination. Thus, the Exchange is proposing to include the $195 fee that will be charged to individuals who wish to complete this examination. This fee will be collected with [sic] the administrator of the Series 56, which is currently FINRA. The Exchange will not invoice or collect this fee.

Rule 2.5 does not currently set forth the examination fees for other qualification examinations required or accepted by the Exchange because these programs are within the jurisdiction of the Financial Industry Regulatory Authority (''FINRA''), which collects these examination fees from its members. The Series 56, however, applies to Exchange Members that are not required by Section 15(b)(8) [6] of the Act to become FINRA Members. Therefore, [sic] Exchange believes it is appropriate to include the Series 56 examination fee within Rule 2.5 to make the cost of this examination clear to Exchange Members. The examination fee is designed to reflect the costs of maintaining and developing the Series 56 and to ensure that the examination's content is and continues to be adequate for testing the competence and knowledge generally applicable to proprietary trading.

Continuing Education Fees

Interpretation and Policy .02(a) to Rule 2.5 requires all Registered Representatives to complete the Regulatory Element of the CE program beginning with the ''occurrence of their second registration anniversary date and every three years thereafter or as otherwise prescribed by the Exchange.'' Recently, the Exchange amended Interpretation and Policy .02 to enumerate the different CE programs appropriate for each category of registration with the Exchange.[7] The Exchange is now proposing to outline the necessary fees associated with the Regulatory Element of the S501.[8]

The Exchange has determined that this fee change is necessary to administer the Series 56 CE program. Specifically, the $60 session fee will be used to fund the CE program administered to Proprietary Traders that have a Series 56 registration and are required to complete the S501. The Exchange believes the $60 fee is reasonable and proportional based upon the programming of the CE. In addition,

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

[5] *See* SR–BATS–2013–046 (filed Aug. 15, 2013), *available at http://www.batstrading.com/regulation/rule_filings/bzx.*

[6] 15 U.S.C. 78o(b)(8).

[7] *Id.* [sic]

[8] The Exchange has assisted with the development of, and plan to administer, the Series 56 and S501 along with the following participating self-regulatory organizations: BATS Y-Exchange, Inc., Chicago Board Options Exchange (''CBOE''), C2 Options Inc. (''C2''), the Chicago Stock Exchange, Inc., the New York Stock Exchange, LLC, NYSE Arca, Inc., NYSE Amex, LLC, the NASDAQ Stock Market LLC, the National Stock Exchange, Inc., NASDAQ OMX BX, Inc., NASDAQ OMX PHLX, LLC, EDGA Exchange, Inc. (''EDGA''), EDGX Exchange, Inc. (''EDGX''), International Securities Exchange, LLC, and BOX Options Exchange, LLC.

the $60 fee will only be used for the administration of the CE, while the costs associated with the development of the S501 are included in the examination fee. Like the examination fee for the Series 56, the S501 fee will be collected by the administrator of the Program, which is currently FINRA. The Exchange will not invoice or collect this fee. The Exchange is not proposing to include the CE fees for the other CE programs enumerated in the Rule. Like the registration examinations, these CE programs are within FINRA's jurisdiction and FINRA collects the session fees from its members.

Because the CE element is separate and different from the CE programs already administered, the proposed change would put Registered Representatives on notice of the associated fees. The proposed fee would also allow the Exchange to fund the S501, which is more tailored to the Series 56 registration. In addition, the Exchange believes other exchanges will be assessing the same fee for this CE program. The proposed changes are to take effect on August 19, 2013.

2. Statutory Basis

The Exchange believes that its proposal is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with Section 6(b)(5) of the Act,[10] which requires that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, and processing information with respect to, and facilitation of transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.[11] The proposed changes fulfill this requirement because the fees are allocated to all individuals who have or wish to have a Series 56 registration. The proposed fees are reasonably designed to allow FINRA to cover its cost of administering the Series 56 examination program on behalf of the Exchange. The fee for the Series 56 examination is greater than the fee for the CE program because the examination fee is also designed to cover the costs associated with developing both the Series 56 examination and the related S501. The S501 fee is meant only to cover the costs of administering the CE sessions. The Exchange notes that it will not invoice or collect funds from Members that are subject to these fees because these fees will be paid directly to FINRA. The Exchange and the current administrator of the examination and CE program, FINRA, incur costs in maintaining and developing the examination and CE program to ensure the content is and continues to be adequate for testing the competence and knowledge generally applicable to proprietary trading. The Exchange believes it is reasonable and equitable to include these fees in Interpretations and Policies .01(j) and .02(f) to make the costs of the Series 56 and its related CE requirement clear to Members. Moreover, the Exchange believes other exchanges will be assessing the same fees for this examination and related CE program.[12]

Finally, the Exchange believes the proposed rule change is consistent with Section 6(b)(1) of the Act,[13] which requires that the Exchange be organized and have the capacity to be able to carry out the purposes of the Act such that it can enforce compliance with the Act by persons registered with the Exchange. As previously discussed, the proposed rule change is designed to fund the administration of the Series 56 and S501. Thus, the proposed rule change will help the Exchange enforce compliance with the Act and Exchange Rules by those persons registered as Proprietary Traders.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. In particular, the proposed rule change will not impose any burden on intermarket competition because it will merely serve to aid the Exchange in fulfilling its obligations as a Self-Regulatory Organization by funding the administration of the Series 56 and S501. The proposed rule change will not impose any burden on intramarket competition because all Registered Representatives are required to pass a qualification examination and fulfill the appropriate CE requirement as outlined in Interpretations and Policies .01 and .02 of Rule 2.5, and the fees for the Series 56 and S501 will apply uniformly to all Members. In addition, as noted above, the Exchange believes other exchanges will be assessing the same fees for the Series 56 and related CE program to be collected by FINRA.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[14] and paragraph (f) of Rule 19b–4 thereunder.[15] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–BATS–2013–047 on the subject line.

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

[12] CBOE, C2, EDGX, and EDGA have already assessed this $60 fee. Securities Exchange Act Release No. 70064 (July 30, 2013), 78 FR 47469 (Aug. 5, 2013) (SR–CBOE–2013–078); Securities Exchange Act Release No. 70194 (Aug. 14, 2013) (SR–C2–2013–030); Securities Exchange Act Release No. 70162 (Aug. 12, 2013) (SR–EDGX–2013–31); Securities Exchange Act Release No. 70163 (Aug. 12, 2013) (SR–EDGA–203–24 [sic]). EDGX and EDGA have also already assessed the $195 examination fee. Securities Exchange Act Release No. 70162 (Aug. 12, 2013) (SR–EDGX–2013–31); Securities Exchange Act Release No. 70163 (Aug. 12, 2013) (SR–EDGA–203–24 [sic]).

[13] 15 U.S.C. 78f(b)(1).

[14] 15 U.S.C. 78s(b)(3)(A).

[15] 17 CFR 240.19b–4(f).

Paper Comments

• Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BATS–2013–047. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BATS–2013–047 and should be submitted on or before September 20, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–21187 Filed 8–29–13; 8:45 am]

BILLING CODE 8011–01–P

[16] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

ACTION: 60-day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) of 1995, 44 U.S.C. Chapter 35 requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before October 29, 2013.

ADDRESSES: Send all comments to Patrick Kelley, Deputy Associate Administrator, Office of Capital Access, Small Business Administration, 409 3rd Street, 8th Floor, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Patrick Kelley, Deputy Associate Administrator, 202–205–0067, *patrick.kelley@sba.gov,* or Curtis B. Rich, Management Analyst, 202–205–7030, *curtis.rich@sba.gov;*

SUPPLEMENTARY INFORMATION: The Small Business Investment Act authorizes SBA to guarantee a debenture issued by a Certified Development Company (CDC). The proceeds from each debenture are used to fund loans to eligible small business concerns (''504 loans''). 15 U.S.C. 697(a). The Small Business Act and the Small Business Investment Act mandate that all guaranteed loans provided by the SBA to small business concerns (SBCs) must have a reasonable assurance of ability to repay. See 15 U.S.C. 636(a)(6) and 687(f); see also 13 CFR 120.150. The information collections described below relate to the application for a 504 loan, SBA Form 1244 (OMB Control Number 3245–0071), and the annual report required from Certified Development Companies (CDCs), CDC Annual Report Guide, SBA Form 1253 (OMB Control Number 3245–0074). SBA is proposing to make changes to these information collections in order to conform them to pending changes in the 504 loan program. Specifically, changes are pending that will revise the exhibits required to be attached to the 504 application form, and to clarify in the CDC Annual Report Guide the consequences for the CDC if it fails to file the CDC Annual Report in a timely manner.

Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collection

(1) *Title:* Application for Section 504 Loan.

Description of Respondents: Small Business Concerns applying for a section 504 loan and Certified Development Companies.

Form Number: SBA Form 1244: The information collected on SBA Form 1244 is used to review the creditworthiness and repayment ability of the Small Business Concern (SBC), the eligibility of the SBC for SBA financial assistance, the terms and conditions of the 504 loan for which the SBC is applying, and to determine whether there is a reasonable assurance of the SBC's ability to repay the loan. The form is also used by CDCs to request SBA's guarantee on the debenture.

Total Estimated Annual Responses: 6,800.

Total Estimated Annual Hour Burden: 14,195.

(2) *Title:* Certified Development Company (CDC) Annual Report Guide.

Description of Respondents: Certified Development Companies.

Form Number: SBA Form 1253: Agency regulations at 13 CFR 120.830 require CDCs to submit an annual report which contains financial statements, operational and management information. It is used by the district offices, Office of Financial Assistance, and Office of Credit Risk Management to obtain information from the CDCs.

Total Estimated Annual Responses: 266.

Total Estimated Annual Hour Burden: 7,488.

Dated: August 26, 2013.

Yvonne K. Wilson,

Chief, Administrative Information Branch.

[FR Doc. 2013–21245 Filed 8–29–13; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 8446]

Culturally Significant Objects Imported for Exhibition Determinations: ''Van Gogh Repetitions''

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et*

seq.), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and, as appropriate, Delegation of Authority No. 257 of April 15, 2003, I hereby determine that the objects to be included in the exhibition ''Van Gogh Repetitions,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Phillips Collection, Washington, DC, from on or about October 12, 2013, until on or about January 26, 2014, the Cleveland Museum of Art, Cleveland, Ohio, from on or about March 2, 2014, until on or about May 26, 2014, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6469). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: August 26, 2013.

Lee Satterfield,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2013–21240 Filed 8–29–13; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 8445]

Culturally Significant Objects Imported for Exhibition Determinations: ''Venetian Glass by Carlo Scarpa: The Venini Company, 1932–1947''

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and, as appropriate, Delegation of Authority No. 257 of April 15, 2003, I hereby determine that the objects to be included in the exhibition ''Venetian Glass by Carlo Scarpa: The Venini Company, 1932–1947,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Metropolitan Museum of Art, from on or about November 5, 2013, until on or about March 2, 2014, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6469). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: August 26, 2013.

Lee Satterfield,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2013–21237 Filed 8–29–13; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of a New Approval of Information Collection: Information Regarding Ferry Flights in On-Demand Operations; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval for a new information collection. This notice corrects a notice published in the **Federal Register** on July 31, 2013 (78 FR 46405) to change the word ''airplane'' to ''aircraft'' in the provided survey questions, and to extend the comment period. The collection involves an assessment of the number of ferry flights typically conducted by on-demand air carriers and the costs associated with those flights. The information to be collected will be used to conduct a benefit cost analysis in connection with rulemaking as required by Congress.

DATES: Written comments should be submitted by October 29, 2013.

FOR FURTHER INFORMATION CONTACT: Martin Zhu at (202)267–4110 or by email at: *martin.zhu@faa.gov.*

SUPPLEMENTARY INFORMATION: *OMB Control Number:* 2120–XXXX.

Title: Information Regarding Ferry Flights in On-Demand Operations.

Form Numbers: There are no FAA forms associated with this specific collection of information.

Type of Review: Clearance of a new information collection.

Background: In response to the FAA Modernization and Reform Act of 2012 (Public Law 112–95), the FAA will initiate a rulemaking to change part 91 tail-end ferry flight limitations and rest requirements. The rule would apply part 135 flight limitations and rest requirements to today's part 91 tail-end ferry flights (a part 91 flight following the last part 135 flight in a duty period). The FAA will use the results of this collection of information as the basis for the cost and benefit estimate of the proposed rule. The FAA requests comments on the proposed questions below in order to help assess costs.

Survey Questions

1. How many total part 135 operations do you have annually?
2. For comparative purposes, how many aircraft are flown in your part 135 services?
3. How many tail-end ferry flights flown under part 91 would be curtailed if pilots need to fly under part 135 of rest and duty requirements?
4. What percentage of these tail-end ferry flights would be accounted as single-pilot flights?
5. Would another crewmember fly the aircraft to its destination?
6. What would be the average cost of tail-end ferries flown under part 91 rules?
7. What would be the average cost of tail-end ferries flown under part 135 rest and duty rules?
8. Please itemize key cost-drivers to comply with the proposed rule.

Respondents: Part 135 operators conducting part 91 tail-end ferry flight. We estimate 2,155 of part 135 operators have such operations

Frequency: One time.

Estimated Average Burden per Response: 60 minutes.

Estimated Total One-Time Burden: 2,155 hours.

ADDRESSES: Send electronic or written comments to the FAA at the following

address: Mr. Martin Zhu (*martin.zhu@faa.gov*), Room 935, Federal Aviation Administration, APO–300, 800 Independence Ave. SW., Washington, DC 20591.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC on August 27, 2013.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, AES–200.

[FR Doc. 2013–21239 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2013–36]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of FAA's regulations. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before September 19, 2013.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–0471 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Docket: To read background documents or comments received, go to *http://www.regulations.gov* at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Keira Jones (202) 267–4024, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on August 27, 2013.

Ida M. Klepper,

Acting Director, Office of Rulemaking.

PETITION FOR EXEMPTION

Docket No.: FAA–2013–0471
Petitioner: AAR Airlift
Section of 14 CFR Affected: 14 CFR 91.9(a)

Description of Relief Sought:

AAR Airlift requests relief to operate its Sikorsky S–92A twin engine helicopters, certified under 14 CFR part 29 transport category rules, with limited exposure to engine failure during takeoff and landing while carrying up to 19 passengers. Such operations would be conducted between land-based facilities surrounded by substantial barriers 15 feet tall and within 200 feet of the takeoff and landing area, at density altitudes as high as 5,000 feet mean sea level, in austere environments, during day and night, and under visual flight rules and instrument flight rules.

[FR Doc. 2013–21255 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2013–0002–N–18]

Request for Emergency Processing of Collection of Information by the Office of Management and Budget

AGENCY: Federal Railroad Administration (FRA), United States Department of Transportation (USDOT).

ACTION: Notice.

SUMMARY: FRA hereby gives notice that it is submitting the following Information Collection request (ICR) to the Office of Management and Budget (OMB) for emergency processing under the Paperwork Reduction Act of 1995. FRA requests that OMB authorize the collection of information identified below on or before September 1, 2013, for a period of 180 days.

FOR FURTHER INFORMATION CONTACT: A copy of this individual ICR, with applicable supporting documentation, may be obtained by calling FRA's Clearance Officers: Robert Brogan (tel. (202) 493–6292) or Kimberly Toone (tel. (202) 493–6132); these numbers are not toll-free), or by contacting Mr. Brogan via facsimile at (202) 493–6216 or Ms. Toone via facsimile at (202) 493–6497, or via email by contacting Mr. Brogan at *Robert.Broga@dot.gov;* or by contacting Ms. Toone at *Kim.Toone@dot.gov.* Comments and questions about the ICR identified below should be directed to OMB's Office of Information and Regulatory Affairs, Attn: FRA OMB Desk Officer.

Title: FRA Emergency Order No. 28, Notice No. 1

REPORTING BURDEN

Emergency order item No.	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
(1) RR Plans identifying specific locations and circumstances of trains carrying hazardous materials.	655 railroads	491 plans	40 hours	19,640 hours
—Revised Plans	655 railroads	50 revised plans	10 hours	500
—Notifications to FRA by RR of Plan Development Prior to Its Operation Pursuant to Plan.	655 railroads	50 notifications	30 minutes	25
(2)(a)—RR Development of Process for Securing Unattended Trains or Vehicles.	655 railroads	491 processes	60 minutes	491
(b)—RR Employees communication to dispatchers of information regarding securement of train.	100,000 Employees	2,600 exchanges/communications.	5 minutes	217
(c)—Dispatcher's Record of Information Exchanged or Communicated.	655 railroads	2,600 records	2 minutes	87
(d)—Train Dispatcher or Other Qualified Employee Verification and Confirmation of Train Securement Meeting RR's Requirements.	655 railroads	2,600 verifications and confirmations.	2 minutes	87
(3) RR Review and Revision of Existing Procedures and Processed Related to the number of Hand Brakes Set on All Unattended Trains.	655 railroads	491 revised procedures and processes.	6 hours	2,946
(4) RR Revision of Operating Rules and Practices to Require Job Briefing of Train Securement.	655 railroads	491 revised operating rules and practices.	2 hours	982
—Daily Job Briefings	100,000 RR Employees	23,400,000 briefings	5 minutes	1,950,000
(5) Development of RR Procedure to Ensure a Qualified Employee Inspects All Equipment Visited by Emergency Responder for Proper Securement Before Train or Vehicle is Left Unattended.	655 railroads	491 Procedures	60 minutes	491
—Inspections of Equipment	655 railroads	1,000 inspections	4 hours	4,000
(6) RR Employees Copy of FRA EO 28	100,000 RR Employees	100,000 copies	1 minute	1,667

Form Number(s): N/A

Respondent Universe: 655 Railroads; 100,000 Railroad Employees

Frequency of Submission: One-time; on occasion

Total Responses: 23,511,355

Estimated Total Annual Burden: 1,981,133 hours

Status: Emergency Review

Description: FRA has determined that public safety compelled the issuance of Emergency Order No. 28, which requires railroads operating on the general system of transportation to implement additional processes and procedures to ensure that unattended trains and vehicles on mainline track or sidings are properly secured against unintended movement. Emergency Order No. 28 was published in the **Federal Register** on August 7, 2013, in response to the catastrophic accident that occurred in Lac-Mégantic, Quebec, Canada, on July 6, 2013. *See* 78 FR 48218. Emergency Order No. 28 is intended to address some of the human factors failures that may cause unattended equipment to be improperly secured in order to protect the general public and communities near the general system of rail transportation and railroad equipment that is used on it against derailment situations similar to that which occurred at Lac-Mégantic.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Rebecca Pennington,

Chief Financial Officer.

[FR Doc. 2013–21210 Filed 8–29–13; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 33 (Sub-No. 294X)]

Union Pacific Railroad Company—Abandonment Exemption—in Canyon County, Idaho

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 0.85-mile line of railroad on its Stoddard Industrial Lead from milepost 0.90 to milepost 1.75 in Nampa, in Canyon County, Idaho (the Line). The Line traverses United States Postal Service Zip Code 83686.

UP has certified that: (1) No local traffic has moved over the Line for at least two years; (2) there is no overhead traffic on the Line; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this

exemption will be effective on October 1, 2013, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[1] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[2] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by September 9, 2013. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 19, 2013, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to UP's representative: Mack H. Shumate, Jr., Senior General Attorney, Union Pacific Railroad Company, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

UP has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by September 6, 2013. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423–0001) or by calling OEA at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at 1–800–877–8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), UP shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by UP's filing of a notice of consummation by August 30, 2014, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at ''*www.stb.dot.gov.*''

Decided: August 23, 2013.

By the Board.

Richard Armstrong,

Acting Director, Office of Proceedings.

[FR Doc. 2013–21156 Filed 8–29–13; 8:45 am]

BILLING CODE 4915–01–P

[1] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[2] Each OFA must be accompanied by the filing fee, which is currently set at $1,600. *See* 49 CFR 1002.2(f)(25).

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Homeless Veterans, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that a meeting of the Advisory Committee on Homeless Veterans will be held on September 11–13, 2013, in the William Phillip King Room at The Emily Morgan Hotel, 705 East Houston Street, San Antonio. The Committee will meet from 8 a.m. each day until 4 p.m. on September 11–12 and until noon on September 13.

The purpose of the Committee is to provide the Secretary of Veterans Affairs with an on-going assessment of the effectiveness of the policies, organizational structures, and services of the Department in assisting homeless Veterans. The Committee shall assemble and review information relating to the needs of homeless Veterans and provide on-going advice on the most appropriate means of providing assistance to homeless Veterans. The Committee will make recommendations to the Secretary regarding such activities.

On the morning of September 11, the Committee will convene in open session to receive briefings from VA and other officials regarding services for homeless Veterans. In the afternoon, the Committee will convene in closed session in order to protect patient privacy to conduct site visits to the American GI Forum Residential Center at 519 N. Medina Street, San Antonio, Texas, and the Haven for Hope at 1 Haven for Hope Way, San Antonio, Texas. Closing this session is in accordance with 5 U.SC. 552b(c)(6).

On September 12, the Committee will reconvene in an open session to receive briefings from VA and other officials regarding services for homeless Veterans. The Committee then will discuss items for its upcoming annual report and recommendations to the Secretary.

On September 13, the Committee will reconvene in open session to begin drafting items and recommendations for its upcoming annual report to the Secretary. No time will be allocated at this meeting for receiving oral presentations from the public. Interested parties should provide written comments on issues affecting homeless Veterans for review by the Committee to Mr. Vince Kane, Designated Federal Officer, Homeless Veterans Initiative Office (075D), Department of Veterans Affairs, 1722 Eye Street NW., Washington, DC 20006, or email to *vince.kane@va.gov.* Individuals who wish to attend the meeting should contact Mr. Kane at (202) 461–1857.

Dated: August 26, 2013.

By Direction of the Secretary:

Vivian Drake,

Committee Management Officer.

[FR Doc. 2013–21164 Filed 8–29–13; 8:45 am]

BILLING CODE P

FEDERAL REGISTER

Vol. 78 Friday,

No. 169 August 30, 2013

Part II

Department of Housing and Urban Development

Federal Property Suitable as Facilities To Assist the Homeless; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5681–N–35]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, Washington, DC 20410; telephone (202) 402–3970; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration,* No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, and suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Theresa Ritta, Office of Enterprise Support Programs, Program Support Center, HHS, Room 12–07, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Ann Marie Oliva at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: *Army:* Ms. Veronica Rines, Office of the Assistant Chief of Staff for Installation Management, Department of Army, Room 5A128, 600 Army Pentagon, Washington, DC 20310, (571) 256–8145; (This is not a toll-free number).

Dated: August 22, 2013.

Mark Johnston,

Deputy Assistant Secretary for Special Needs.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 08/30/2013

Suitable/Available Properties

Building

Alabama

C1301
Ft. McClellan
Ft. McClellan AL 36205
Landholding Agency: Army
Property Number: 21201220017
Status: Excess
Comments: off-site removal only; 2,232 sf.; barracks; extensive repairs needed; secured area; need prior approval to access property

24 Building
Redstone Arsenal
Redstone Arsenal AL 35898
Landholding Agency: Army
Property Number: 21201330051
Status: Unutilized
Directions: 02591, 03452, 03456, 3533, 3536, 3537, 3541, 3714, 3764A, 4819, 5297, 06302, 7354A, 7354B, 7613A, 7740A, 07772, 07775, 07776, 07779, 07780, 07834, 8700, 8886
Comments: Off-site removal only; no future agency need; sf. varies poor to deteriorated conditions; secured area; contact Army for more info on a specific property & accessibility/removal reds.

Alaska

Bldg. 00001
Kiana Nat'l Guard Armory
Kiana AK 99749
Landholding Agency: Army
Property Number: 21200340075
Status: Excess
GSA Number:
Comments: 1200 sq. ft., butler bldg., needs repair, off-site use only

Bldg. 00001
Holy Cross Armory
High Cross AK 99602
Landholding Agency: Army
Property Number: 21200710051
Status: Excess
Comments: 1200 sq. ft. armory, off-site use only

B–00877
Fort Greely
Ft. Greely AK 99731
Landholding Agency: Army
Property Number: 21201220052
Status: Unutilized
Comments: off-site removal only; 14,824 sf.; family housing; poor conditions; need repairs; asbestos & lead identified; secured area; prior approval needed to access & relocate

17 Buildings
Ft. Greely
Ft. Greely AK 99731
Landholding Agency: Army
Property Number: 21201310033

Status: Unutilized
Directions: 00140, 00804, 00805, 00806, 00808, 00809, 00810, 00820, 00821, 00822, 00823, 00825, 00827, 00829, 00830, 00831, 01213
Comments: Off-site removal only; sf. varies; poor conditions; w/in secured area; contact Army for info. On a specific property & accessibility/removal requirements

Building 00001
9679 Tuluksak Rd.
Toksook AK 99679
Landholding Agency: Army
Property Number: 21201320038
Status: Excess
Comments: 1,200 sf.; armory; 60 months vacant; poor conditions

Building 00001
Lot 7 Block 11 US Survey 5069
Noorvik AK 99763
Landholding Agency: Army
Property Number: 21201330030
Status: Excess
Comments: 1,200 sf. armory; 60+ months vacant; poor conditions; contact Army for more info.

Building 00001
P.O. Box 22
Gambell AK 99742
Landholding Agency: Army
Property Number: 21201330031
Status: Excess
Comments: 1,208 sf.; armory; 60+ months vacant; poor conditions; contact Army for more info.

Building 0001
Kivalina Armory
Kivalina AK 99750
Landholding Agency: Army
Property Number: 21201330032
Status: Excess
Comments: 1,200 sf. armory; 600+ months vacant; poor conditions; contact Army for more info.

Akiachak 00001
500 Philips St.
Akiachak AK 99551
Landholding Agency: Army
Property Number: 21201330033
Status: Excess
Comments: 1,200 sf.; armory; 60+ months vacant; poor conditions; contact Army for more info.

Arizona

Bldg. S–306
Yuma Proving Ground
Yuma AZ 85365–9104
Landholding Agency: Army
Property Number: 21199420346
Status: Unutilized
Directions:
Comments: 4103 sq. ft., 2-story, needs major rehab, off-site use only

Bldg. 503, Yuma Proving Ground
null
Yuma AZ 85365–9104
Landholding Agency: Army
Property Number: 21199520073
Status: Underutilized
Directions:
Comments: 3789 sq. ft., 2-story, major structural changes required to meet floor loading code requirements, presence of asbestos, off-site use only

Arkansas

7 Bldgs.
Pine Bluff Arsenal
Pine Bluff AR 71602
Landholding Agency: Army
Property Number: 21201140055
Status: Unutilized
Directions: 57240, 57210, 57160, 57150, 57120, 5743, 5739
Comments: Off-site removal only; sq. ft. varies; current use: lab/test bldg.

Bldg. 57260
Pine Bluff Arsenal
Pine Bluff AR 71602
Landholding Agency: Army
Property Number: 21201140057
Status: Unutilized
Comments: Off-site removal only; 9,474 sq. ft.; current use: CHM EQ/MAT Bldg.

Bldg. 16440
Pine Bluff Arsenal
Pine Bluff AR 71602
Landholding Agency: Army
Property Number: 21201210095
Status: Unutilized
Comments: Off-site removal; 1,660 sf.; current use: office; extensive mold damage; needs major repairs

California

Bldgs. 18026, 18028
Camp Roberts
Monterey CA 93451–5000
Landholding Agency: Army
Property Number: 21200130081
Status: Excess
GSA Number:
Comments: 2024 sq. ft. sq. ft., concrete, poor condition, off-site use only

258
7th Division Rd.
Monterey CA 93928
Landholding Agency: Army
Property Number: 21201230002
Status: Unutilized
Directions: Hunter Liggett, Fort
Comments: Off-site removal only; 192 sf.; use: storage; transferee required to get real estate document authorizing access; secured area; must contact Directorate of Public Works to arrange to access property

5 Buildings
JFTB
Los Alamitos CA 90720
Landholding Agency: Army
Property Number: 21201230043
Status: Excess
Directions: 148, 149, 261, 280, 281
Comments: Off-site removal only; sf. varies; use: storage; poor conditions; contamination; permission required to access property to remove of installation

1201T
Tower Rd.
Dubin CA 94568
Landholding Agency: Army
Property Number: 21201310060
Status: Unutilized
Comments: Off-site removal only; 30 sf.; control tower; poor conditions; restricted area; transferee must obtain real estate doc. to access/remove; contact Army for more info.

1201S & 1205S
Tower Rd.
Dublin CA 94568
Landholding Agency: Army
Property Number: 21201310062
Status: Unutilized
Directions: Previously reported under 21201010006
Comments: REDETERMINATION: off-site removal only; 396 & 252 sf. repetitively; storage; poor conditions; transferee will need to obtain real estate doc. to access/remove property; contact Army for more info.

2 Building
Parks Reserve Forces Training Area
Dublin CA 94568
Landholding Agency: Army
Property Number: 21201330002
Status: Underutilized
Directions: 1108, 1109
Comments: Off-site removal only; no future agency need; sf. varies; poor conditions; secured area; contact Army for info. on a specific property & accessibility removal reqs.

7 Building
Parks Reserve Forces Training Area
Dublin CA 94568
Landholding Agency: Army
Property Number: 21201330003
Status: Unutilized
Directions: 200, 00974, 1080, 1085, 1100, 1101, 1176
Comments: sf varies; no future agency need; poor/deteriorated conditions; secured area; escort required; contact Army for more info. on a specific property & accessibility reqs./removal options

Building 4230
Ord Military Community
Seaside CA 93955
Landholding Agency: Army
Property Number: 21201330010
Status: Unutilized
Directions: 4230
Comments: 15,908 sf.; theater; vacant since 2000; 43 yes.-old; mold; lead-based paint; asbestos; contact Army for more info.

22 Buildings
Hwy. 101, Bldg. 109
Camp Roberts CA 93451
Landholding Agency: Army
Property Number: 21201330019
Status: Excess
Directions: 00902, 00936, 01019, 06079, 06080, 06125, 06320, 14212, 14308, 143801, 25012, 25013, 27108, 27110, 27126, RB001, RB003, RB004, RB005, RB006, RB007, RB043
Comments: Off-site removal only; sf. varies; 6t months vacant; poor conditions; contamination; secured area; contact Army for info. on a specific property & accessibility/removal reqs.

23 Buildings
Hwy 101, Bldg. 109
Camp Robert CA 93451
Landholding Agency: Army
Property Number: 21201330025
Status: Excess
Directions: T0805, T0831, T0834, T0874, T0876, T0917, T0920, T0922, T0923, T0925, T0933, T0934, T0935, T0955, T0956, T0955, T0956, T0966, T0967, T0992, T6005, T6029, T6406, T7025, T7037

Comments: Off-site removal only; sf varies; 6t months vacant; poor conditions; contamination; secured area; contact Army for more info. on a specific property & accessibility removal reqs.

11 Building
Fort Hunter Liggett
Fort Hunter Ligget CA 93928
Landholding Agency: Army
Property Number: 21201330026
Status: Unutilized
Directions: 0100A, 0178B, 00306, 00408, 0418A, 00850, 00851, 00932, 00945,v00946, 00947
Comments: Off-site removal only; no future agency need; St. varies, conditions range from good to dilapidated secured area, contact Army for more info. on a specific property & accessibility/removal reqs.

Colorado

Building 01852
6359 Barkley Ave.
Ft. Carson CO 80913
Landholding Agency: Army
Property Number: 21201320036
Status: Excess
Comments: Off-site removal only; 9,822 sf.; BDE HQ; repairs needed; asbestos; secured area; contact Army for access/removal requirements

Building 01854
6370 Porter St.
Ft. Carson CO 80913
Landholding Agency: Army
Property Number: 21201320037
Status: Excess
Comments: Off-site removal only; 3,800 sf.; Admin.; repairs needed; asbestos; secured area; contact Army for access/removal requirements

Building 00304
5020 Tevis St.
Ft. Carson CO 80913
Landholding Agency: Army
Property Number: 21201320039
Status: Excess
Comments: Off-site removal only; 15,484 sf.; Admin.; 4 months vacant; repairs needed; asbestos; contact Army for access/removal requirements

California

Building 4230
Ord Military Community
Seaside CA 93955
Landholding Agency: Army
Property Number: 21201330007
Status: Unutilized
Directions: 4230
Comments: 15,908 sf.; theater; vacant since 2000; 43 yes.-old; mold; lead-based paint; asbestos; contact Army for more info.

**** Suitable/Undefined ****

Building

California

11 Building
Fort Hunter Liggett
FF Hunter Liggett CA 93928
Landholding Agency: Army
Property Number: 21201330018
Status: Unutilized
Directions: 0100A, 0178B, 00306, 00408, 0418A, 00850, 00851, 00932, 00945, 00946, 00947
Comments: Offsite removal only; no future agency need; St. varies, conditions range from good to dilapidated secured area, contact Army for more info. on a specific property & accessibility/removal reqs.

Colorado

Building 01430
6101 Wetzel Ave.
Fort Carson CO 80913
Landholding Agency: Army
Property Number: 21201330028
Status: Unutilized
Comments: Off-site removal only; no future agency use; 4t months; 41,098 sf.; admin.; maint./repairs needed; secured area; contact Army for more info. re. accessibility/removal reqs.

Georgia

Bldg. 2593
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21199720167
Status: Unutilized
Directions:
Comments: 13644 sq. ft., needs rehab, most recent use—parachute shop, off-site use only

Bldg. 4232
Fort Benning
GA 31905
Landholding Agency: Army
Property Number: 21199830291
Status: Unutilized
Directions:
Comments: 3720 sq. ft., needs rehab, most recent use—maint. bay, off-site use only

Bldgs. 5974–5978
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21199930135
Status: Unutilized
GSA Number:
Comments: 400 sq. ft., most recent use—storage, off-site use only

Bldg. 5993
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21199930136
Status: Unutilized
GSA Number:
Comments: 960 sq. ft., most recent use—storage, off-site use only

Bldg. 3866
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21200740182
Status: Unutilized
Comments: 944 sq. ft., most recent use—office, off-site use only

Bldg. 8682
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21200740183
Status: Unutilized
Comments: 780 sq. ft., most recent use—admin., off-site use only

Bldg. 1201
685 Horace Emmet Wilson Blvd.
Savannah GA 31409
Landholding Agency: Army
Property Number: 21201140013
Status: Excess
Comments: Off-site removal only; 8,736 sq. ft.; current use: Administrative office; fair conditions—bldg. need repairs; possible asbestos

10 Buildings
Ft. Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201230011
Status: Unutilized
Directions: 100, 2753, 2755, 2756, 2761, 2816, 3733, 3742, 3744, 3745
Comments: Off-site removal only; sq. varies; use: varies; poor conditions; secured area w/limited access; contact Army for details re: accessibility or specific details related to a bldg.

Building 8603
Red Arrow Rd.
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201240004
Status: Unutilized
Comments: Off-site removal only; 192 sf.; Sep Toil/Shower; poor conditions; secured area; contact Army for info. on accessibility/removal

Building 8585
9734 Eighth Division
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201240005
Status: Unutilized
Comments: Off-site removal only; 192 sf.; Sep Toil/Shower; poor conditions; secured area; contact Army for info. on accessibility/removal

Building 8018
7964 First Division Rd.
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201240006
Status: Unutilized
Comments: Off-site removal only; 264 sf.; Sep Toil/Shower; poor conditions; secured area; contact Army for info. on accessibility/removal

Building 4156
6923 Rosell St.
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201240007
Status: Unutilized
Comments: Off-site removal only; 8,460 sf.; TRANS UPH AST; poor conditions

Building 2835
6498 Way Ave.
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201240008
Status: Unutilized
Comments: Off-site removal only; 2,578 sf.; BN HQ BLDG. TT; poor conditions

Building 904
2022 Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310004
Status: Excess
Comments: Off-site removal only; 9,993 sf.; museum; poor conditions; asbestos & lead-

based paint; w/in secured area; Gov't escort required to access/remove property

Building 862
259 N. Lightening Rd.
Hunter Army Airfield GA 31409
Landholding Agency: Army
Property Number: 21201310010
Status: Excess
Comments: Off-site removal only; 826 sf.; Battery Shop; poor conditions; w/in secured area; contact Army for info. on accessibility/removal reqs.

Building 853
140 Barren Loop Rd.
Hunter Army Airfield GA 31409
Landholding Agency: Army
Property Number: 21201310011
Status: Excess
Comments: Off-site removal only; 4,100 sf.; Admin. 3 mons. vacant; fair conditions; w/in secured area; contact Army for accessibility/removal reqs.

Building 866
null
395 N. Lightening Rd.
Hunter Army Airfield GA 31409
Landholding Agency: Army
Property Number: 21201310012
Status: Excess
Comments: Off-site removal only; 2,100 sf.; Admin.; fair conditions; w/in secured area; contact Army for info. on accessibility/removal reqs.

Building 9597
Bultman Ave.
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310013
Status: Excess
Comments: Off-site removal only; 324 sf.; storage; 6 mons. vacant; poor conditions; w/in secured area; Gov't escort only to access/remove property

Buildings 8579 & 8580
N. Perimeter Rd.
Hunter Army Airfield GA 31409
Landholding Agency: Army
Property Number: 21201310014
Status: Excess
Comments: Off-site removal only; sf. varies; poor conditions; w/in secured area; Gov't escort only to access/remove property

Building 8056
N. Lightening Rd.
Hunter Army Airfield GA 31409
Landholding Agency: Army
Property Number: 21201310015
Status: Excess
Comments: Off-site removal only; 3,790 sf.; navigation bldg.; 10 mons. vacant; fair conditions; asbestos; w/in secured area; Gov't escort only to access/remove property

Buildings 7736 & 7740
Chip Rd.
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310016
Status: Excess
Comments: Off-site removal only; sf. varies; poor conditions; w/in secured area; Gov't escort only to access/remove property

3 Buildings
McFarland Ave.
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310017
Status: Excess
Directions: 1710, 1711, 1712
Comments: off-site removal only; sf. varies; poor conditions; w/in secured area; Gov't escort only to access/remove property

Buildings 1303 & 1304
Warrior Rd.
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310018
Status: Excess
Comments: off-site removal only; sf. varies; poor conditions; w/in secured area; Gov't escort only to access/remove property

Building 1155 & 1156
N. Lightening Rd.
Hunter Army Airfield GA 31409
Landholding Agency: Army
Property Number: 21201310019
Status: Excess
Comments: off-site removal only; sf. varies; poor conditions; w/in secured area; Gov't escort only to access/remove property

Buildings 1139 & 1151
Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310020
Status: Excess
Comments: off-site removal only; sf. varies; poor conditions; w/in secured area; Gov't escort only to access/remove property

Building 919
574 McFarland Ave.
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310021
Status: Excess
Comments: off-site removal only; 1,440 sf.; Admin. 5 mons. vacant; poor conditions; w/in secured area; Gov't escort required to access/remove property

Building 1104
Frank Cochran Dr.
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21201310022
Status: Excess
Comments: off-site removal only; 240 sf.; storage; poor conditions; w/in secured area; Gov't escort required to access/remove property

Building 1105
Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310023
Status: Excess
Comments: off-site removal only; 7,132 sf.; Maint. Facility; poor conditions; asbestos & lead; w/in secured area; Gov't escort required to access/remove property

Building 1130
Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310024
Status: Excess
Comments: off-site removal only; 322 sf.; storage; poor conditions; w/in secured area; Gov't escort only to access/remove property

Building 1132
Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310025
Status: Excess
Comments: off-site removal only; 182 sf.; latrine; poor conditions; w/in secured area; Gov't escort only to access/remove property

Building 1133
Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310026
Status: Excess
Comments: off-site removal only; 501 sf.; latrine; poor conditions; w/in secured area; Gov't escort only to access/remove property

Building 1134
Veterans Pkwy
Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21201310027
Status: Excess
Comments: CORRECTION, published on 03/08/2013 incorrectly as 'land'; off-site removal only; 513sf.; Admin. poor conditions; asbestos; w/in secured area; Gov't escort only to access/remove property

Building 00062
1 Camp Merrill
Dahlonega GA 31905
Landholding Agency: Army
Property Number: 21201320003
Status: Unutilized
Comments: off-site removal only; 910 sf.; sep toil/shower; poor conditions; contact Army re: removal requirements

Building 02294
7895 Alekno Street
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21201320004
Status: Underutilized
Comments: off-site removal only; 5,614 sf.; classroom; poor conditions; contact Army re: removal requirements

Building OT022
46 22nd Street
Fort Gordon GA 30905
Landholding Agency: Army
Property Number: 21201330005
Status: Unutilized
Comments: No future agency need; Off-site removal only; 960 sf.; classroom; 120 months; dilapidated; contamination; closed post; contact Army for accessibility/removal requirements.

Building OT007
31 22nd Street
Fort Gordon GA 30905
Landholding Agency: Army
Property Number: 21201330006
Status: Unutilized
Comments: Off-site removal only; no future agency need; 960 sf.; classroom; 120t months; dilapidated; contamination; closed post; contact Army for accessibility/removal reqs.

8 Building
Hunter Army Airfield
Hunter Army Airfield GA 31409

Landholding Agency: Army
Property Number: 21201330024
Status: Excess
Directions: 1031, 1160, 8054, 8055, 8080, 8082, 8084, 8629
Comments: Off-site removal only; sf. varies; contamination; secured area; contact Army for info. on a specific property & accessibility/removal reqs.

3 Buildings
Veterans Pkwy.
Fort Stewart GA 31314
Landholding Agency: Army
Property Number: 21201330036
Status: Excess
Directions: 1101, 1108, 1129
Comments: Off-site removal only; poor conditions; contaminating; secured area; contact Army for info. on a specific property; accessibility removal reqs.

Building 00TR4
43 Pistol Range Road
Whitfield GA 30755
Landholding Agency: Army
Property Number: 21201330045
Status: Excess
Comments: Off-site removal only; 2,560 sf.; dining facility; 78 yrs. old; poor conditions; contact Army for more info.

Hawaii

P–88
Aliamanu Military Reservation
Honolulu HI 96818
Landholding Agency: Army
Property Number: 21199030324
Status: Unutilized
Directions: Approximately 600 feet from Main Gate on Aliamanu Drive.
Comments: 45,216 sq. ft. underground tunnel complex, pres. of asbestos clean-up required of contamination, use of respirator required by those entering property, use limitations

3377Z
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201210054
Status: Unutilized
Comments: off-site removal only; 196 sf.; current use: transformer bldg.; poor conditions—needs repairs

Bldg. 00208
Dillingham Military
Waialua HI
Landholding Agency: Army
Property Number: 21201210078
Status: Unutilized
Comments: off site removal only; 480 sq. ft.; recent use: hutmet

Bldg. 0300B
308 Paalaa Uka Pupukea
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201210083
Status: Unutilized
Comments: off-site removal only; 114 sf.; current use: valve house for water tank; fair conditions

12 Bldgs.
Schofield Barracks
Wahiawa HI
Landholding Agency: Army
Property Number: 21201220009
Status: Unutilized
Directions: 2509, 2510, 2511, 2512, 2513, 2514, 2516, 2517, 3030, 3031, 3032, 3035
Comments: off-site removal only; sf. varies; usage varies; storage; good conditions

A0300
308 Paalaa Uka Pupukea Rd.
Helemano
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201230009
Status: Unutilized
Comments: off-site removal only; 17.25 × 21ft.; water storage

2 Buildings
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201230049
Status: Unutilized
Directions: M3010, QRAMP
Comments: off-site removal only; sf. varies; repairs needed; secured area; contact Army re: accessibility requirements

2 Buildings
553/537 Airdrome Rd.
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201230054
Status: Unutilized
Directions: 1001,1005
Comments: off-site removal only; sf. varies; use: shed & shelter; poor conditions; abandoned—need repairs

Bldg. 1536
Ft. Shafter
Honolulu HI 96819
Landholding Agency: Army
Property Number: 21201230060
Status: Unutilized
Comments: off-site removal only; 2,117sf.; vehicle storage; need repairs

6 Properties
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201240027
Status: Unutilized
Directions: 24, 1005, 2276, B0886, M3010, QBAMP
Comments: Off-site removal only, sf. varies; poor conditions, contact Army for information on accessibility removal and specific details on a particular property

Buildings 1421 & 1422
510 CW2 Latchum Rd.
Wahiawa HI 97686
Landholding Agency: Army
Property Number: 21201310046
Status: Underutilized
Comments: off-site removal only; sf. varies; office & toilet; fair conditions; military reservation

Buildings 3363, 3366, & 3371
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201310047
Status: Unutilized
Comments: off-site removal only; sf. varies; abandoned; 230 mons. vacant; transformer bldgs.

B0088
Kilauea Military Reser.
HNP HI 96718
Landholding Agency: Army
Property Number: 21201310048
Status: Unutilized
Comments: off-site removal only; 100 sf.; pollutant catch basin; poor conditions

D0088
Schofield Barracks
HNP HI 96718
Landholding Agency: Army
Property Number: 21201310049
Status: Unutilized
Comments: off-site removal only; 100 sf.; pollutant catch basin; poor conditions

Building A0750
613 Ayers Ave.
Wahiawa HI 96786 (Schofield Barracks)
Landholding Agency: Army
Property Number: 21201330038
Status: Unutilized
Comments: off-site removal only; no future agency need; 512 sf.; storage; 46 yrs.-old; poor conditions; contact Army for more info.

Idaho

Bldg. 00110
Wilder
Canyon ID 83676
Landholding Agency: Army
Property Number: 21200740134
Status: Underutilized
Directions: Tooele Army Depot
Comments: Re-determination: off-site removal; 5,310 sf.; general admin./barracks; 12 mons. vacant; major repairs needed; asbestos; w/in restricted area; contact Army for info. on accessibility/removal reqs.

R1A11
16 Miles South
Boise ID 83634
Landholding Agency: Army
Property Number: 21201320005
Status: Excess
Comments: off-site removal only; 1,040 sf., dilapidated, repairs a must, temp. shelter, 9 months vacant, has hanta virus presence.

R1A13
16 Miles South
Boise ID 83634
Landholding Agency: Army
Property Number: 21201320015
Status: Excess
Comments: off-site removal only; 1,040 sf.; temp. shelter; 9 months vacant; dilapidated; Hanta virus; repairs a must

R1A10
16 Miles South
Boise ID 83634
Landholding Agency: Army
Property Number: 21201320041
Status: Excess
Comments: off-site removal only; 1,040 sf.; dilapidated; repairs a must; 9 months vacant; Hanta virus

R1A12
16 Miles South
Boise ID 83634
Landholding Agency: Army
Property Number: 21201320042
Status: Excess
Comments: off-site removal only; 1,040 sf.; temp. shelter; 9 months vacant; dilapidated; repairs a must; Hanta virus

R1A15
16 Miles South
Boise ID 83634
Landholding Agency: Army
Property Number: 21201320043
Status: Excess
Comments: off-site removal only; 1,040 sf.; temp. shelter; 9 months vacant; dilapidated; Hanta virus; repair a must

Kansas

Building 00322
Marshall Ave.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201310050
Status: Unutilized
Comments: off-site removal only; 6,000 sf.; Admin.; general purpose; deteriorating conditions; water damage; located on installation secured airfield; contact Army for more info.

Building 9109
Mallon Rd.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201310051
Status: Unutilized
Comments: off-site removal only; 128 sf.; latrine; deteriorating conditions; located on controlled area; contact Army for more info.

Building 00620
Mitchell Terr.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320014
Status: Excess
Comments: off-site removal only; 12,640 sf.; lodging; deteriorating; asbestos

Building 09098
Vinton School Rd.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320016
Status: Excess
Comments: off-site removal only; 120 sf.; guard shack; fair/moderate conditions

Building 07856
Drum St.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320017
Status: Excess
Comments: off-site removal only; 13,493 sf.; dining facility; deteriorating; asbestos

Building 07636
Normandy Dr.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320018
Status: Excess
Comments: off-site removal only; 9,850 sf.; deteriorating ; asbestos

Building 05309
Ewell St.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320019
Status: Excess
Comments: off-site removal only; 23,784 sf.; lodging; deteriorating; asbestos

Building 00918
Caisson Hill Rd.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320020
Status: Excess
Comments: off-site removal only; 3,536 sf.; admin. general purpose; deteriorating; possible contamination; secured area; however, prior approval to access is needed; contact Army for more info.

Building 00621
Mitchell Terr.
Ft. Riley KS 66442
Landholding Agency: Army
Property Number: 21201320021
Status: Excess
Comments: off-site removal only; 12, 640 sf.; lodging; deteriorating; asbestos

Kentucky

Fort Knox
Eisenhower Avenue
Fort Knox KY 40121
Landholding Agency: Army
Property Number: 21201110011
Status: Unutilized
Directions: Bldgs.: 06559, 06571, 06575, 06583, 06584, 06585, 06586
Comments: Off-site removal only; multiple bldgs. w/various sq. footage (2,578–8,440 sq. ft.), current use varies (classroom–dental clinic), lead base paint, asbestos & mold identified

Fort Knox, 10 Bldgs.
Bacher Street
2nd Dragoons Rd & Abel St
Fort Knox KY 40121
Landholding Agency: Army
Property Number: 21201110012
Status: Unutilized
Directions: Bldgs.: 06547, 06548, 06549, 06550, 06551, 06552, 06553, 06554, 06557, 06558
Comments: off-site removal only, multiple bldgs. w/various sq. footage (8,527–41,631 sq. ft.) lead base paint, asbestos & mold identified in all bldgs. Current use varies

Fort Knox, 10 Bldgs.
Eisenhower Ave
Fort Knox KY 40121
Landholding Agency: Army
Property Number: 21201110015
Status: Unutilized
Directions: Bldgs.: 06535, 06536, 06537, 06539, 06540, 06541, 06542, 06544, 06545, 06546
Comments: Off-site removal only, multiple bldgs. w/various sq. ft. (2,510–78,436 sq. ft.) lead base paint, asbestos & mold has been identified in all bldgs. Current use varies

11 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140002
Status: Unutilized
Directions: 02422, 02423, 02424, 02425, 02956, 02960, 00173, 02197, 02200, 00097, 00098
Comments: off-site removal only; possible lead based paint, asbestos, and mold in all bldgs.; sq. ft. varies; current use: office

5 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140003
Status: Unutilized
Directions: 02317, 02323, 02324, 02349, 02421
Comments: off-site removal only; possible lead base paint, asbestos, and mold; sq. ft. varies; current use: office

10 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140016
Status: Unutilized
Directions: 120, 161, 166, 171, 101, 114, 115, 116, 117, 1196
Comments: off-site removal only; sq. ft. varies; current use: office space to storage; possible asbestos and mold

18 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140032
Status: Unutilized
Directions: 51, 52, 70, 73, 74, 76, 2961, 2963, 2964, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2979, 2316
Comments: off-site removal only; possible asbestos, mold, and lead base paint; sq. ft. varies; current use: office

12 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140033
Status: Unutilized
Directions: 77, 78, 80, 81, 85, 86, 92, 94, 96, 9248, 2995, 2996
Comments: off-site removal only; possible mold, asbestos, and lead base paint; sq. ft. varies; current use: office to storage

Bldg. 2980
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140078
Status: Unutilized
Comments: off-site removal only; 6,900 sq. ft.; current use: office; possible asbestos and mold

Bldg. 1197
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201140079
Status: Unutilized
Comments: off-site removal only; 2,969 sq. ft.; current use: office; possible lead base paint, asbestos, and mold

23 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201210034
Status: Unutilized
Directions: 6097, 6098, 6099, 6113, 6114, 6115, 6116, 6118, 6120, 6121, 6123, 6124, 6614, 6615, 6616, 7107, 9209, 9215, 9231, 9254, 9256, 9361, 9619
Comments: Off-site removal only; sq. ft. varies, current use: varies; poor conditions-need repairs; lead, mold, and asbestos identified

20 Bldgs.
Ft. Knox

Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201210035
Status: Unutilized
Directions: 45, 46, 64, 75, 79, 107, 114, 155, 202, 205, 299, 1373, 1997, 2319, 2350, 3007, 6033, 6034, 6035, 6036
Comments: Off-site removal only; sq. ft. varies, current use: varies; poor conditions-need repairs; lead, mold, and asbestos identified

5 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201210036
Status: Unutilized
Directions: 6038, 6039, 6040, 6093, 6094
Comments: Off-site removal only; sq. ft. varies, current use: varies; poor conditions-need repairs; lead, mold, and asbestos identified

22 Bldgs.
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201220020
Status: Unutilized
Directions: 79, 204, 1610, 1996, 2955, 2959, 2965, 2980, 2991, 6531, 6533, 6560, 6561, 6563, 6564, 6565, 6566, 6592, 6594, 9183, 9319, 9320
Comments: off-site removal only; sf varies; usage varies; need repairs; lead and asbestos identified; need remediation

15 Buildings
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201230030
Status: Unutilized
Directions: 2991, 3006, 6127, 7345, 7346, 9254, 9264, 9294, 9302, 9311, 9315, 9335, 9427, 9503, 9504
Comments: use: maintenance; extremely poor conditions; contamination identified; contact Army for further details & accessibility requirements

10 Buildings
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201230031
Status: Unutilized
Directions: 9505, 9506, 9507, 9508, 9509, 9617, 9675, 9681, 9706, 9707
Comments: sf. varies; extremely poor conditions; contamination identified; contact Army for further details & accessibility requirements

Louisiana

B–8248
Ft. Polk
Ft. Polk LA 71459
Landholding Agency: Army
Property Number: 21201210069
Status: Underutilized
Comments: 3,141 sf.; current use: Admin. Bldg.; poor conditions-need repairs

B–8401
Ft. Polk
Ft. Polk LA 71459
Landholding Agency: Army
Property Number: 21201210070
Status: Underutilized
Comments: 3,141 sf.; current use: Admin. Bldg.; poor conditions-need repairs

21 Buildings
Polk
Ft. Polk LA 71459
Landholding Agency: Army
Property Number: 21201230034
Status: Underutilized
Directions: 9515, 9537, 9554, 9570, 9593, 9594, 9601, 9602, 9603, 9604, 9607, 9609, 9618, 9619, 9666, 9703, 9741, 9744, 9751, 9753, 9755
Comments: off-site removal only; sf. varies; use:varies; poor conditions; contact Army for further details re: a specific property

18 Buildings
Polk
Ft. Polk LA 71459
Landholding Agency: Army
Property Number: 21201230035
Status: Underutilized
Directions: 9764, 9765, 9773, 9793, 9794, 9797, 9803, 9812, 9818, 9830, 9836, 9837, 9840, 9854, 9913, 9914, 9917, 9920
Comments: off-site removal only; sq. ft. varies; use: varies; poor conditions; contact Army for further details re: a specific property

7 Building
Fort Polk
Fort Polk LA 71459
Landholding Agency: Army
Property Number: 21201330044
Status: Underutilized
Directions: 00916, 03313, 03314, 03315, 3316, 3320, 3323
Comments: Off-site removal only; sf. varies; no future agency need; poor conditions; contact Army for more info. on a specific property & removal reqs.

13 Buildings
Fort Polk
Fort Polk LA 71459
Landholding Agency: Army
Property Number: 21201330056
Status: Underutilized
Directions: 3335, 3341, 3342, 3344, 3348, 4798, 7144, 7192, 7193, 7194, 7199, 08091, 8092
Comments: Off-site removal only; no future agency need; sf. varies; storage to picnic/rec. shelter; poor conditions; contact Army for more info. on a specific property and removal requirements.

Maryland

Bldg. 0459B
Aberdeen Proving Ground
Aberdeen MD 21005–5001
Landholding Agency: Army
Property Number: 21200120106
Status: Unutilized
GSA Number:
Comments: 225 sq. ft., poor condition, most recent use—equipment bldg., off-site use only

Bldg. E5239
Aberdeen Proving Ground
Aberdeen MD 21005–5001
Landholding Agency: Army
Property Number: 21200120113
Status: Unutilized
GSA Number:
Comments: 230 sq. ft., most recent use—storage, off-site use only

Bldg. E5317
Aberdeen Proving Ground
Aberdeen MD 21005–5001
Landholding Agency: Army
Property Number: 21200120114
Status: Unutilized
GSA Number:
Comments: 3158 sq. ft., presence of asbestos/lead paint, most recent use—lab, off-site use only

Bldg. E5637
Aberdeen Proving Ground
Aberdeen MD 21005–5001
Landholding Agency: Army
Property Number: 21200120115
Status: Unutilized
GSA Number:
Comments: 312 sq. ft., presence of asbestos/lead paint, most recent use—lab, off-site use only

Bldg. 219
Ft. George G. Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200140078
Status: Unutilized
GSA Number:
Comments: 8142 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 0385A
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200320110
Status: Unutilized
GSA Number:
Comments: 944 sq. ft., off-site use only

Bldg. 0700B
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200320121
Status: Unutilized
GSA Number:
Comments: 505 sq. ft., off-site use only

Bldg. 05262
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200320136
Status: Unutilized
GSA Number:
Comments: 864 sq. ft., most recent use—storage, off-site use only

Bldg. 05608
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200320137
Status: Unutilized
GSA Number:
Comments: 1100 sq. ft., most recent use—maint bldg., off-site use only

Bldg. E5645
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200320150
Status: Unutilized
GSA Number:
Comments: 548 sq. ft., most recent use—storage, off-site use only

Bldg. 0449A

Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330112
Status: Unutilized
GSA Number:
Comments: 143 sq. ft., needs rehab, most recent use—substation switch bldg., off-site use only

Bldg. E1413
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330127
Status: Unutilized
GSA Number:
Comments: needs rehab, most recent use—observation tower, off-site use only

Bldg. E3175
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330134
Status: Unutilized
GSA Number:
Comments: 1296 sq. ft., needs rehab, most recent use—hazard bldg., off-site use only

4 Bldgs.
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330135
Status: Unutilized
GSA Number:
Directions: E3224, E3228, E3230, E3232, E3234
Comments: sq. ft. varies, needs rehab, most recent use—lab test bldgs., off-site use only

Bldg. E3241
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330136
Status: Unutilized
GSA Number:
Comments: 592 sq. ft., needs rehab, most recent use—medical res bldg., off-site use only

Bldg. E3300
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330139
Status: Unutilized
GSA Number:
Comments: 44,352 sq. ft., needs rehab, most recent use—chemistry lab, off-site use only

Bldg. E3335
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330144
Status: Unutilized
GSA Number:
Comments: 400 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldgs. E3360, E3362, E3464
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330145
Status: Unutilized
GSA Number:
Comments: 3588/236 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. E3542
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330148
Status: Unutilized
GSA Number:
Comments: 1146 sq. ft., needs rehab, most recent use—lab test bldg., off-site use only

Bldg. E4420
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330151
Status: Unutilized
GSA Number:
Comments: 14,997 sq. ft., needs rehab, most recent use—police bldg., off-site use only

4 Bldgs.
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330154
Status: Unutilized
GSA Number:
Directions: E5005, E5049, E5050, E5051
Comments: sq. ft. varies, needs rehab, most recent use—storage, off-site use only

Bldg. E5068
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330155
Status: Unutilized
GSA Number:
Comments: 1200 sq. ft., needs rehab, most recent use—fire station, off-site use only

Bldgs. 05448, 05449
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330161
Status: Unutilized
GSA Number:
Comments: 6431 sq. ft., needs rehab, most recent use—enlisted UHP, off-site use only

Bldg. 05450
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330162
Status: Unutilized
GSA Number:
Comments: 2730 sq. ft., needs rehab, most recent use—admin., off-site use only

Bldgs. 05451, 05455
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330163
Status: Unutilized
GSA Number:
Comments: 2730/6431 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. 05453
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330164
Status: Unutilized
GSA Number:
Comments: 6431 sq. ft., needs rehab, most recent use—admin., off-site use only

Bldg. E5609
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330167
Status: Unutilized
GSA Number:
Comments: 2053 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. E5611
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330168
Status: Unutilized
GSA Number:
Comments: 11,242 sq. ft., needs rehab, most recent use—hazard bldg., off-site use only

Bldg. E5634
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330169
Status: Unutilized
GSA Number:
Comments: 200 sq. ft., needs rehab, most recent use—flammable storage, off-site use only

Bldg. E5654
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330171
Status: Unutilized
GSA Number:
Comments: 21,532 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. E5942
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330176
Status: Unutilized
GSA Number:
Comments: 2147 sq. ft., needs rehab, most recent use—igloo storage, off-site use only

Bldgs. E5952, E5953
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330177
Status: Unutilized
GSA Number:
Comments: 100/24 sq. ft., needs rehab, most recent use—compressed air bldg., off-site use only

Bldgs. E7401, E7402
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330178
Status: Unutilized
GSA Number:
Comments: 256/440 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. E7407, E7408
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200330179
Status: Unutilized
GSA Number:
Comments: 1078/762 sq. ft., needs rehab, most recent use—decon facility, off-site use only

Bldg. 3070A

Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200420055
Status: Unutilized
Comments: 2299 sq. ft., most recent use—heat plant, off-site use only

Bldg. E5026
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200420056
Status: Unutilized
Comments: 20,536 sq. ft., most recent use—storage, off-site use only

Bldg. 05261
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200420057
Status: Unutilized
Comments: 10067 sq. ft., most recent use—maintenance, off-site use only

Bldg. E5876
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200440073
Status: Unutilized
Comments: 1192 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldgs. E1410, E1434
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720056
Status: Unutilized
Comments: 2276/3106 sq. ft., most recent use—laboratory, off-site use only

Bldg. E3834
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720058
Status: Unutilized
Comments: 72 sq. ft., most recent use—office, off-site use only

Bldgs. E4465, E4470, E4480
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720059
Status: Unutilized
Comments: 17658/16876/17655 sq. ft., most recent use—office, off-site use only

Bldgs. E5137, 05219
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720060
Status: Unutilized
Comments: 3700/8175 sq. ft., most recent use—office, off-site use only

Bldg. E5236
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720061
Status: Unutilized
Comments: 10,325 sq. ft., most recent use—storage, off-site use only

Bldg. E5282
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720062
Status: Unutilized
Comments: 4820 sq. ft., most recent use—hazard bldg., off-site use only

Bldgs. E5736, E5846, E5926
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720063
Status: Unutilized
Comments: 1069/4171/11279 sq. ft., most recent use—storage, off-site use only

Bldg. E6890
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200720064
Status: Unutilized
Comments: 1 sq. ft., most recent use—impact area, off-site use only

E1043
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820083
Status: Unutilized
Comments: 5200 sq. ft., most recent use—lab, off-site use only

Bldg. E1386
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820086
Status: Unutilized
Comments: 251 sq. ft., most recent use—eng/mnt, off-site use only

5 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820087
Status: Unutilized
Directions: E1440, E1441, E1443, E1445, E1455
Comments: 112 sq. ft., most recent use—safety shelter, off-site use only

Bldgs. E1467, E1485
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820088
Status: Unutilized
Comments: 160/800 sq. ft., most recent use—storage, off-site use only

Bldg. E1521
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820090
Status: Unutilized
Comments: 1200 sq. ft., most recent use—overhead protection, off-site use only

Bldg. E1570
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820091
Status: Unutilized
Comments: 47027 sq. ft., most recent use—office, off-site use only

Bldg. E1572
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820092
Status: Unutilized
Comments: 1402 sq. ft., most recent use—maint., off-site use only

4 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820093
Status: Unutilized
Directions: E1645, E1675, E1677, E1930
Comments: Various sq. ft., most recent use—office, off-site use only

Bldgs. E2160, E2184, E2196
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820094
Status: Unutilized
Comments: 12440/13816 sq. ft., most recent use—storage, off-site use only

Bldg. E2174
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820095
Status: Unutilized
Comments: 132 sq. ft., off-site use only

Bldg. 2831A
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820102
Status: Unutilized
Comments: 1200 sq. ft., most recent use—overhead protection, off-site use only

Bldg. E3466
Aberdeen Proving Ground
Aberdeen MD
Landholding Agency: Army
Property Number: 21200820104
Status: Unutilized
Comments: 236 sq. ft., most recent use—protective barrier, off-site use only

4 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820105
Status: Unutilized
Directions: E3510, E3570, E3640, E3832
Comments: Various sq. ft., most recent use—lab, off-site use only

Bldg. E3544
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820106
Status: Unutilized
Comments: 5400 sq. ft., most recent use—ind waste, off-site use only

Bldg. 3823A
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820109
Status: Unutilized
Comments: 113 sq. ft., most recent use—shed, off-site use only

Bldg. E3948
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army

Property Number: 21200820110
Status: Unutilized
Comments: 3420 sq. ft., most recent use—emp chg fac, off-site use only

4 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820111
Status: Unutilized
Directions: E5057, E5058, E5246, 05258
Comments: Various sq. ft., most recent use—storage, off-site use only

Bldgs. E5106, 05256
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820112
Status: Unutilized
Comments: 18621/8720 sq. ft., most recent use—office, off-site use only

Bldg. E5126
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820113
Status: Unutilized
Comments: 17664 sq. ft., most recent use—heat plt, off-site use only

Bldg. E5128
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820114
Status: Unutilized
Comments: 3750 sq. ft., most recent use—substation, off-site use only

Bldg. E5188
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820115
Status: Unutilized
Comments: 22790 sq. ft., most recent use—lab, off-site use only

Bldg. E5179
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820116
Status: Unutilized
Comments: 47335 sq. ft., most recent use—info sys, off-site use only

Bldg. E5190
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820117
Status: Unutilized
Comments: 874 sq. ft., most recent use—storage, off-site use only

Bldg. 05223
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820118
Status: Unutilized
Comments: 6854 sq. ft., most recent use—gen rep inst, off-site use only

Bldgs. 05259, 05260
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820119
Status: Unutilized
Comments: 10067 sq. ft., most recent use—maint, off-site use only

Bldgs. 05263, 05264
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820120
Status: Unutilized
Comments: 200 sq. ft., most recent use—org space, off-site use only

5 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820121
Status: Unutilized
Directions: 05267, E5294, E5327, E5441, E5485
Comments: Various sq. ft., most recent use—storage, off-site use only

Bldg. E5292
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820122
Status: Unutilized
Comments: 1166 sq. ft., most recent use—comp rep inst, off-site use only

Bldg. E5380
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820123
Status: Unutilized
Comments: 9176 sq. ft., most recent use—lab, off-site use only

Bldg. E5452
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820124
Status: Unutilized
Comments: 9623 sq. ft., off-site use only

Bldg. 05654
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820125
Status: Unutilized
Comments: 38 sq. ft. most recent use—shed, off-site use only

Bldg. 05656
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820126
Status: Unutilized
Comments: 2240 sq. ft., most recent use—overhead protection off-site use only

5 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820127
Status: Unutilized
Directions: E5730, E5738, E5915, E5928, E6875
Comments: Various sq. ft., most recent use—storage, off-site use only

Bldg. E5840
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820129
Status: Unutilized
Comments: 14200 sq. ft., most recent use—lab, off-site use only

Bldg. E6872
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820131
Status: Unutilized
Comments: 1380 sq. ft., most recent use—dispatch, off-site use only

Bldgs. E7331, E7332, E7333
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820132
Status: Unutilized
Comments: Most recent use—protective barrier, off-site use only

Bldg. E7821
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820133
Status: Unutilized
Comments: 3500 sq. ft., most recent use—xmitter bldg., off-site use only

Bldg. 06186
Ft. Detrick
Fredrick MD 21702
Landholding Agency: Army
Property Number: 21201110026
Status: Unutilized
Comments: Off-site removal only, 14,033 sq. ft., current use: communications ctr., bldg. not energy efficient but fair condition

Bldg. 01692
Ft. Detrick
Fredrick MD 21702
Landholding Agency: Army
Property Number: 21201110028
Status: Unutilized
Comments: Off-site removal only, 1,000 sq., current use; communications ctr., bldg. is not energy efficient but in fair condition

10 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210016
Status: Unutilized
Directions: E3266, E3268, E3269, E3299, E3300, E3305, E3306, E3326, E3344, E3500
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

10 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210017
Status: Unutilized
Directions: E3507, E3514, E3516, E3520, E3522, E3524, E3525, E3549, E3550, E3552
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

10 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210018
Status: Unutilized

Directions: E3570, E3573, E3607, E3615, E3623, E3646, E4405, E4410, E4415, E4420
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

11 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210019
Status: Unutilized
Directions: E4430, E4435, E4440, E4445, E4460, E4465, E4470, E4475, E4480, E5027
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

10 Bldgs.
Aberdeen Proving ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210020
Status: Unutilized
Directions: E5106, E5135, E5141, E5158, E5164, E5165, E5188, E5342, E5354, E5356
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

9 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210021
Status: Unutilized
Directions: E5365, E5425, E5427, E5429, E5643, E5684, E5686, E5687, E5725
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

9 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210022
Status: Unutilized
Directions: E5771, E5772, E5774, E5779, E5782, E5800, E5804, E5824, E5872
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

7 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210023
Status: Unutilized
Directions: E5910, E5911, E5912, E5913, E5914, E5932, E5940
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

13 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210028
Status: Unutilized
Directions: E3236, E3107, E3109, E3156, E3221, E3222, E3223, E3224, E3226, E3230, E3232, E3234, E3265
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

8 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210029
Status: Unutilized
Directions: E1890, E1936, E1946, E1950, E1958, E2100, E2101, E2105
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

11 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201210030
Status: Unutilized
Directions: E2309, E2400, E2580, E3081, E3083, E3100, E3101, E3103, E3104, E3105, E3106
Comments: Off-site removal only; sq. ft. varies; current use: varies; lead and asbestos identified; moderate conditions

Bldg. 724B
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201220003
Status: Unutilized
Comments: Off-site removal only; 1 sf.; current use: safety shelter; moderate conditions; lead & asbestos identified; need remediation

E6001
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201310058
Status: Unutilized
Comments: Off-site removal only; 527 sf.; security gate house; deteriorated

3 Buildings
Ft. George G. Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21201310061
Status: Unutilized
Directions: 08475, 8487, 09830
Comments: Off-site removal only; sf. varies; poor conditions; restricted area; contact Army for accessibility/removal reqs.

5 Buildings
Ft. George G. Meade
Ft. George MD 20755
Landholding Agency: Army
Property Number: 21201330008
Status: Unutilized
Directions: 4, 239, 700, 2790, 8608
Comments: Off-site removal only; no future agency need; sf. varies; fair to deteriorating conditions; secured area; contact Army re. info. on a specific property & accessibility/removal reqs.

Minnesota

18 Bldgs.
1245 Hwy 96 West
Arden Hills Army TRNG Site
Arden Hills MN 55112
Landholding Agency: Army
Property Number: 21201210059
Status: Unutilized
Directions: 12155, 12156, 12157, 01200, 01201, 01202, 01203, 01204, 01205, 01206, 04202, 11218, 11219, 11220, 11221, 11222, 11223, 04203
Comments: Off-site removal only; sf. varies; current use: storage; poor conditions-need repairs

Missouri

Bldg. T1497
Fort Leonard Wood
Ft. Leonard Wood MO 65473–5000
Landholding Agency: Army
Property Number: 21199420441
Status: Underutilized
Directions:
Comments: 4720 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only

Bldg. T2139
Fort Leonard Wood
Ft. Leonard Wood MO 65473–5000
Landholding Agency: Army
Property Number: 21199420446
Status: Underutilized
Directions:
Comments: 3663 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only

Bldg. T2385
Fort Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21199510115
Status: Excess
Directions:
Comments: 3158 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only

Bldg. 2167
Fort Leonard Wood
Ft. Leonard Wood MO 65473–5000
Landholding Agency: Army
Property Number: 21199820179
Status: Unutilized
Directions:
Comments: 1296 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldgs. 2192, 2196, 2198
Fort Leonard Wood
Ft. Leonard Wood MO 65473–5000
Landholding Agency: Army
Property Number: 21199820183
Status: Unutilized
Directions:
Comments: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

12 Bldgs.
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410110
Status: Unutilized
Directions: 07036, 07050, 07054, 07102, 07400, 07401, 08245, 08249 08251, 08255, 08257, 08261.
Comments: 7152 sq. ft. 6 complex housing quarters, potential contaminants, off-site use only.

6 Bldg.
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410111
Status: Unutilized
Directions: 07044, 07106, 07107, 08260, 08281, 08300
Comments: 9520 sq. ft., 8 complex housing quarters, potential contaminants, off-site use only.

15 Bldgs.

Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410112
Status: Unutilized
Directions: 08242, 08243, 08246–08248, 08250, 08252–08254, 08256, 08258–08259, 08262–08263, 08265
Comments: 4784 sq. ft., 4 complex housing quarters, potential contaminants, off-site use only.

Bldgs. 08283, 08285
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410113
Status: Unutilized
Comments: 2240 sq. ft., 2 complex housing quarters, potential contaminants, off-site use only.

15 Bldgs.
Fort Leonard Wood
Ft. Leonard Wood MO 65743–0827
Landholding Agency: Army
Property Number: 21200410114
Status: Unutilized
Directions: 08267, 08269, 08271, 08273, 08275, 08277, 08279, 08290 08296, 08301
Comments: 4784 sq. ft., 4 complex housing quarters, potential contaminants, off-site use only

Bldg. 09432
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410115
Status: Unutilized
Comments: 8724 sq. ft., 6-plex housing quarters, potential contaminants, off-site use only.

Bldgs. 5006 and 5013
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200430064
Status: Unutilized
Comments: 192 sq. ft., needs repair, most recent use—generator bldg., off-site use only

Bldgs. 13210, 13710
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200430065
Status: Unutilized
Comments: 144 sq. ft. each, needs repair, most recent use—communication, off-site use only

Montana

Bldg. 00405
Fort Harrison
Ft. Harrison MT 59636
Landholding Agency: Army
Property Number: 21200130099
Status: Unutilized
GSA Number:
Comments: 3467 sq. ft., most recent use—storage, security limitations

Bldg. T0066
Fort Harrison
Ft. Harrison MT 59636
Landholding Agency: Army
Property Number: 21200130100
Status: Unutilized
GSA Number:
Comments: 528 sq. ft., needs rehab, presence of asbestos, security limitations

New Jersey

7 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201210038
Status: Unutilized
Directions: 75, 99, 281, 332, 614 ,615, 623
Comments: Off-site removal only; sq. ft. varies, current use: varies; poor conditions—need repairs; contamination—needs remediation.

4 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201220011
Status: Unutilized
Directions: 1179, 1179A, 1179C, 1179D
Comments: Off-site removal only; sf varies; usage varies; need repairs; contamination; remediation required; secured area; need prior approval to access property; contact Army for more details

4 Building
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21201240026
Status: Unutilized
Directions: 3701, 3702, 3706, 3709
Comments: Off-site removal only, sq. varies, moderate conditions, restricted area; contact Army for information on accessibility removal and specific details on a particular property.

Building 00063
Picatinny Arsenal
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21201310039
Status: Underutilized
Comments: Off-site removal only; 44,000 sf.; storage; very poor conditions; w/in secured area; contact Army for accessibility/removal requirements

Building 01186
Pictinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201310040
Status: Unutilized
Comments: Off-site removal only; 192 sf.; storage; very poor conditions; w/in restricted area; contact Army for info. on accessibility/removal requirements

4 Buildings
Rt. 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21201310041
Status: Unutilized
Directions: 03704, 03705, 03707, 03708
Comments: Off-site removal only; 768 sf.; recreational billets; 12 mons. vacant; moderate; w/in secured area; contact Army for accessibility/removal requirements

Building 03703
Rt. 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21201310065
Status: Unutilized
Comments: Off-site removal only; 768 sf.; recreational billets; moderate conditions; secured military installation; contact Army for accessibility/removal reqs.

Building 03223
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21201330046
Status: Unutilized
Comments: Off-site removal only; no future agency need; 312 sf.; 102 yrs.-old; poor conditions; secured area; contact Army for more info.

New Mexico

Bldg. 34198
White Sands Missile Range
Dona Ana NM 88002
Landholding Agency: Army
Property Number: 21200230062
Status: Excess
GSA Number:
Comments: 107 sq. ft., most recent use—security, off-site use only

New York

Bldg. 1227
U.S. Military Academy
Highlands NY 10996–1592
Landholding Agency: Army
Property Number: 21200440074
Status: Unutilized
Comments: 3800 sq. ft., needs repair, possible asbestos/lead paint, most recent use—maintenance, off-site use only

Bldg. 2218
Stewart Newburg USARC
New Windsor NY 12553–9000
Landholding Agency: Army
Property Number: 21200510067
Status: Unutilized
Comments: 32,000 sq. ft., poor condition, requires major repairs, most recent use—storage/services

7 Bldgs.
Stewart Newburg USARC
New Windsor NY 12553–9000
Landholding Agency: Army
Property Number: 21200510068
Status: Unutilized
Directions: 2122, 2124, 2126, 2128, 2106, 2108, 2104
Comments: sq. ft. varies, poor condition, needs major repairs, most recent use—storage/services

Bldg. 1230
U.S. Army Garrison
Orange NY 10996
Landholding Agency: Army
Property Number: 21200940014
Status: Unutilized
Comments: 4538 sq. ft., possible asbestos/lead paint, most recent use—clubhouse, off-site use only

Bldg. 4802
Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21201010019
Status: Unutilized
Comments: 3300 sq. ft., most recent use—hdgts. facility, off-site use only

Bldgs. 4813

Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21201010020
Status: Unutilized
Comments: 750 sq. ft., most recent use—wash rack, off-site use only

Bldg. 4814
Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21201010021
Status: Unutilized
Comments: 2592 sq. ft., most recent use—item repair, off-site use only

Bldgs. 1240, 1255
Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21201010022
Status: Unutilized
Comments: Various sq. ft., most recent use—vehicle maint. facility, off-site use only

6 Bldgs.
Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21201010023
Status: Unutilized
Directions: 1248, 1250, 1276, 2361, 4816, 4817
Comments: Various sq. ft., most recent use—storage, off-site use only

Bldg. 10791
Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21201010025
Status: Unutilized
Comments: 72 sq. ft., most recent use—smoking shelter, off-site use only

6 Bldgs.
Ft. Drum
Watertown NY 13602
Landholding Agency: Army
Property Number: 21201110049
Status: Underutilized
Directions: 01000, 01001, 01003, 01008, 01010, 01012
Comments: Off-site removal only, multiple bldgs. w/varies sq., current use varies

21 Bldgs.
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201140026
Status: Unutilized
Directions: 10280, 10281, 10282, 10283, 10284, 10285, 10286, 10288, 10289, 10290, 10291, 10503, 10504, 10505, 10506, 10590, 10591, 10592, 10593, 10594, 10595
Comments: Off-site removal only; sq. ft. varies; current use: concrete pad

Bldgs. 02700 and 22630
Fort Drum
Fort Drum NY 13602
Landholding Agency: Army
Property Number: 21201210080
Status: Underutilized
Comments: Off-site removal only; sf. varies; current use: varies; need repairs

Bldg. 1345
Ft. Drum
Ft. Drum NY
Landholding Agency: Army
Property Number: 21201220030
Status: Underutilized
Comments: Off-site removal only; 7,219 sf.; vehicle maint. shop.; extensive repairs needed; secured area; need prior approval to access property

5 Properties
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201220031
Status: Unutilized
Directions: BRG02, BRG19, BRG38, BRG62, BRG63
Comments: Off-site removal only; sf varies; bridge; poor conditions; needs repairs; secured area; prior approval needed to access properties

Building 191
First Street West
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201230005
Status: Unutilized
Comments: Off-site removal only; 5,922 sf.; use: Admin.; extensive structural damage ; remediation required before occupying bldg.; secured area; contact Army to schedule appt. to access property

5 Buildings
Ft. Drum
Ft. Drum NY 13601
Landholding Agency: Army
Property Number: 21201230006
Status: Unutilized
Directions: 1454, 1456, 2443, 4890, 4893
Comments: Off-site removal only; sf. varies; use; varies; extensive repairs needed due to age; secured area; contact Army re: details on accessing property

Building 1560
Rte. 293
West Point NY 10996
Landholding Agency: Army
Property Number: 21201240024
Status: Unutilized
Comments: Off-site removal only, 4544 sf., storage severely damage from hurricane Irene, restricted area, contact Army on information on accessibility/removal.

Building 2104
West Point
West Point NY 10996
Landholding Agency: Army
Property Number: 21201240030
Status: Unutilized
Comments: Off-site removal only, 2,000 sf., office for red cross, good condition, restricted area, contacts army on info. on accessibility/removal.

4 Buildings
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201240037
Status: Unutilized
Directions: BRG28, 22374, 22354, 22254
Comments: Off-site removal only, poor conditions, restricted area, contact Army for accessibility/removal & specific details on a property.

3 Buildings
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201240045
Status: Unutilized
Directions: 2069, 2080, 21354
Comments: Off-site removal only, sf. varies, moderate deterioration, restricted area, contact Navy for information on accessibility/removal & specific details on a particular property

2 Buildings
Wheeler-Sack Army Airfield
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201320032
Status: Underutilized
Directions: Bldgs. 2071 & 2075 each are 160 sf.
Comments: No future use for properties; off-site removal only; poor conditions; secured area; contact Army re: accessibility/removal requirements

2 Buildings
Hanger Access Drive
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201320033
Status: Underutilized
Directions: Bldgs. 19711 & 19712 are each 3,024 sf.
Comments: No future Army use; off-site removal only; fair/moderate conditions; secured area; contact Army re: accessibility/removal requirements

2 Buildings
Wheeler-Sack Army
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201320034
Status: Unutilized
Directions: Bldgs. 2908 & 2909 are each 11,809 sf.
Comments: No future Army use; off-site removal only; poor conditions; secured area; contact Army re: accessibility/removal requirements

3 Buildings
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201330011
Status: Underutilized
Directions: 2150, 2190, 2360
Comments: Off-site removal only; no future agency need; sf. varies; poor conditions; secured area; contact Army re a specific property & accessibility/removal reqs.

Building 2022
Wheeler Sack Army Airfield
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201330020
Status: Unutilized
Comments: Off-site removal only; no future agency need; 115 sf.; communication ctr.; 12t months vacant; poor conditions; secure area; contact Army for accessibility/removal reqs.

North Carolina

Building 42843
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201240034
Status: Underutilized

Directions: 42843
Comments: Located in a secured area, public access is denied and no alternative method to gain access without compromising national security.

Ohio

125
1155 Buckeye Rd.
Lima OH 45804
Landholding Agency: Army
Property Number: 21201230025
Status: Underutilized
Directions: Joint Systems Manufacturing Center
Comments: Off-site removal only; 2,284 sf.; use: storage; poor conditions; asbestos identified; secured area; contact Army re: accessibility requirements

Oklahoma

Bldg. T–838, Fort Sill
838 Macomb Road
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199220609
Status: Unutilized
Directions:
Comments: 151 sq. ft., wood frame, 1 story, off-site removal only, most recent use—vet facility (quarantine stable).

Bldg. T–954, Fort Sill
954 Quinette Road
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199240659
Status: Unutilized
Directions:
Comments: 3571 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—motor repair shop.

Bldg. T–3325, Fort Sill
3325 Naylor Road
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199240681
Status: Unutilized
Directions:
Comments: 8832 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—warehouse.

Bldg. T–4226
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21199440384
Status: Unutilized
Directions:
Comments: 114 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—storage, off-site use only

Bldg. P–1015, Fort Sill
null
Lawton OK 73501–5100
Landholding Agency: Army
Property Number: 21199520197
Status: Unutilized
Directions:
Comments: 15402 sq. ft., 1-story, most recent use—storage, off-site use only

Bldg. P–366, Fort Sill
null
Lawton OK 73503
Landholding Agency: Army
Property Number: 21199610740
Status: Unutilized
Directions:
Comments: 482 sq. ft., possible asbestos, most recent use—storage, off-site use only

Building P–5042
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199710066
Status: Unutilized
Directions:
Comments: 119 sq. ft., possible asbestos and lead paint, most recent use—heat plant, off-site use only

4 Buildings
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199710086
Status: Unutilized
Directions: T–6465, T–6466, T–6467, T–6468
Comments: Various sq. ft., possible asbestos and lead paint, most recent use—range support, off site use only

Bldg. T–810
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730350
Status: Unutilized
Directions:
Comments: 7205 sq. ft., possible asbestos/lead paint, most recent use—hay storage, off-site use only

Bldgs. T–837, T–839
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730351
Status: Unutilized
Directions:
Comments: Approx. 100 sq. ft. each, possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. P–934
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730353
Status: Unutilized
Directions:
Comments: 402 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. T–1468, T–1469
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730357
Status: Unutilized
Directions:
Comments: 114 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–1470
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730358
Status: Unutilized
Directions:
Comments: 3120 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. T–1954, T–2022
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730362
Status: Unutilized
Directions:
Comments: Approx. 100 sq. ft. each, possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–2184
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730364
Status: Unutilized
Directions:
Comments: 454 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. T–2186, T–2188, T–2189
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730366
Status: Unutilized
Directions:
Comments: 1656–3583 sq. ft., possible asbestos/lead paint, most recent use—vehicle maint. shop, off-site use only

Bldg. T–2187
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730367
Status: Unutilized
Directions:
Comments: 1673 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. T–2291 thru T–2296
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730372
Status: Unutilized
Directions:
Comments: 400 sq. ft. each, possible asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. T–3001, T–3006
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730383
Status: Unutilized
Directions:
Comments: Approx. 9300 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–3314
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730385
Status: Unutilized
Directions:
Comments: 229 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. T–5041
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730409
Status: Unutilized

Directions:
Comments: 763 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–5420
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730414
Status: Unutilized
Directions:
Comments: 189 sq. ft., possible asbestos/lead paint, most recent use—fuel storage, off-site use only

Bldg. T–7775
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199730419
Status: Unutilized
Directions:
Comments: 1452 sq. ft., possible asbestos/lead paint, most recent use—private club, off-site use only

4 Bldgs.
Fort Sill
P–617, P–1114, P–1386, P–1608
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910133
Status: Unutilized
GSA Number:
Comments: 106 sq. ft., possible asbestos/lead paint, most recent use—utility plant, off-site use only

Bldg. P–746
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910135
Status: Unutilized
GSA Number:
Comments: 6299 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only

Bldg. P–2582
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910141
Status: Unutilized
GSA Number:
Comments: 3672 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only

Bldg. P–2914
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910146
Status: Unutilized
GSA Number:
Comments: 1236 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. P–5101
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910153
Status: Unutilized
GSA Number:
Comments: 82 sq. ft., possible asbestos/lead paint, most recent use—gas station, off-site use only

Bldg. S–6430
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910156
Status: Unutilized
GSA Number:
Comments: 2080 sq. ft., possible asbestos/lead paint, most recent use—range support, off-site use only

Bldg. T–6461
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910157
Status: Unutilized
GSA Number:
Comments: 200 sq. ft., possible asbestos/lead paint, most recent use—range support, off-site use only

Bldg. T–6462
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910158
Status: Unutilized
GSA Number:
Comments: 64 sq. ft., possible asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. P–7230
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21199910159
Status: Unutilized
GSA Number:
Comments: 160 sq. ft., possible asbestos/lead paint, most recent use—transmitter bldg., off-site use only

Bldg. S–4023
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200010128
Status: Unutilized
GSA Number:
Comments: 1200 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. P–747
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200120120
Status: Unutilized
GSA Number:
Comments: 9232 sq. ft., possible asbestos/lead paint, most recent use—lab, off-site use only

Bldg. P–842
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200120123
Status: Unutilized
GSA Number:
Comments: 192 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–911
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200120124
Status: Unutilized
GSA Number:
Comments: 3080 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. P–1672
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200120126
Status: Unutilized
GSA Number:
Comments: 1056 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. S–2362
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200120127
Status: Unutilized
GSA Number:
Comments: 64 sq. ft., possible asbestos/lead paint, most recent use—gatehouse, off-site use only

Bldg. P–2589
Fort Sill
Lawton OK 73503–5100
Landholding Agency: Army
Property Number: 21200120129
Status: Unutilized
GSA Number:
Comments: 3672 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. 00937, 00957
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200710104
Status: Unutilized
Comments: 1558 sq. ft., most recent use—storage shed, off-site use only

Bldg. 01514
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200710105
Status: Unutilized
Comments: 1602 sq. ft., most recent use—storage, off-site use only

Bldg. 05685
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200820152
Status: Unutilized
Comments: 24,072 sq. ft., concrete block/w brick, off-site use only

Bldg. 07480
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200920002
Status: Unutilized
Comments: 1200 sq. ft., most recent use—recreation, off-site use only

Bldgs. 01509, 01510
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200920060
Status: Unutilized
Comments: various sq. ft., most recent use—vehicle maint. shop, off-site use only

4 Bldgs.
Fort Sill
2591, 2593, 2595, 2604
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200920061
Status: Unutilized
Comments: various sq. ft., most recent use—classroom/admin, off-site use only

Bldg. 06456
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200930003
Status: Unutilized
Comments: 413 sq. ft. range support facility, off-site use only

Fort Sill (5 Bldgs.)
2583–87 Currie Road
Lawton OK 73501–5100
Landholding Agency: Army
Property Number: 21201110022
Status: Unutilized
Directions: Bldgs.: 02583, 02584, 02585, 02586, 02587
Comments: Off-site removal only, sq. ft. varies; current use varies

Fort Sill (5 Bldgs.)
Currie Road
Lawton OK 73501–5100
Landholding Agency: Army
Property Number: 21201110023
Status: Unutilized
Directions: Bldgs. 02588, 02769, 02770, 02771, 02950?
Comments: Off-site removal only, sq. ft. varies; current use varied

Bldgs. 02990 & 05020
Fort Sill
Lawton OK 73501–5100
Landholding Agency: Army
Property Number: 21201110024
Status: Unutilized
Comments: Off-site removal only, bldg. 02990—3,715 sq. ft. and bldg. 05020—6,682 sq. ft.; current use fast food facility and storage.

3 Bldgs.
Bateman Rd, Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201210089
Status: Unutilized
Directions: 1511, 1518, 1519
Comments: Off site removal only; various uses (dispatch bldgs. and admin/shop control)

6 Bldgs.
Currie Rd, Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201210090
Status: Unutilized
Directions: 2524, 2590, 2592, 2593, 2595, 2596
Comments: Off site removal only; various uses

4 Bldgs.
Ringgold Rd, Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201210091
Status: Unutilized
Directions: 2776, 2919, 2920, 2921
Comments: Off site removal only; various uses

9 Bldgs.
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201210092
Status: Unutilized
Directions: 02914, 02924, 02927, 02930, 02936, 02952, 03685, 04702, 05485
Comments: Off site removal only; various uses

4 Buildings
Ft. Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201230052
Status: Unutilized
Directions: 2285, 3168, 2916, 2915
Comments: off-site removal only; sf. varies; use: varies; fair conditions; contact Army re: further details

20 Building
Ft. Sill
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201240021
Status: Unutilized
Directions: 3456, 3457, 3460, 3462, 3463, 3466,3467, 3468, 3470, 3472, 3473, 3476, 3477, 3479, 6009, 6010, 6012, 6014, 6015, 6018
Comments: Off-site removal only, sf varies, fair conditions, contact Army for info on specific details on a particular property.

29 Buildings
Ft.Sill
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201240028
Status: Unutilized
Directions: 1, 344, 2522, 2525, 2597, 2598,2599, 2772, 2774, 2775, 2777, 3355, 3357, 3358, 3360, 3361, 3362, 3363, 3364, 3368, 3401, 3402, 3403, 3404, 3405, 3451, 3452, 3453, 3454
Comments: Off-site removal only, sf. varies, fair conditions, contact Army for specific details for a particular property.

Building 3356
Burrill Rd.
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201240050
Status: Unutilized
Comments: Off-site removal only; 10,839 sf.; vech. maint. shop; 6 mons. vacant; moderate conditions

Building 2867
Craig Rd.
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201310007
Status: Unutilized
Comments: Off-site removal only; 3,658 sf.; 6 mons. vacant; moderate conditions

Building 954
Quinette Rd.
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201310008
Status: Unutilized
Comments: Off-site removal only; 3,571 sf.; Admin. General Purpose; 6 mons. vacant; moderate conditions

Building 341
Randolph Rd.
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201310009
Status: Unutilized
Comments: Off-site removal only; 645 sf.; TNG AIDS CTR.; 6 mons. vacant; moderate conditions

39 Buildings
Fort Sill
Ft. Sill OK 73503
Landholding Agency: Army
Property Number: 21201330041
Status: Unutilized
Directions: 2870, 2871, 2872, 2873, 2874, 2875, 2951, 3001, 3004, 3005, 3006, 3551, 3352, 3353, 3354, 3407, 3408, 3409, 3481, 3482, 3486, 3487, 3488, 3489, 3494, 3495, 3496, 3498, 3601, 3602, 3608, 3609, 3622, 3623, 3624, 4702, 4900, 6700, 7803
Comments: Off-site removal only; no future agency need; 6+ months vacant; sf. varies; contact Army for more info. on a specific property and removal reqs.

26 Buildings
Fort Sill
Fort Sill OK 93503
Landholding Agency: Army
Property Number: 21201330055
Status: Unutilized
Directions: 2596, 2597, 2774, 2838, 2839, 2840, 2841, 2843, 2844, 2847, 2850, 2851, 2853, 2854, 2855,2856, 2858, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2868, 2869
Comments: Off-site removal only; no future agency need; 6+ months vacant; sf. varies; contact Army for more info. on a specific property and removal requirements.

Pennsylvania

Building 01015
11 Hap Arnold Blvd.
Tobyhanna PA 18466
Landholding Agency: Army
Property Number: 21201320031
Status: Unutilized
Comments: Off-site removal only; 3,120 sf.; recruiting station; 1 month vacant; poor conditions; asbestos; secured area; contact Army for more info.

Building 01001
11 Hap Arnold Blvd.
Tobyhanna PA 18466
Landholding Agency: Army
Property Number: 21201320035
Status: Excess
Comments: Off-site removal only; 4,830 sf.; youth center/admin.; 1 month vacant; poor conditions; asbestos; secured area; contact Army for more info.

Puerto Rico

3 Building
Ft. Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21201240041
Status: Excess
Directions: 19,234,294
Comments: Off-site removal only, sf. varies, deteriorated, restricted aria, contact Army for information on accessibility/removal, specific on a particular property.

Building 293
Crane Loop

Ft. Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201240049
Status: Excess
Comments: Off-site removal only; 54 sf.; ready magazine; 24 mons. vacant; restricted area; deteriorated; contact Army for accessibility/removal requirements

34 Buildings
Ft. Buchanan
Ft. Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201310056
Status: Excess
Directions: 01109, 01112, 0115, 01117, 01118, 01122, 01125, 01174, 01176, 01179, 01181, 01182, 01184, 01185, 01187, 01190, 01192, 01193, 01197, 01198, 01199, 01203, 01204, 01205, 01207, 01208, 01210, 01211, 01214, 01215, 01217, 01219, 01223, 01226
Comments: Off-site removal only; sf. varies; residential; deteriorating; restricted area; contact Army for a property & accessibility/removal reqs.

5 Buildings
Ft. Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21201330037
Status: Excess
Directions: 00141, 00551, 00558, 00570, 00579
Comments: Off-site removal only; deteriorated; secured area; contact Army for info. on a specific property & accessibility removal reqs.

Texas

Bldg. 7137, Fort Bliss
null
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199640564
Status: Unutilized
Directions:
Comments: 35,736 sq. ft., 3-story, most recent use—housing, off-site use only

Bldg. 92043
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200020206
Status: Unutilized
GSA Number:
Comments: 450 sq. ft., most recent use—storage, off-site use only

Bldg. 92044
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200020207
Status: Unutilized
GSA Number:
Comments: 1920 sq. ft., most recent use—admin., off-site use only

Bldg. 92045
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200020208
Status: Unutilized
GSA Number:
Comments: 2108 sq. ft., most recent use—maint., off-site use only

Bldgs. P6220, P6222
Fort Sam Houston
Camp Bullis
San Antonio TX
Landholding Agency: Army
Property Number: 21200330197
Status: Unutilized
GSA Number:
Comments: 384 sq. ft., most recent use—carport/storage, off-site use only

Bldgs. P6224, P6226
Fort Sam Houston
Camp Bullis
San Antonio TX
Landholding Agency: Army
Property Number: 21200330198
Status: Unutilized
GSA Number:
Comments: 384 sq. ft., most recent use—carport/storage, off-site use only

Bldg. 92039
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200640101
Status: Excess
Comments: 80 sq. ft., most recent use—storage, off-site use only

Bldgs. 04281, 04283
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720085
Status: Excess
Comments: 4000/8020 sq. ft., most recent use—storage shed, off-site use only

Bldg. 04285
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720087
Status: Excess
Comments: 8000 sq. ft., most recent use—storage shed, off-site use only

Bldg. 04286
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720088
Status: Excess
Comments: 36,000 sq. ft., presence of asbestos, most recent use—storage shed, off-site use only

Bldg. 04291
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720089
Status: Excess
Comments: 6400 sq. ft., presence of asbestos, most recent use—storage shed, off-site use only

Bldg. 4410
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720090
Status: Excess
Comments: 12,956 sq. ft., presence of asbestos, most recent use—simulation center, off-site use only

Bldgs. 10031, 10032, 10033
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720091
Status: Excess
Comments: 2578/3383 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldg. 56435
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720093
Status: Excess
Comments: 3441 sq. ft., presence of asbestos, most recent use—barracks, off-site use only

Bldg. 05708
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720094
Status: Excess
Comments: 1344 sq. ft., most recent use—community center, off-site use only

Bldg. 93013
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720099
Status: Excess
Comments: 800 sq. ft., most recent use—club, off-site use only

4 Bldgs.
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810048
Status: Unutilized
Directions: 00229, 00230, 00231, 00232
Comments: various sq. ft., presence of asbestos, most recent use—training aids center, off-site use only

Bldg. 00324
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810049
Status: Unutilized
Comments: 13,319 sq. ft., most recent use—roller skating rink, off-site use only

Bldgs. 00710, 00739, 00741
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810050
Status: Unutilized
Comments: various sq. ft., presence of asbestos, most recent use—repair shop, off-site use only

Bldg. 00713
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810052
Status: Unutilized
Comments: 3200 sq. ft., presence of asbestos, most recent use—hdqts. bldg., off-site use only

Bldgs. 1938, 04229
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810053
Status: Unutilized
Comments: 2736/9000 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldgs. 02218, 02220
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810054
Status: Unutilized
Comments: 7289/1456 sq. ft., presence of asbestos, most recent use—museum, off-site use only

Bldg. 0350
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810055
Status: Unutilized
Comments: 28,290 sq. ft., presence of asbestos, most recent use—veh. maint. shop, off-site use only

Bldg. 04449
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810056
Status: Unutilized
Comments: 3822 sq. ft., most recent use—police station, off-site use only

Bldg. 91077
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200810057
Status: Unutilized
Comments: 3200 sq. ft., presence of asbestos, most recent use—educational facility, off-site use only

Bldg. 57005
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200840073
Status: Excess
Comments: 500 sq. ft., presence of asbestos, most recent use—water supply/treatment, off-site use only

B–42
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210007
Status: Excess
Comments: Off-site removal only; 893 sq. ft.; current use: storage; asbestos identified

B–2319
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210010
Status: Unutilized
Comments: Off-site removal only; 1,339 sq. ft.; current use: exchange cafe; asbestos identified

B–4237
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210011
Status: Unutilized
Comments: Off-site removal only; 7,840 sq. ft.; current use: storage; asbestos identified

2 Bldgs.
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210012
Status: Unutilized
Directions: 4238, 4239
Comments: Off-site removal only; sq. ft. varies; current use: varies; asbestos identified

6 Bldgs.
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210013
Status: Unutilized
Directions: 4240, 4241, 4253, 4254, 4271, 4444
Comments: Off-site removal only; sq. ft. varies; current use: varies; asbestos identified

2 Bldgs.
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210014
Status: Unutilized
Directions: 5652, 56272
Comments: Off-site removal only; sq. ft. varies; current use: varies

4 Bldgs.
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201210015
Status: Unutilized
Directions: 4428, 4437, 4452, 56423
Comments: Off-site removal; sq. ft. varies; current use: varies; asbestos identified

B–1301
Ft. Bliss
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201220001
Status: Underutilized
Comments: Off-site removal only; 18,739 sf.; current use: thrift shop; poor conditions; need repairs

Bldg. 7194
Ft. Bliss
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201220002
Status: Unutilized
Comments: Off-site removal only; 2,125 sf.; current use: housing; poor conditions—need repairs; asbestos & lead identified; need remediation

2 Buildings
West Ft. Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201230012
Status: Excess
Directions: 90047 & 92080
Comments: Off-site removal only; 1,680 sf. (90047);1,059 sf. (92080); restricted military installation; contact Army re: accessibility

6 Buildings
Ft. Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201230057
Status: Excess
Directions: 9541, 4478, 9511, 41003, 41002, 70005
Comments: Off-site removal only; need repairs; asbestos identified in some bldgs.; restricted area; prior permission to access & relocate; contact Army for details on specific bldgs.

Building 11142
SSG Sims Rd.
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201240009
Status: Excess
Comments: Off-site removal only; 12,644 sf.; mess hall; poor conditions; limited public access; contact Army for info. on accessibility/removal

Building 6951
11331 Montana Ave.
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201240010
Status: Excess
Comments: Off-site removal only; 288 sf.; utility bldg.; poor conditions; limited public access; contact Army for info. on accessibility/removal

Building 6942
11331 Montana Ave.
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201240011
Status: Excess
Comments: Off-site removal only; 1,059 sf.; storage; poor conditions; limited public access; contact Army for info. on accessibility/removal

Bldg. 2432
Carrington Rd.
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201240013
Status: Excess
Comments: Off-site removal only; 180 sf.; dispatch bldg.; poor conditions; limited public access; asbestos/lead identified; contact Army for info. on accessibility/removal

Building 50
50 Slater Rd.
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201240014
Status: Excess
Comments: Off-site removal only; 9,900 sf.; office; poor conditions; limited public access; asbestos/lead identified; contact Army for info. on accessibility/removal

2 Building
Ft. Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201240044
Status: Excess
Directions: 706, 4286
Comments: Off-site removal only, sf. varies, fair conditions, asbestos, restricted area, contact Army for accessibility/removal & specific details on a property.

6 Buildings
Ft. Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21201310044
Status: Excess
Directions: 4209, 4490, 4479, 4402, 4214, 4401
Comments: Off-site removal only; sf. varies; right of entry restricted; contact Army for

info. on a specific property & accessibility/removal requirements

7 Buildings
Fort Hood
Fort Hood TX 96544
Landholding Agency: Army
Property Number: 21201330004
Status: Excess
Directions: 40066, 40067, 40068, 40069, 40070, 40071, 92070
Comments: Off-site removal only; sf. varies; contamination; secured area; contact Army for info on a specific property & accessibility/removal requirements.

2 Building
Fort Bliss
Fort Bliss TX 79916
Landholding Agency: Army
Property Number: 21201330029
Status: Unutilized
Directions: 05015(22,915 sf.); 05019(23,495 sf.)
Comments: Off-site removal only; no future agency need; poor conditions; 6+months vacant; contact Army for info. on accessibility; removal reqs.

Building 00925
Red River Army Depot
Texarkana TX 75507–5000
Landholding Agency: Army
Property Number: 21201330042
Status: Excess
Comments: Off-site removal only; 266 sf.; 51 yrs. old deteriorated; secured area; contact Army for more info. on accessibility removal reqs.

Building 00959
Red River Army Depot
Texarkana TX 75507–5000
Landholding Agency: Army
Property Number: 21201330043
Status: Excess
Comments: Off-site removal only; 400 sf.; break room; 36 yrs.-old; deteriorated; secured area; contact Army for more info.

Building 00960
100 James Carlow Drive
Texarkana TX 75507–5000
Landholding Agency: Army
Property Number: 21201330048
Status: Excess
Comments: Off-site removal only; 160 sf.; 36 yrs.-old; deteriorated; asbestos; secured area; contact Army for more info.

Utah

Building 00118
1 Tooele Army Depot
Tooele UT 84074
Landholding Agency: Army
Property Number: 21201310002
Status: Underutilized
Directions: Previously reported under HUD property number 21200740163
Comments: Off-site removal only; 6,136 sf.; 4 mons. vacant; barracks; major repairs needed; w/in secured area; contact Army for info. on accessibility/removal reqs.

Building 00155
1 Tooele Army Depot
Tooele UT 84074
Landholding Agency: Army
Property Number: 21201310003
Status: Underutilized
Directions: Previously reported under HUD property number 21200740165
Comments: Off-site removal only; 8,960 sf.; bowling ctr.; major repairs needed; w/in secured area; contact Army for info. on accessibility/removal reqs.

Building 00030
Tooele Army Depot
Tooele UT 84074
Landholding Agency: Army
Property Number: 21201310067
Status: Underutilized
Comments: Off-site removal only; playground; disassembly required; minor restoration needed; restricted area; contact Army for accessibility/removal reqs.

Building 00234
Dugway Proving Ground
Dugway UT 84022
Landholding Agency: Army
Property Number: 21201320046
Status: Underutilized
Comments: Off-site removal only; no future Army use; 3,110 sf.; military housing; 53 yrs.-old; repairs needed; secured area; contact Army for more info.

Building 01322
1 Tooele Army Depot
Tooele UT 84074
Landholding Agency: Army
Property Number: 21201330047
Status: Unutilized
Comments: Off-site removal only; no future agency need; 53 sf.; 26+ months vacant; access control facility; poor conditions; secured area; contact Army for more info. on accessibility removal reqs.

Virginia

Fort Story
null
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200720065
Status: Unutilized
Comments: 525 sq. ft., most recent use—power plant, off-site use only

Bldg. 01633
Fort Eustis
Ft. Eustis VA 23604
Landholding Agency: Army
Property Number: 21200720076
Status: Unutilized
Comments: 240 sq. ft., most recent use—storage, off-site use only

8 Bldgs.
Ft. Belvoir
Ft. Belvoir VA 22060
Landholding Agency: Army
Property Number: 21201220004
Status: Excess
Directions: 808, 1150, 1197, 2303, 2903, 2905, 2907, 3137
Comments: Off-site removal only; sf. varies; usage varies; good to poor conditions; may require repairs; contact Army for more details on specific properties

9 Buildings
Ft. Belvoir
Ft. Belvoir VA 22060
Landholding Agency: Army
Property Number: 21201240003
Status: Unutilized
Directions: 358, 361, 1140, 1141, 1142, 1143, 1498, 1499, 2302
Comments: Off-site removal only; sf. varies; Admin.; fair conditions; located in restricted area; contact Army for info. on accessibility/removal & specific info. on a property

Building 3327
1410 Byrd St.
Ft. Lee VA 23801
Landholding Agency: Army
Property Number: 21201320008
Status: Excess
Comments: Off-site removal only; 10,800 sf.; repairs needed; contamination; secured area; contact Army for more info.

Building 3325
Byrd St. btw. 13th & 16th Sts.
Ft. Lee VA 23801
Landholding Agency: Army
Property Number: 21201320009
Status: Excess
Comments: Off-site removal only; 5,829 sf.; repairs needed; contamination; secured; contact Army for more info.

Building 3324
Byrd St. btw. 13th & 16th Sts.
Ft. Lee VA 23801
Landholding Agency: Army
Property Number: 21201320010
Status: Excess
Comments: Off-site removal only; 5,092 sf.; repairs needed; secured area; contact Army for more info.

Building 3206
Corner of Adams Ave. & 13th St.
Ft. Lee VA 23801
Landholding Agency: Army
Property Number: 21201320011
Status: Excess
Comments: Off-site removal only; 55,979 sf.; repairs needed; secured area; contamination; contact Army for more info.

Building 3108
Corner of Adam & 13th St.
Ft. Lee VA 23801
Landholding Agency: Army
Property Number: 21201320012
Status: Excess
Comments: Off-site removal only; 51,718 sf.; repairs needed; secured area; contamination; contact Army for more info.

Building 3701
16th & Byrd St.
Ft. Lee VA 23801
Landholding Agency: Army
Property Number: 21201320013
Status: Excess
Comments: Off-site removal only; 40,920 sf.; repairs needed; secured area; contact Army for more info.

Washington

Bldg. U001C
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920238
Status: Unutilized
Comments: 960 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—supply, off-site use only

Bldg. U018C
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920248
Status: Unutilized
GSA Number:

Comments: 48 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. U039B
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920260
Status: Excess
GSA Number:
Comments: 1600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—grandstand/bleachers, off-site use only

Bldg. U039C
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920261
Status: Excess
GSA Number:
Comments: 600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—support, off-site use only

Bldg. U115A
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920275
Status: Excess
GSA Number:
Comments: 36 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—tower, off-site use only

Bldg. U507A
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920276
Status: Excess
GSA Number:
Comments: 400 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—support, off-site use only

Bldg. C0120
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920281
Status: Excess
GSA Number:
Comments: 384 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—scale house, off-site use only

Bldg. 1445
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920294
Status: Excess
GSA Number:
Comments: 144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—generator bldg., off-site use only

Bldg. 03099
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920296
Status: Excess
Directions: 03091 is demo
Comments: Various sq. ft., needs repair, presence of asbestos/lead paint, most recent use—sentry station, off-site use only

Bldg. 4040
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920298
Status: Excess
GSA Number:
Comments: 8326 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shed, off-site use only

Bldg. 6191
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920303
Status: Excess
GSA Number:
Comments: 3663 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—exchange branch, off-site use only

Bldg. 08076
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920304
Status: Excess
Directions: 08080 is demo
Comments: 3660/412 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. 8956
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920308
Status: Excess
GSA Number:
Comments: 100 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

4 Bldgs.
Joint Base Louis McChord
Lewis-McChord WA 98433
Landholding Agency: Army
Property Number: 21201210087
Status: Unutilized
Directions: J0053, 00794, 09791, 09989
Comments: Off-site removal only; sf varies; current use: varies; need repairs

7903
Plant Rd.
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201230023
Status: Unutilized
Comments: 169 sf.; use: access control facility; extensive repairs needed; secured area; contact Army re: accessibility requirements

E1302 & R7610
JBLM
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201230028
Status: Unutilized
Comments: 80 sf. (E1302); 503 sf. (R7610); use: varies; major repairs needed; secured area; contact Army re: accessibility requirements

Wisconsin

11 Building
Fort McCoy
Fort McCoy WI 54656
Landholding Agency: Army
Property Number: 21201330013
Status: Unutilized
Directions: 1077, 01078, 01079, 01870, 01871, 02181, 05011, 05012, 05014, 06199, GR61A
Comments: sf varies; no future agency need; poor/deteriorated conditions; secured area; escort required; contact Army for more info. on a specific property & accessibility reqs./removal options

Land

Maryland

2 acres
Fort Meade
Odenton Rd/Rt 175
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200640095
Status: Unutilized
Comments: Light industrial

16 acres
Fort Meade
Rt 198/Airport Road
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200640096
Status: Unutilized
Comments: Light industrial

E6000 & E6100
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201310063
Status: Unutilized
Comments: Water dam currently located on properties; restricted area; contact Army for more information regarding properties

LANDE
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201310064
Status: Unutilized
Comments: 128 acres; fair conditions; restricted area; contact Army for more info.

Tennessee

Parcel No. 1
Fort Campbell
Tract No. 13M–3
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920003
Status: Excess
Comments: 6.89 acres/thick vegetation

Parcel No. 2
Fort Campbell
Tract Nos.12M–16B & 13M–3
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920004
Status: Excess
Comments: 3.41 acres/wooded

Parcel No. 3
Fort Campbell
Tract No. 12M–4
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920005
Status: Excess
Comments: 6.56 acre/wooded

Parcel No. 4
Fort Campbell
Tract Nos10M–22 &10M–23

Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920006
Status: Excess
Comments: 5.73 acres/wooded

Parcel No. 5
Fort Campbell
Tract No. 10M–20
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920007
Status: Excess
Comments: 3.86 acres/wooded

Parcel No. 7
Fort Campbell
Tract No. 10M–10
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920008
Status: Excess
Comments: 9.47 acres/wooded

Parcel No. 8
Fort Campbell
Tract No. 8M–7
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200920009
Status: Excess
Comments: 15.13 acres/wooded

Parcel No. 6
Fort Campbell
Hwy 79
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200940013
Status: Excess
Comments: 4.55 acres, wooded w/dirt road/fire break

TEXAS

1 acre
Fort Sam Houston
San Antonio TX 78234
Landholding Agency: Army
Property Number: 21200440075
Status: Excess
Comments: 1 acre, grassy area

Suitable/Unavailable Properties

Building

Arizona

Bldg. 22541
Fort Huachuca
Cochise AZ 85613–7010
Landholding Agency: Army
Property Number: 21200520078
Status: Excess
Comments: 1300 sq. ft., most recent use—storage, off-site use only

Bldg. 22040
Fort Huachuca
Cochise AZ 85613
Landholding Agency: Army
Property Number: 21200540076
Status: Excess
Comments: 1131 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Colorado

Bldg. S6285
Fort Carson
Ft. Carson CO 80913
Landholding Agency: Army
Property Number: 21200420176
Status: Unutilized
Comments: 19,478 sq. ft., most recent use—admin., off-site use only

Georgia

Bldg. 5993
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21200420041
Status: Excess
Comments: 960 sq. ft., most recent use—storage, off-site use only

Bldg. 5994
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21200420042
Status: Excess
Comments: 2016 sq. ft., most recent use—ammo storage, off-site use only

Bldg. 5995
Fort Benning
Ft. Benning GA 31905
Landholding Agency: Army
Property Number: 21200420043
Status: Excess
Comments: 114 sq. ft., most recent use—storage, off-site use only

Louisiana

Bldgs. T406, T407, T411
Fort Polk
Ft. Polk LA 71459
Landholding Agency: Army
Property Number: 21200540085
Status: Unutilized
Comments: 6165 sq. ft., most recent use—admin., off-site use only

Maryland

Bldg. 294
Ft. George G. Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200140081
Status: Unutilized
GSA Number:
Comments: 3148 sq. ft., presence of asbestos/lead paint, most recent use—entomology facility, off-site use only

Bldg. 1007
Ft. George G. Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200140085
Status: Unutilized
GSA Number:
Comments: 3108 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 2214
Fort George G. Meade
Fort Meade MD 20755
Landholding Agency: Army
Property Number: 21200230054
Status: Unutilized
GSA Number:
Comments: 7740 sq. ft., needs rehab, possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 8608
Fort George G. Meade
Ft. Meade MD 20755–5115
Landholding Agency: Army
Property Number: 21200410099
Status: Unutilized
Comments: 2372 sq. ft., concrete block, most recent use—PX exchange, off-site use only

Bldg. 8612
Fort George G. Meade
Ft. Meade MD 20755–5115
Landholding Agency: Army
Property Number: 21200410101
Status: Unutilized
Comments: 2372 sq. ft., concrete block, most recent use—family life ctr., off-site use only

Bldg. 0001A
Federal Support Center
Olney MD 20882
Landholding Agency: Army
Property Number: 21200520114
Status: Unutilized
Comments: 9000 sq. ft., most recent use—storage

Bldg. 0001C
Federal Support Center
Olney MD 20882
Landholding Agency: Army
Property Number: 21200520115
Status: Unutilized
Comments: 2904 sq. ft., most recent use—mess hall

Bldgs. 00032, 00H14, 00H24
Federal Support Center
Olney MD 20882
Landholding Agency: Army
Property Number: 21200520116
Status: Unutilized
Comments: various sq. ft., most recent use—storage

Bldgs. 00034, 00H016
Federal Support Center
Olney MD 20882
Landholding Agency: Army
Property Number: 21200520117
Status: Unutilized
Comments: 400/39 sq. ft., most recent use—storage

Bldgs. 00H10, 00H12
Federal Support Center
Olney MD 20882
Landholding Agency: Army
Property Number: 21200520118
Status: Unutilized
Comments: 2160/469 sq. ft., most recent use—vehicle maintenance

Missouri

Bldg. 1230
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200340087
Status: Unutilized
GSA Number:
Comments: 9160 sq. ft., most recent use—training, off-site use only

Bldg. 1621
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200340088
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft., most recent use—exchange branch, off-site use only

Bldg. 5760
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944

Landholding Agency: Army
Property Number: 21200410102
Status: Unutilized
Comments: 2000 sq. ft., most recent use—classroom, off-site use only

Bldg. 5762
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410103
Status: Unutilized
Comments: 104 sq. ft., off-site use only

Bldg. 5763
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410104
Status: Unutilized
Comments: 120 sq. ft., most recent use—observation tower, off-site use only

Bldg. 5765
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200410105
Status: Unutilized
Comments: 800 sq. ft., most recent use—range support, off-site use only

Bldg. 5760
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200420059
Status: Unutilized
Comments: 2000 sq. ft., most recent use—classroom, off-site use only

Bldg. 5762
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200420060
Status: Unutilized
Comments: 104 sq. ft., off-site use only

Bldg. 5763
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200420061
Status: Unutilized
Comments: 120 sq. ft., most recent use—obs. tower, off-site use only

Bldg. 5765
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200420062
Status: Unutilized
Comments: 800 sq. ft., most recent use—support bldg., off-site use only

Bldg. 00467
Fort Leonard Wood
Ft. Leonard Wood MO 65743
Landholding Agency: Army
Property Number: 21200530085
Status: Unutilized
Comments: 2790 sq. ft., most recent use—fast food facility, off-site use only

New York

Bldgs. 1511–1518
U.S. Military Academy
Training Area
Highlands NY 10996
Landholding Agency: Army
Property Number: 21200320160
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft. each, needs rehab, most recent use—barracks, off-site use only

Bldgs. 1523–1526
U.S. Military Academy
Training Area
Highlands NY 10996
Landholding Agency: Army
Property Number: 21200320161
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft. each, needs rehab, most recent use—barracks, off-site use only

Bldgs. 1704–1705, 1721–1722
U.S. Military Academy
Training Area
Highlands NY 10996
Landholding Agency: Army
Property Number: 21200320162
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft. each, needs rehab, most recent use—barracks, off-site use only

Bldg. 1723
U.S. Military Academy
Training Area
Highlands NY 10996
Landholding Agency: Army
Property Number: 21200320163
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft., needs rehab, most recent use—day room, off-site use only

Bldgs. 1706–1709
U.S. Military Academy
Training Area
Highlands NY 10996
Landholding Agency: Army
Property Number: 21200320164
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft. each, needs rehab, most recent use—barracks, off-site use only

Bldgs. 1731–1735
U.S. Military Academy
Training Area
Highlands NY 10996
Landholding Agency: Army
Property Number: 21200320165
Status: Unutilized
GSA Number:
Comments: 2400 sq. ft. each, needs rehab, most recent use—barracks, off-site use only

Texas

Bldgs. 4219, 4227
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200220139
Status: Unutilized
GSA Number:
Comments: 8056, 500 sq. ft., most recent use—admin., off-site use only

Bldgs. 4229, 4230, 4231
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200220140
Status: Unutilized
GSA Number:
Comments: 9000 sq. ft., most recent use—hq. bldg., off-site use only

Bldgs. 4244, 4246
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200220141
Status: Unutilized
GSA Number:
Comments: 9000 sq. ft., most recent use—storage, off-site use only

Bldg. 04335
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200440090
Status: Excess
Comments: 3378 sq. ft., possible asbestos, most recent use—general, off-site use only

Bldg. 04468
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200440096
Status: Excess
Comments: 3100 sq. ft., possible asbestos, most recent use—misc., off-site use only

Bldg. 07002
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200440100
Status: Excess
Comments: 2598 sq. ft., possible asbestos, most recent use—fire station, off-site use only

Bldg. 57001
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200440105
Status: Excess
Comments: 53,024 sq. ft., possible asbestos, most recent use—storage, off-site use only

Bldgs. 125, 126
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620075
Status: Excess
Comments: 2700/7200 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldg. 02240
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620078
Status: Excess
Comments: 487 sq. ft., presence of asbestos, most recent use—pool svc bldg., off-site use only

Bldg. 04164
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620079
Status: Excess
Comments: 2253 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldgs. 04218, 04228
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620080
Status: Excess

Comments: 4682/9000 sq. ft., presence of asbestos, most recent use—admin, off-site use only

Bldg. 04272
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620081
Status: Excess
Comments: 7680 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 04415
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620083
Status: Excess
Comments: 1750 sq. ft., presence of asbestos, most recent use—classroom, off-site use only

Bldg. 04493
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620091
Status: Excess
Comments: 3108 sq. ft., presence of asbestos, most recent use—housing maint., off-site use only

Bldg. 04494
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620092
Status: Excess
Comments: 2686 sq. ft., presence of asbestos, most recent use—repair bays, off-site use only

Bldg. 04632
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620093
Status: Excess
Comments: 4000 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 04640
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620094
Status: Excess
Comments: 1600 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 04645
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620095
Status: Excess
Comments: 5300 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 20121
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620097
Status: Excess
Comments: 5200 sq. ft., presence of asbestos, most recent use—rec center, off-site use only

Bldg. 91052
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200620101
Status: Excess
Comments: 224 sq. ft., presence of asbestos, most recent use—lab/test, off-site use only

Bldg. 1345
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740070
Status: Excess
Comments: 240 sq. ft., presence of asbestos, most recent use- oil storage, off-site use only

Bldgs. 1348, 1941
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740071
Status: Excess
Comments: 640/900 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldg. 1943
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740073
Status: Excess
Comments: 780 sq. ft., presence of asbestos, most recent use—rod & gun club, off-site use only

Bldg. 1946
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740074
Status: Excess
Comments: 2880 sq. ft., presence of asbestos, most recent us—storage, off-site use only

Bldg. 4207
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740076
Status: Excess
Comments: 2240 sq. ft., presence of asbestos, most recent use—maint. shop, off-site use only

Bldg. 4208
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740077
Status: Excess
Comments: 9464 sq. ft., presence of asbestos, most recent use—warehouse, off-site use only

Bldgs. 4210, 4211, 4216
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740078
Status: Excess
Comments: 4625/5280 sq. ft., presence of asbestos, most recent use—maint., off-site use only

Bldg. 4219A
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740079
Status: Excess
Comments: 446 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 04252
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740081
Status: Excess
Comments: 9000 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 04480
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740083
Status: Excess
Comments: 2700 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 04485
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740084
Status: Excess
Comments: 640 sq. ft., presence of asbestos, most recent use—maint., off-site use only

Bldg. 04489
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200740086
Status: Excess
Comments: 880 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldgs. 4491, 4492
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740087
Status: Excess
Comments: 3108/1040 sq. ft., presence of asbestos, most recent use—maint., off-site use only

Bldgs. 04914, 04915, 04916
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740089
Status: Excess
Comments: 371 sq. ft., presence of asbestos, most recent use—animal shelter, off-site use only

Bldg. 20102
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740091
Status: Excess
Comments: 252 sq. ft., presence of asbestos, most recent use—recreation services, off-site use only

Bldg. 20118
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740092
Status: Excess
Comments: 320 sq. ft., presence of asbestos, most recent use—maint., off-site use only

Bldg. 29027
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740093
Status: Excess

Comments: 2240 sq. ft., presence of asbestos, most recent use—hdqts bldg., off-site use only

Bldg. 56017
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740094
Status: Excess
Comments: 2592 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldg. 56202
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740095
Status: Excess
Comments: 1152 sq. ft., presence of asbestos, most recent use—training, off-site use only

Bldg. 56224
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740096
Status: Excess
Comments: 80 sq. ft., presence of asbestos, off-site use only

Bldg. 56329
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740100
Status: Excess
Comments: 2080 sq. ft., presence of asbestos, most recent use—officer's qtrs., off-site use only

Bldg. 92043
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740102
Status: Excess
Comments: 450 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Bldg. 92072
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740103
Status: Excess
Comments: 2400 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldg. 92083
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740104
Status: Excess
Comments: 240 sq. ft., presence of asbestos, most recent use—utility bldg., off-site use only

Bldgs. 04213, 04227
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740189
Status: Excess
Comments: 14183/10500 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Bldg. 4404
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740190
Status: Excess
Comments: 8043 sq. ft., presence of asbestos, most recent use—training bldg., off-site use only

Bldg. 56607
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740191
Status: Excess
Comments: 3552 sq. ft., presence of asbestos, most recent use—chapel, off-site use only

Bldg. 91041
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740192
Status: Excess
Comments: 1920 sq. ft., presence of asbestos, most recent use—shed, off-site use only

5 Bldgs.
Fort Hood
93010, 93011, 93012, 93014
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740193
Status: Excess
Comments: 210/800 sq. ft., presence of asbestos, most recent use—private club, off-site use only

Bldg. 94031
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200740194
Status: Excess
Comments: 1008 sq. ft., presence of asbestos, most recent use—training, off-site use only

Building 6924
11331 Montana Ave.
Ft. Bliss TX 79916
Landholding Agency: Army
Property Number: 21201240012
Status: Excess
Comments: Off-site removal only; 10,340 sf.; aircraft hangar; poor conditions; limited public access; contact Army for info. on accessibility/removal

Virginia

Bldg. T2827
Fort Pickett
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21200320172
Status: Unutilized
GSA Number:
Comments: 3550 sq. ft., presence of asbestos, most recent use—dining, off-site use only

Bldg. T2841
Fort Pickett
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21200320173
Status: Unutilized
GSA Number:
Comments: 2950 sq. ft., presence of asbestos, most recent use—dining, off-site use only

Bldg. 01014
Fort Story
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200720067
Status: Unutilized
Comments: 1014 sq. ft., most recent use—admin., off-site use only

Bldg. 01063
Fort Story
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200720072
Status: Unutilized
Comments: 2000 sq. ft., most recent use—storage, off-site use only

Bldg. 00215
Fort Eustis
Ft. Eustis VA 23604
Landholding Agency: Army
Property Number: 21200720073
Status: Unutilized
Comments: 2540 sq. ft., most recent use—admin., off-site use only

Washington

U015A
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920273
Status: Excess
Directions: (U111A, U052F, U109A, U110A are demo)
Comments: 1000 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—support/shelter/mess, off-site use only

11 Building
Fort Hunter Ligget
FF Hunter Ligget CA 93928
Landholding Agency: Army
Property Number: 21201330022
Status: Unutilized
Directions: 0100A, 0178B, 00306, 00408, 0418A, 00850, 00851, 00932, 00945, 00946, 00947
Comments: Offsite removal only; no future agency need; St. varies, conditions range from good to dilapidated secured area, contact Army for more info. on a specific property & accessibility/removal reqs.

11 Building
Fort Hunter Liggett
Fort Hunger Liggett CA 93928
Landholding Agency: Army
Property Number: 21201330023
Status: Unutilized
Directions: 0100A, 0178B, 00306, 00408, 0418A, 00850, 00851, 00932, 00945, 00946, 00947
Comments: Offsite removal only; no future agency need; St. varies, conditions range from good to dilapidated secured area, contact Army for more info. on a specific property & accessibility/removal reqs.

Unsuitable Properties

Building

Alabama

Bldg. 7862
Redstone Arsenal
Redstone Arsenal AL 35898–5000
Landholding Agency: Army
Property Number: 21200040010
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration

Bldg. 03140

Redstone Arsenal
Redstone Arsenal AL 35898
Landholding Agency: Army
Property Number: 21200240014
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration

Bldg. 7339A
Redstone Arsenal
Redstone Arsenal AL 35898–5000
Landholding Agency: Army
Property Number: 21200340011
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldgs. 04122, 04184
Redstone Arsenal
Madison AL 35898
Landholding Agency: Army
Property Number: 21200920011
Status: Unutilized
Reasons: Secured Area

Bldg. 6201
Redstone Arsenal
Madison AL 35898
Landholding Agency: Army
Property Number: 21201030002
Status: Unutilized
Reasons: Secured Area Extensive deterioration

5 Bldgs.
Milan Training Center
325 Arsenal Lane
Milan AL 38358
Landholding Agency: Army
Property Number: 21201110005
Status: Excess
Directions: 00I18, 00I19, W001A, W0062, W0063
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

4 Bldgs.
Ft. Rucker
Dalesville AL
Landholding Agency: Army
Property Number: 21201120053
Status: Unutilized
Directions: 03904, 03905, 30124, 30128
Reasons: Within airport runway clear zone

Bldg. 03548
3548 Cajun Drive
Redstone Arsenal AL 35898
Landholding Agency: Army
Property Number: 21201120093
Status: Unutilized
Reasons: Secured Area Extensive deterioration

Bldg. 7358A
Sandpiper Road
Redstone Arsenal AL 35898
Landholding Agency: Army
Property Number: 21201140047
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C1302
null
Fort McClellan AL 36205
Landholding Agency: Army
Property Number: 21201140073
Status: Unutilized
Reasons: Secured Area Extensive deterioration

C–2202
Ft. McClellan
Ft. McClellan AL 36205
Landholding Agency: Army
Property Number: 21201210042
Status: Unutilized
Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

Alaska

Bldgs. 55294, 55298, 55805
Fort Richardson
Ft. Richardson AK 99505
Landholding Agency: Army
Property Number: 21200340006
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 02A60
Noatak Armory
Kotzebue AK
Landholding Agency: Army
Property Number: 21200740105
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. RLNCL
Fort Richardson
Ft. Richardson AK
Landholding Agency: Army
Property Number: 21200820058
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00604
Ft. Richardson
Ft. Richardson AK 99505
Landholding Agency: Army
Property Number: 21200830006
Status: Excess
Reasons: Secured Area

Bldgs. 789–790
Fort Richardson
Anchorage AK 99505
Landholding Agency: Army
Property Number: 21201030001
Status: Unutilized
Reasons: Secured Area

Building XAP01
Ammo Storage Pad
Fort Greely AK 99731
Landholding Agency: Army
Property Number: 21201330053
Status: Unutilized
Comments: Access to the installation is highly controlled; public access denied & no alter. to gain access w/out compromising Nat'l sec.
Reasons: Secured Area

Arizona

Bldg. 004 (4118)
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014560
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 6
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014561
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 8
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014562
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 14
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014568
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 31 (45)
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014569
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 33
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014570
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 211
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014582
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 214
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014583
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 216
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014584
Status: Underutilized

Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 218
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014585
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 239
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014587
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 240
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014588
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 241
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014589
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 304
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014590
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

Bldg. 351
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014591
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40
Comments:
Reasons: Secured Area

G101–242
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014592
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (91 Earth covered igloos)
Comments:
Reasons: Secured Area

H101–220
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014593
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (80 Earth covered igloos)
Comments:
Reasons: Secured Area

C101–518
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014595
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (100 Earth covered igloos)
Comments:
Reasons: Secured Area

B101–214
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014596
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (100 Earth covered igloos)
Comments:
Reasons: Secured Area

A101–434
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014597
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (90 Earth covered igloos)
Comments:
Reasons: Secured Area

B386–387
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014598
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (2 Earth covered igloos)
Comments:
Reasons: Secured Area

E101–316
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014599
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (90 Earth covered igloos)
Comments:
Reasons: Secured Area

D101–433
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014600
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (100 Earth covered igloos)
Comments:
Reasons: Secured Area

F101–324
Navajo Depot Activity
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21199014601
Status: Underutilized
Directions: 12 miles west of Flagstaff, Arizona on I–40. (100 Earth covered igloos)
Comments:
Reasons: Secured Area

Bldg. 308
Navajo Depot Activity
Bellemont AZ 86015–5000
Landholding Agency: Army
Property Number: 21199030273
Status: Unutilized
Directions: 12 miles west of Flagstaff on I–40
Comments:
Reasons: Secured Area

Bldg. 316-Navajo Depot Activity
12 Miles West of Flagstaff on I–40
Bellemont AZ 86015–5000
Landholding Agency: Army
Property Number: 21199120177
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 318-Navajo Depot Activity
12 Miles West of Flagstaff on I–40
Bellemont AZ 86015–5000
Landholding Agency: Army
Property Number: 21199120178
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 350-Navajo Depot Activity
12 Miles West of Flagstaff on I–40
Bellemont AZ 86015–5000
Landholding Agency: Army
Property Number: 21199120181
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. S0220
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200140006
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldg. 00310
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200140008
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S0327
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200140010
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration

Bldgs. M5218, M5219, M5222
Papago Park Military Rsv
Phoenix AZ 85008
Landholding Agency: Army

Property Number: 21200740001
Status: Unutilized
Reasons: Within airport runway clear zone Secured Area Extensive deterioration

4 Bldgs.
Papago Park Military Rsv
M5234, M5238, M5242, M5247
Phoenix AZ 85008
Landholding Agency: Army
Property Number: 21200740002
Status: Unutilized
Reasons: Within airport runway clear zone Secured Area Extensive deterioration

Bldg. 00002
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200740109
Status: Unutilized
Reasons: Secured Area

Bldgs. 00203, 00216, 00218
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200740110
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldgs. 00244, 00252, 00253
Camp Navajo
Bellemont AZ
Landholding Agency: Army
Property Number: 21200740111
Status: Unutilized
Reasons: Extensive deterioration Secured Area

7 Bldgs.
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200740112
Status: Unutilized
Directions: 00302, 00303, 00304, 00311, S0312, S0313, S0319
Reasons: Secured Area Extensive deterioration

4 Bldgs.
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200740113
Status: Unutilized
Directions: S0320, 00323, S0324, 00329
Reasons: Secured Area

7 Bldgs.
Camp Navajo
Bellemont AZ 86015
Landholding Agency: Army
Property Number: 21200740114
Status: Unutilized
Directions: 00330, 00331, 00332, 00335, 00336, 00338, S0340
Reasons: Secured Area

Bldgs. 30025, 43003
Fort Huachuca
Cochise AZ 85613
Landholding Agency: Army
Property Number: 21200920030
Status: Excess
Reasons: Extensive deterioration

Arkansas

Bldg. 1672
Fort Chaffee
Ft. Chaffee AR 72905–5000
Landholding Agency: Army
Property Number: 21199640466
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 1682
Fort Chaffee
Ft. Chaffee AR 72905–5000
Landholding Agency: Army
Property Number: 21199640467
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 1756
Fort Chaffee
Ft. Chaffee AR 72905–5000
Landholding Agency: Army
Property Number: 21199640468
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 1786
Fort Chaffee
Ft. Chaffee AR 72905–5000
Landholding Agency: Army
Property Number: 21199640470
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 2327
Fort Chaffee
Ft. Chaffee AR 72905–5000
Landholding Agency: Army
Property Number: 21199640475
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 2425
Fort Chaffee
Ft. Chaffee AR 72905–5000
Landholding Agency: Army
Property Number: 21199640476
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

11 Bldgs.
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110001
Status: Unutilized
GSA Number:
Directions: 1300, 1304, 1307, 1308, 1311, 1363, 1431, 1434, 1534, 1546, Demo 2
Reasons: Extensive deterioration

17 Bldgs.
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110002
Status: Unutilized
GSA Number:
Directions: 1301, 1302, 1303, 1305, 1306, 1309, 1310, 1360, 1505, 1529, 1537, 1543, 1577, 1581, 1700, 1711, Demo 1
Reasons: Extensive deterioration

Bldg. 1326
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110003
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

7 Bldgs.
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110005
Status: Unutilized
GSA Number:
Directions: 1449, 1528, 1591, 1592, 1593, 1596, 1735
Reasons: Extensive deterioration

4 Bldgs.
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110006
Status: Unutilized
GSA Number:
Directions: 1571, 1703, 1758, 1760
Reasons: Extensive deterioration

Bldgs. 1692, 1693
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110007
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 1707, Demo 3
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110008
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

7 Bldgs.
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110009
Status: Unutilized
GSA Number:
Directions: 1749–1754, 1551
Reasons: Extensive deterioration

Bldgs. 2040, 2041
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110010
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 2208
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110012
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 2421
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110014
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 3850
Ft. Chaffee Maneuver Training Center
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200110016
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 1336
Fort Chaffee
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200140011
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 1759
Fort Chaffee
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200140012
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 2513, 2515
Fort Chaffee
Ft. Chaffee AR 72905–1370
Landholding Agency: Army
Property Number: 21200140014
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 01370
Ft. Chaffee Training Center
Ft. Chaffee AR 72905
Landholding Agency: Army
Property Number: 21200530001
Status: Unutilized
Reasons: Secured Area Extensive deterioration

8 Bldgs.
Pine Bluff Arsenal
Jefferson AR 71602
Landholding Agency: Army
Property Number: 21200820059
Status: Unutilized
Directions: 12330, 12332, 12334, 12336, 12338, 12340, 12342, 12406
Reasons: Secured Area

12 Bldgs.
Pine Bluff Arsenal;
Jefferson AR 71602
Landholding Agency: Army
Property Number: 21200820060
Status: Unutilized
Directions: 13698, 13710, 13740 thru 13749
Reasons: Secured Area

Bldg. 57230
Pine Bluff Arsenal
Pine Bluff AR 71602
Landholding Agency: Army
Property Number: 21201140080
Status: Unutilized
Comments: REDETERMINATION: Previously w/property #21201140055; agency submitted additional info. re: the deteriorated state of property due to chem. contamination; non-removable
Reasons: Extensive deterioration Contamination

California

Bldg. 18
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199012554
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 2
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013582
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 3
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013583
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 4
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013584
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013585
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013586
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 7
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013587
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 8
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013588
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 156
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199013590
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 13
Riverbank Ammun Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199120162
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg.171
Riverbank Ammun Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199120163
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 178
Riverbank Ammun Plant
5300 Claus Road
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199120164
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1
Riverbank Army Ammunition Plant
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199240444
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 120
Riverbank Army Ammunition Plant
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199240445
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 181
Riverbank Army Ammunition Plant
Riverbank CA 95367
Landholding Agency: Army
Property Number: 21199240446
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Building S–45
DDRW Sharpe Facility
Lathrop CA 95331
Landholding Agency: Army

Property Number: 21199610289
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldgs. 18013, 18030
Camp Roberts
Camp Roberts CA
Landholding Agency: Army
Property Number: 21199730014
Status: Excess
Directions:
Comments:
Reasons: Extensive deterioration

2 Div. HQ Bldgs.
Camp Roberts
Camp Roberts CA 93446
Landholding Agency: Army
Property Number: 21199820205
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Clorinator Bldg.
Camp Roberts
Camp Roberts CA 93446
Landholding Agency: Army
Property Number: 21199820217
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

2 QM Repair Shops
Camp Roberts
Camp Roberts CA 93446
Landholding Agency: Army
Property Number: 21199820220
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Scale House
Camp Roberts
Camp Roberts CA 93446
Landholding Agency: Army
Property Number: 21199820222
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Insect. Storage Fac.
Camp Roberts
Camp Roberts CA 93446
Landholding Agency: Army
Property Number: 21199820225
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Oil Storage Bldg.
Camp Roberts
Camp Roberts CA 93446
Landholding Agency: Army
Property Number: 21199820234
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 127
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21199840015
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 576
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21199920033
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 578
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21199920034
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 597
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21199920035
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 598
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21199920036
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Fort Irwin
813, 415, 543, 445
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21199920037
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

17 Bldgs.
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21199920038
Status: Unutilized
GSA Number:
Directions: 419, 434, 456, 458, 460, 514, 530, 412, 512, 524, 616, 532, 534, 535, 540, 543, 551
Reasons: Extensive deterioration Secured Area

Bldg. S–9
Sharpe Site
French Camp CA 95231
Landholding Agency: Army
Property Number: 21199930021
Status: Unutilized
GSA Number:
Reasons: Secured Area

24 Garages
Presidio of Monterey
Monterey CA 93944
Landholding Agency: Army
Property Number: 21199940051
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. S–10
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030005
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–11
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030006
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–14
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030007
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–110
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030008
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–380
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030010
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–613
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030011
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–648
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030012
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–654
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200030013
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–691
Sharpe Site
Lathrop CA 95231

Landholding Agency: Army
Property Number: 21200030014
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–3A
Tracy Facility
Tracy CA 95376
Landholding Agency: Army
Property Number: 21200030015
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldgs. 468, 470, 472
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200030016
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldgs. T–639, T–642
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200030017
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration

Bldg. T–646
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200030018
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldgs. P–15000, P–15004
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200040014
Status: Excess
Comments: P–15000 is demolished
Reasons: Extensive deterioration

Bldg. S–508
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200040015
Status: Underutilized
GSA Number:
Reasons: Secured Area

Bldg. S–1
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120029
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–2
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120030
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. P–32
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120031
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–42
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120032
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–44
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120033
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–213
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120034
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. P–217
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120035
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–218
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120036
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–288
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120037
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. P–403
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120038
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. P–405
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200120039
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S–647
Sharpe Site
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200130004
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldg. T–333
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200210001
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration

Bldg. T–451
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200210002
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldg. S–494
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200210003
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldg. T–580
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200210004
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration

Bldg. T–814
Fort Irwin
Ft. Irwin CA 92310
Landholding Agency: Army
Property Number: 21200210005
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

3 Bldgs.
DDJC Sharpe
S00004, 00006, 00012
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200240025
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S00108
DDJC Sharpe
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200240026
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldgs. S00161, 00162
DDJC Sharpe
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200240027
Status: Unutilized
GSA Number:

Reasons: Secured Area

Bldg. S00221
DDJC Sharpe
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200240028
Status: Unutilized
GSA Number:
Reasons: Secured Area

4 Bldgs.
DDJC Sharpe
S00482, 00483, 00484, 00485
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200240029
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. S00660
DDJC Sharpe
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200240030
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. P00620
DDJC-Sharpe
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200330007
Status: Excess
GSA Number:
Reasons: Secured Area

Bldg. 00079
Riverbank Army Ammo Plant
Stanislaus CA 95357–7241
Landholding Agency: Army
Property Number: 21200530003
Status: Excess
Reasons: Extensive deterioration

Bldgs. 00302, 00306, 00321
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540008
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Camp Roberts
00921, T0929, T2014, T0948
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540009
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. T1003, T1008
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540010
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. T1121, T1221, T3014
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540012
Status: Unutilized
Reasons: Extensive deterioration

54 Bldgs.
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540014
Status: Unutilized
Directions: T1202–T1209, T1212–T1219, T1302, T3102–T3109, T3112–T3119, T3302–T3309, T3312–T3316, T6102–T6107, T6308–T6309
Reasons: Extensive deterioration

4 Bldgs.
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540015
Status: Unutilized
Directions: T1222, T1223, T1225, T1226
Reasons: Extensive deterioration

8 Bldgs.
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540021
Status: Unutilized
Directions: 03121, 03122, 03124–03125, T1122, T1123, T1125–T1126
Reasons: Extensive deterioration

Bldgs. T3321, T3322, T3324
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540022
Status: Unutilized
Reasons: Extensive deterioration

Bldg. T3325
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540023
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 06409, T6411
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540027
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 07006
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540028
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 27110
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540030
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 76910
Camp Roberts
San Miguel CA 93451
Landholding Agency: Army
Property Number: 21200540031
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 00548, 00549, 00550
March AFRC
Riverside CA 92518
Landholding Agency: Army
Property Number: 21200710001
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 02506, 02560
March AFRC
Riverside CA 92518
Landholding Agency: Army
Property Number: 21200710002
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00117
Riverbank AAP
Stanislaus CA 95367
Landholding Agency: Army
Property Number: 21200840009
Status: Excess
Reasons: Secured Area Extensive deterioration

Bldgs. 00040, 00412
SHARPE
Lathrop CA 95231
Landholding Agency: Army
Property Number: 21200920031
Status: Underutilized
Reasons: Secured Area

Bldg. 00234
DDJC Tracy
San Joaquin CA 95304
Landholding Agency: Army
Property Number: 21200930005
Status: Excess
Reasons: Secured Area

Bldg. 00005
Los Alamitos Joint Force
Training Base
Orange CA 90720
Landholding Agency: Army
Property Number: 21200940023
Status: Excess
Reasons: Extensive deterioration

13 Bldgs.
Fort Irwin
San Bernardino CA 92310
Landholding Agency: Army
Property Number: 21201040003
Status: Unutilized
Directions: 100, 338, 343, 385, 411, 412, 413, 486, 489, 490, 491, 493, 5006
Reasons: Secured Area

4 Bldgs.
JFTB
Los Alamitos CA 90720
Landholding Agency: Army
Property Number: 21201110046
Status: Excess
Directions: 00147, 00207, 00259, 00297
Reasons: Extensive deterioration

Bldg. 186
Ft. Hunter Liggett
Monterey CA
Landholding Agency: Army
Property Number: 21201120032
Status: Unutilized
Reasons: Contamination

Bldg. 00023
Sierra Army Depot
Herlong CA
Landholding Agency: Army
Property Number: 21201120054
Status: Unutilized
Reasons: Secured Area

7 Bldgs.
Sierra Army Depot
Herlong CA
Landholding Agency: Army
Property Number: 21201120055
Status: Unutilized
Directions: 633, 639, 640, 641, 642, 643, 634

Reasons: Secured Area

2 Bldgs.
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21201140076
Status: Unutilized
Directions: 00349, 00587
Reasons: Secured Area Contamination Extensive deterioration

Bldg. 00203
4th Street, Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21201140077
Status: Unutilized
Reasons: Secured Area Contamination

13 Building
Sierra Army Depot
Herlong CA 96113
Landholding Agency: Army
Property Number: 21201240032
Status: Unutilized
Directions: 10, 20, 54, 141, 202, 227, 633, 634, 639, 640, 641, 642, 643
Comments: Located in a secured area, public access is denied and no alternative method to gain access without compromising national security.
Reasons: Secured Area

Buildings 46101 & 46810
Main Magazine Rd.
Herlong CA 96113
Landholding Agency: Army
Property Number: 21201310005
Status: Unutilized
Comments: Located w/in secured area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Buildings 00680 & 00686
Main Magazine Rd.
Herlong CA 96113
Landholding Agency: Army
Property Number: 21201310006
Status: Unutilized
Comments: Located w/in secured area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

2 Buildings
Military Ocean Terminal Concord
Concord CA 94520
Landholding Agency: Army
Property Number: 21201320023
Status: Unutilized
Directions: 000A3 & 00E82
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Buildings 00177 & 00185
Tufa Dr.
Herlong CA 96113
Landholding Agency: Army
Property Number: 21201320040
Status: Unutilized
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Colorado

Bldg. T–317
Rocky Mountain Arsenal
Commerce CO 80022–2180
Landholding Agency: Army
Property Number: 21199320013
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. T–412
Rocky Mountain Arsenal
Commerce CO 80022–2180
Landholding Agency: Army
Property Number: 21199320014
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Other—Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldg. 431
Rocky Mountain Arsenal
Commerce CO 80022–2180
Landholding Agency: Army
Property Number: 21199320015
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other—Extensive deterioration

Bldg. 433
Rocky Mountain Arsenal
Commerce CO 80022–2180
Landholding Agency: Army
Property Number: 21199320016
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Other—Extensive deterioration Secured Area

4 Bldgs.
Fort Carson
56231, 56232, 56234, 56250
El Paso CO 80913
Landholding Agency: Army
Property Number: 21200720003
Status: Unutilized
Reasons: Secured Area

Bldgs. S6231, S6232
Fort Carson
El Paso CO 80913
Landholding Agency: Army
Property Number: 21200740003
Status: Unutilized
Reasons: Secured Area

Bldgs. S6234, S6250
Fort Carson
El Paso CO 80913
Landholding Agency: Army
Property Number: 21200740004
Status: Unutilized
Reasons: Secured Area

Bldg. 06284
Fort Carson
El Paso CO 80913
Landholding Agency: Army
Property Number: 21200820063
Status: Unutilized
Reasons: Secured Area

Bldgs. R065A, 03887, 07804
Fort Carson
El Paso CO 80913
Landholding Agency: Army
Property Number: 21200930007
Status: Unutilized
Reasons: Secured Area

Bldg. 06289
7086 Albanese Loop
Fort Carson CO 80913
Landholding Agency: Army
Property Number: 21201130019
Status: Unutilized
Reasons: Secured Area Extensive deterioration

Bldg. 06290
7090 Albanese Loop
Fort Carson CO 80913
Landholding Agency: Army
Property Number: 21201130020
Status: Unutilized
Reasons: Secured Area Extensive deterioration

6 Bldgs.
1620—1658 Burris St.
Fort Carson CO 80913
Landholding Agency: Army
Property Number: 21201130023
Status: Unutilized
Directions: 00626, 00627, 00631, 00633, 00634, 00635
Reasons: Secured Area

7 Bldgs.
Ft. Carson
Ft. Carson CO 80913
Landholding Agency: Army
Property Number: 21201140005
Status: Unutilized
Directions: 1382, 1383, 1384, 1385, 1386, 1387, 1389
Comments: Friable asbestos identified in Bldg. 1382
Reasons: Contamination Within airport runway clear zone

2 Bldgs.
Ft. Carson
Ft. Carson CO 80913
Landholding Agency: Army
Property Number: 21201140006
Status: Unutilized
Directions: 1380 and 1381
Comments: Bldg. 1380 has flammable explosive materials
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material

Building 00593
45825 Hay 96 East
Pueblo CO 81006
Landholding Agency: Army
Property Number: 21201320006
Status: Underutilized
Comments: public access denied & no alter. method w/out compromising Nat'l sec.
Reasons: Secured Area

Florida

Bldg. 00200
Recreation Area Pool
Destin FL
Landholding Agency: Army
Property Number: 21201130032
Status: Excess
Reasons: Extensive deterioration Secured Area

Georgia

Fort Stewart
Sewage Treatment Plant

Ft. Stewart GA 31314
Landholding Agency: Army
Property Number: 21199013922
Status: Unutilized
Directions:
Comments:
Reasons: Other—Sewage treatment

Bldg. 308, Fort Gillem
null
Ft. Gillem GA 30050–5000
Landholding Agency: Army
Property Number: 21199620815
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. P–8640
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21199830068
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. P8121
Fort Stewart
Ft. Stewart GA 31314–3913
Landholding Agency: Army
Property Number: 21199940060
Status: Excess
GSA Number:
Reasons: Extensive deterioration

Bldg. 710
Fort Gillem
Ft. Gillem GA
Landholding Agency: Army
Property Number: 21200140016
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area

Bldg. 00933
Fort Gillem
Ft. Gillem GA 30050–5233
Landholding Agency: Army
Property Number: 21200220011
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00934
Fort Gillem
Ft. Gillem GA 30050–5233
Landholding Agency: Army
Property Number: 21200220012
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 116–119
Fort Gillem
Ft. Gillem GA 30297
Landholding Agency: Army
Property Number: 21200230005
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00111
Fort Gillem
Ft. Gillem GA 30050–5101
Landholding Agency: Army
Property Number: 21200340013
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00116
Fort Gillem
Ft. Gillem GA 30050–5101
Landholding Agency: Army
Property Number: 21200340014
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00226
Fort Gillem
Ft. Gillem GA 30050–5101
Landholding Agency: Army
Property Number: 21200340015
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 00733, 00753
Fort Gillem
Ft. Gillem GA 30050–5101
Landholding Agency: Army
Property Number: 21200340016
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00111
Fort Gillem
Forest Park GA 30297–5122
Landholding Agency: Army
Property Number: 21200420074
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 404
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420075
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00813
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420076
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00814
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420077
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00817
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420078
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00818
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420079
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00819
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420080
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00820
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420081
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00822
Fort Gillem
Forest Park GA 30297
Landholding Agency: Army
Property Number: 21200420082
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 18503, 18504, 18505
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200540034
Status: Excess
Reasons: Extensive deterioration

Bldg. 00022
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200710005
Status: Excess
Reasons: Extensive deterioration

Bldgs. 01001, 01080, 0113
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200710006
Status: Excess
Reasons: Extensive deterioration

Bldgs. 02110, 02111
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200710007
Status: Excess
Reasons: Extensive deterioration

Bldgs. 07703, 07783
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200710008
Status: Excess
Reasons: Extensive deterioration

Bldgs. 08061, 08091
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200710009
Status: Excess
Reasons: Extensive deterioration

Bldg. 08053
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21200710010
Status: Excess
Reasons: Extensive deterioration

Bldgs. 00205, 01016, 01567
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200720011
Status: Excess
Reasons: Extensive deterioration

Bldgs. 00129, 00145
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army

Property Number: 21200720012
Status: Excess
Reasons: Extensive deterioration

Bldgs. 00956, 00958, 00966
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200740007
Status: Excess
Reasons: Extensive deterioration

Bldg. 00930
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21200740117
Status: Excess
Reasons: Extensive deterioration

Bldgs. 01241, 01246
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21200740118
Status: Excess
Reasons: Extensive deterioration

Bldg. 06052
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21200740119
Status: Excess
Reasons: Extensive deterioration

Bldgs. 00957, 01001
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200740123
Status: Excess
Reasons: Extensive deterioration

Bldgs. 01013, 01014, 01016
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200740124
Status: Excess
Reasons: Extensive deterioration

Bldgs. 01080, 07337, 15016
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200740125
Status: Excess
Reasons: Extensive deterioration

Bldg. 00902
Fort Gillem
Forest Park GA
Landholding Agency: Army
Property Number: 21200810003
Status: Unutilized
Reasons: Secured Area

Bldg. 00816
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21200820065
Status: Excess
Reasons: Extensive deterioration

Bldg. 00021
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21200820066
Status: Excess
Reasons: Extensive deterioration

Bldgs. 00705, 00706, 00803
Hunter Army Airfield
Chatham GA 31409
Landholding Agency: Army
Property Number: 21200920012
Status: Excess
Reasons: Secured Area

5 Bldgs.
Fort Stewart
Liberty GA 31314
Landholding Agency: Army
Property Number: 21200920013
Status: Excess
Directions: 00270, 00272, 00276, 00277, 00616, 00718
Reasons: Secured Area

Bldgs. 1305, 1306, 1307, 1308
Hunter Army Airfield
Chatham GA 31409
Landholding Agency: Army
Property Number: 21200920033
Status: Excess
Reasons: Extensive deterioration

Bldgs. 728, 729
Fort Stewart
Liberty GA 31314
Landholding Agency: Army
Property Number: 21200920034
Status: Excess
Reasons: Secured Area

7 Bldgs.
Fort Stewart
Liberty GA 31314
Landholding Agency: Army
Property Number: 21200940025
Status: Excess
Directions: 918, 1076, 1103, 1268, 7803, 7804, 7805
Reasons: Extensive deterioration

Bldgs. 240, 701, 719
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21200940026
Status: Excess
Reasons: Extensive deterioration

Bldgs. TR9, TR10, TR11
Catoosa Area Training Center
Tunnel Hill GA 30755
Landholding Agency: Army
Property Number: 21201030006
Status: Excess
Reasons: Extensive deterioration Secured Area

Bldg. 815
Hunter Army Airfield
Savannah GA 31409
Landholding Agency: Army
Property Number: 21201030008
Status: Excess
Reasons: Secured Area

Bldg. 1257
Fort Stewart
Hinesville GA 31314
Landholding Agency: Army
Property Number: 21201030009
Status: Excess
Reasons: Extensive deterioration

Bldg. 08708
Hunter Army Airfield
Savannah GA
Landholding Agency: Army
Property Number: 21201120050
Status: Excess
Reasons: Extensive deterioration

Bldg. 08711
Hunter Army Airfield
Savannah GA
Landholding Agency: Army
Property Number: 21201120051
Status: Excess
Reasons: Extensive deterioration

Bldg. 08712
Hunter Army Airfield
Savannah GA
Landholding Agency: Army
Property Number: 21201120052
Status: Excess
Reasons: Extensive deterioration

Bldg. 00TR8, Catoosa Area Trng null
Tunnel Hill GA 30755
Landholding Agency: Army
Property Number: 21201130028
Status: Excess
Reasons: Extensive deterioration

Hawaii

PU–01, 02, 03, 04, 05
Schofield Barracks
Kolekole Pass Road
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21199014836
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

PU–06,07,08,09,10,11
Schofield Barracks
Kolekole Pass Road
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21199014837
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

71 Tunnels
Aliamanu
Honolulu HI 96818
Landholding Agency: Army
Property Number: 21200440015
Status: Unutilized
Reasons: Other—contamination

10 Tunnels
Aliamanu
Honolulu HI 96818
Landholding Agency: Army
Property Number: 21200440016
Status: Unutilized
Reasons: Other—contamination

49 Tunnels
Aliamanu
Honolulu HI 96818
Landholding Agency: Army
Property Number: 21200440017
Status: Unutilized
Reasons: Other—contamination

Bldgs. 00001 thru 00051
Kipapa Ammor Storage Site
Honolulu HI 96786
Landholding Agency: Army
Property Number: 21200520006
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 01500 thru 01503
Wheeler Army Airfield
Honolulu HI 96786
Landholding Agency: Army

Property Number: 21200520008
Status: Unutilized
Reasons: Extensive deterioration

10 Bldgs.
Aliamanu
Honolulu HI 96818
Landholding Agency: Army
Property Number: 21200620005
Status: Unutilized
Directions: 9, A0043, A0044, C0001, C0002, C0003, C0004, C0005, C0029, E0027
Reasons: Secured Area

Bldgs. 1124, 1125
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21200620009
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 02276
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21200620010
Status: Unutilized
Reasons: Extensive deterioration

18 Bldgs.
Kipapa Ammo Site
Mililani HI 96786
Landholding Agency: Army
Property Number: 21200620011
Status: Unutilized
Directions: 52 to 54, 24B, 26A, 27A, 28A, 29A, 30A, 31A, A0001, B0002
Reasons: Extensive deterioration

Bldg. 1226
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21200640022
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00182
Kalaeloa
Kapolei HI
Landholding Agency: Army
Property Number: 21200640108
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00537
Kalaeloa
Kapolei HI 96707
Landholding Agency: Army
Property Number: 21200640109
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 01676, 01677
Kalaeloa
Kapolei HI 96707
Landholding Agency: Army
Property Number: 21200640110
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 01818, 01875
Kalaeloa
Kapolei HI 96707
Landholding Agency: Army
Property Number: 21200640111
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 01954
Kalaeloa
Kapolei HI 96707
Landholding Agency: Army
Property Number: 21200640112
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00103
Wheeler AAF
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21200830012
Status: Excess
Reasons: Extensive deterioration

Bldg. 01007
Wheeler Army Airfield
Honolulu HI 96786
Landholding Agency: Army
Property Number: 21200940040
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 75073
Wheeler Army Airfield
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201030011
Status: Unutilized
Reasons: Within airport runway clear zone

Bldg. 1000
Wheeler Army Airfield
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201040005
Status: Unutilized
Reasons: Extensive deterioration

6 Bldgs.
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201110020
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 01070
Wheeler Army Airfield
Denny Rd
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201110021
Status: Unutilized
Directions: Between Denny Rd & wastewater treatment plant on Wheeler Army Airfield
Reasons: Extensive deterioration Within airport runway clear zone

Bldg. 224
124 Danis Road
Wahiawa HI 96857
Landholding Agency: Army
Property Number: 21201120101
Status: Unutilized
Reasons: Within airport runway clear zone Secured Area

Bldg. 00022 and 00046
Training Area
Pohakulou HI 96720
Landholding Agency: Army
Property Number: 21201130015
Status: Unutilized
Reasons: Secured Area Extensive deterioration

2 Bldgs.
Schofield Barracks
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 21201130054
Status: Unutilized
Directions: 01187, 01188
Reasons: Extensive deterioration

7 Bldgs.
91–1227 Enterprise Ave
Kalaeloa
Kapolei HI 96707
Landholding Agency: Army
Property Number: 21201140046
Status: Unutilized
Directions: 01676, 01677, 01818, 01875, 01954, 00537, 00182
Reasons: Extensive deterioration Secured Area

Bldg. 01537
124 Takata Road
Honolulu HI 96819
Landholding Agency: Army
Property Number: 21201140075
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Idaho

Bldg. 00253
4097 W. Cessna St.
Gowen Field 16A20
Boise ID 83705
Landholding Agency: Army
Property Number: 21201140068
Status: Excess
Reasons: Extensive deterioration Secured Area

Illinois

Bldgs. T–20, T–21, T–23
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199820027
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. T–105
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930042
Status: Unutilized
GSA Number:
Reasons: Floodway Secured Area Within 2000 ft. of flammable or explosive material

Bldg. T–108
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930043
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Floodway Secured Area

Bldg. T–113
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930044
Status: Unutilized
GSA Number:
Reasons: Secured Area Extensive deterioration Floodway Within 2000 ft. of flammable or explosive material

Bldg. T–401
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930045
Status: Unutilized
GSA Number:

Reasons: Floodway Secured Area Within 2000 ft. of flammable or explosive material

Bldg. T–402
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930046
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Floodway Secured Area

Bldg. T–404
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930047
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Floodway

Bldg. T–413
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930048
Status: Unutilized
GSA Number:
Reasons: Secured Area Floodway Within 2000 ft. of flammable or explosive material

Bldg. T–416
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930049
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Floodway Secured Area

Bldg. S–434
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930050
Status: Unutilized
GSA Number:
Reasons: Floodway Secured Area Within 2000 ft. of flammable or explosive material

Bldg. S–593
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930051
Status: Unutilized
GSA Number:
Reasons: Floodway Secured Area

Bldg. S–594
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930052
Status: Unutilized
GSA Number:
Reasons: Secured Area Floodway

Bldg. S–595
Charles Melvin Price Support Center
Granite City IL 62040
Landholding Agency: Army
Property Number: 21199930053
Status: Unutilized
GSA Number:
Reasons: Floodway Secured Area

Bldg. 315
1 Rock Island Arsenal
Rock Island IL 61299
Landholding Agency: Army
Property Number: 21201230055
Status: Unutilized
Directions: outdoor swimming pool
Comments: Documented deficiencies: facility is deteriorated; large cracks in foundation; secured area; no onsite use; relocation is not feasible due to the condition & type of structure
Reasons: Extensive deterioration

Indiana

Bldg. 1417–51
Newport Army Ammunition Plant
Newport IN 47966
Landholding Agency: Army
Property Number: 21199011640
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Fuel Station
Atterbury Reserve Forces Training Area
Edinburgh IN 46124–1096
Landholding Agency: Army
Property Number: 21199230030
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Post Exchange
Atterbury Reserve Forces Training Area
Edinburgh IN 46124–1096
Landholding Agency: Army
Property Number: 21199230031
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

2 Buildings
3008 Hospital Rd.
Edinburgh IN 46124
Landholding Agency: Army
Property Number: 21201320002
Status: Unutilized
Directions: 00126 & 00331
Comments: Located in secured area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 00400
3008 Hospital Road (Camp Atterbury)
Edinburgh IN 46124
Landholding Agency: Army
Property Number: 21201330034
Status: Underutilized
Comments: Public access denied & no alternative to gain access w/out compromising Nat'l security
Reasons: Secured Area

Iowa

Bldg. 5B–137–1
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012605
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5B–137–3
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012606
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 5B–137–2
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012607
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 600–52
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012609
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6–137–3
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012611
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 30–137–2
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012613
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1–129
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012620
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1–115–8
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012622
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1–78
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199012624
Status: Unutilized
Directions:
Comments:

Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 600–85
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013706
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 800–04
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013707
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 800–70–2
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013708
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–03–3
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013712
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–09–1
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013713
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–21
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013714
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–25
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013715
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–26
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013716
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–27
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013717
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–28
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013718
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–29
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013719
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–55
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013720
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5B–56
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013721
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–98
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013722
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–28
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013723
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–33
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013724
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–34
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013725
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–35
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013726
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–69–6
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013727
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–88
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013728
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–94
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013729
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–09–1
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013730
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–11
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013731
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6–18–2
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013732
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1–08–1A
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army

Property Number: 21199013733
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1–60
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013734
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1–67–2E
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013736
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1–70
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013737
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1–207–1
Iowa Army Ammunition Plant
Middletown IA
Landholding Agency: Army
Property Number: 21199013738
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5A–137–1
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199120172
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5A–137–2
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199120173
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5A–137–3
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199120174
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1021
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199230024
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 6–09–2
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199310017
Status: Excess
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. A218
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440112
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 219
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440113
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 220
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440114
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 221
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440115
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 222
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440116
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 223
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440117
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 224
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440118
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 225
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440119
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 226
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440120
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 227
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440121
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 228
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440122
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 230
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440123
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 231
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440124
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. CO231
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440125

Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 232
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440126
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 233
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440127
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 234
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440128
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 235
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440129
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 236
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440130
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 238–256
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440131
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 258
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440132
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 259
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440133
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. A0260
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440134
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 261–263
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440135
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 264–266
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440136
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 267
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440137
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 276
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440138
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 280
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440139
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 284
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440140
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 285
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440141
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 312
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440142
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 313
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440143
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 317
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440144
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 743
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440145
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 745
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440146
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 973–990
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440147
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 992
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440148
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 994–995
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440149
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 998–1005
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440150
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 1008
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440151
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 1010–1018
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440152
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. A1018
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440153
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 1040
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440154
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 1064
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440155
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 1076–1077
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440156
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 1088
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440157
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 5390
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199440158
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 27, 340
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199520002
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 237
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199520070
Status: Surplus
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 500–128
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21199740027
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 01075
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200220022
Status: Underutilized
GSA Number:
Reasons:
Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. 00310
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200230019
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 00887
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200230020
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 00912, 00913
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200230021
Status: Unutilized
GSA Number:
Reasons:
Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 01041
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200230022
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 01059
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200230023
Status: Unutilized
GSA Number:
Reasons: Wthin 2000 ft. of flammable or explosive material Secured Area

Bldg. 00765
Iowa Army Ammo Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200330012
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 05274
Iowa Army Ammo Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200330013
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 05325
Iowa Army Ammo Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200330014
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 00152, 00895
Iowa Army Ammo Plant

Middletown IA 52638
Landholding Agency: Army
Property Number: 21200340017
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 01073
Iowa Army Ammo Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200420083
Status: Unutilized
Reasons: Secured Area

Bldgs. 01072, 01074
Iowa AAP
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200430018
Status: Unutilized
Reasons: Secured Area

Bldgs. 00677, 00671
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200440018
Status: Excess
Reasons: Secured Area

Facility 00844
Iowa Army Ammo Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200510004
Status: Excess
Reasons: Extensive deterioration

Facilities 01025, 01026
Iowa Army Ammo Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21200510006
Status: Excess
Reasons: Extensive deterioration

3 Buildings
Iowa Army Ammo Plant
00036, 00816, 01067
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200520009
Status: Unutilized
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 00700
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200540038
Status: Unutilized
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. 01091, 01092
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200540039
Status: Unutilized
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldg. 01039
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200620012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 00344
Iowa AAP
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200710020
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Iowa AAP
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200710021
Status: Unutilized
Directions: 00903, 00993, 00996, 00997
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Iowa AAP
01000, 01006, 01007, 01009
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200710022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 01063
Iowa AAP
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200710023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 05366
Iowa AAP
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200710024
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

9 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740126
Status: Unutilized
Directions: 00176, 00204, B0205, C0205, 00206, 00207, 00208, 00209, 00210
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740127
Status: Unutilized
Directions: 00211, 00212, 00213, 00217, 00218, C0218
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

13 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740128
Status: Unutilized
Directions: 00287, 00288, 00289, 00290, A0290, 00291, 00292, 00293, A0293, B0293, C0293, D0293, E0293
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

8 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740129
Status: Unutilized
Directions: A0294, 00295, 00296, 00316, 00326, 00328, 00330 00341
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

11 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740130
Status: Unutilized
Directions: 00949, 00962, 00963, 00964, 00965, 00967, 00968, 00969, 00970, 00971, 00972
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

9 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740131
Status: Unutilized
Directions: 01028, 01029, 01030, 01031, 01032, 01033, 01035, 01036, 01037
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

7 Bldgs.
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740132
Status: Unutilized
Directions: 01038, B1038, C1038, D1038, E1038, 01042, 01043
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. A1057, 01090, 05334
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200740133
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 00013, C0847
Iowa Army Ammo Plant
Middletown IA 52601
Landholding Agency: Army
Property Number: 21200810008
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. TD010, TD020
Camp Dodge
Johnson IA 50131
Landholding Agency: Army
Property Number: 21200920036
Status: Excess
Reasons: Extensive deterioration

Bldgs. A0190, 00190, 01069
Iowa AAP
Middletown IA 52601
Landholding Agency: Army
Property Number: 21201040007
Status: Unutilized
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 01110, Iowa Army Ammo

17575 State Highway 79
Middletown IA 52601
Landholding Agency: Army
Property Number: 21201120005
Status: Unutilized
Reasons: Not accessible by road Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

10 Buildings
Iowa Army Ammunition Plant
Middletown IA 52638
Landholding Agency: Army
Property Number: 21201230019
Status: Underutilized
Directions: 620, 626, 641, 642, 643, 644, 645, 646, 647, 5207
Comments: Public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Kansas

Bldg. 3013 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011909
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1010 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011910
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 1066 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011911
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 507 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011912
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 502 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011913
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 506 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011914
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 805 KAAP
Kansas Army Ammunition Plant
Production Ara
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011915
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 810 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011916
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 811 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011917
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1013 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011918
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 806 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011919
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 807 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011920
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 914 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011921
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 926 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011922
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1021 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011923
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1078 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011924
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 540 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011925
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 541 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011926
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 922 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011927
Status: Unutilized
Directions:
Comments:

Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 925 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011928
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 928 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011929
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 985 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011930
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1096 KAAP
Kansas Army Ammunition Plant
Production Ara
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011931
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 511 KAAP
Kansas Army Ammunition Plant
Production Ara
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011932
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 814 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011933
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 909 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011934
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 719 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011935
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 918 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011936
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1014 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011937
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1015 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011938
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 932 KAAP
Kansas Army Ammunition Plant
Production Ara
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011939
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 933 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011940
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 934 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011941
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 809 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011942
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 816 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011943
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3001 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011944
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3002 KAAP
Kansas Army Ammunition Plant
Production Area
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199011945
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building 50
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620518
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 112
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620519
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 210
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620520
Status: Unutilized
Directions:

Comments:
Reasons: Secured Area

Buildings 212, 221
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620521
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 219
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620522
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 209, 509, 724, 813,
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620523
Status: Unutilized
Directions: 902, 1002
Comments:
Reasons: Secured Area

Buildings 231, 244
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620524
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 246
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620525
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 247
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620526
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 248, 252
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620527
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 302
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620528
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 304
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620529
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 305
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620530
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 306
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620531
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 308
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620532
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 311
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620533
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 312
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620534
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 315
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620535
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 316
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620536
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 321
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620537
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 322
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620538
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 324
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620539
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 325
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620540
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 326
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620541
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 327
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620542
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 328
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620543
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 329, 516, 746, 819
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620544
Status: Unutilized
Directions: 936, 931, 939, 941, 943, 1026, 1029, 1031, 1034, 1099, 1232, 1558, 1626, 1723, 1830, 1991
Comments:
Reasons: Secured Area

Building 503
Kansas Army Ammunition Plant

Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620545
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 504, 512
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620546
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 505
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620547
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 513
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620548
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 515
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620549
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 701
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620550
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 702, 704, 707, 709
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620551
Status: Unutilized
Directions: 711, 712, 727, 729, 735, 737, 738, 742, 743, 747
Comments:
Reasons: Secured Area

Buildings 703, 708, 710, 713
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620552
Status: Unutilized
Directions: 720, 721, 728, 730, 731, 732, 734, 736, 739
Comments:
Reasons: Secured Area

Buildings 705, 706
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620553
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 715, 716, 717
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620554
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 722
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620555
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 723
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620556
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 725
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620557
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 726
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620558
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 740
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620559
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 741
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620560
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 744
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620561
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 745
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620562
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 749
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620563
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 750
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620564
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 782
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620565
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 802, 808
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620566
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 804
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620567
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 812
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620568
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 818
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620569
Status: Unutilized

Directions:
Comments:
Reasons: Secured Area

Building 828
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620570
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 841
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620571
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 901
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620572
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 903
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620573
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 904
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620574
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 905
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620575
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 906, 908, 911
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620576
Status: Unutilized
Directions: 916, 993
Comments:
Reasons: Secured Area

Building 907
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620577
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 910
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620578
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 912
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620579
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 913
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620580
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 915
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620581
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 920
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620582
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 921, 923, 973, 974
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620583
Status: Unutilized
Directions: 983, 984, 986, 989
Comments:
Reasons: Secured Area

Building 924
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620584
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 929
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620586
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 930
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620587
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 946
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620588
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 951
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620589
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 952
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620590
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 927
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620591
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 997
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620592
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1003
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620593
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 1004, 1018
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620594
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1005
Kansas Army Ammunition Plant
Parsons KS 67357

Landholding Agency: Army
Property Number: 21199620595
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1006
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620596
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 1007, 1009
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620597
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1008
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620598
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1011
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620599
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 1012, 1022, 1023
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620600
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1017
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620601
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1019
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620602
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1020
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620603
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1025
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620604
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1028
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620605
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1047
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620606
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 1048, 1068, 1090
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620607
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1064
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620608
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1065
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620609
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 1072, 1082, 1095
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620610
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1124
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620611
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1202
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620612
Status: Unutilized
Directions: Comments:
Reasons: Secured Area

Building 1205
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620613
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1206
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620614
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1207
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620615
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1223
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620616
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 1225
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620617
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Buildings 1402, 1403, 1404
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620618
Status: Unutilized
Directions: 1405, 1406, 1407, 1408, 1409, 1410
Comments:
Reasons: Secured Area

Buildings 1502 thru 1556
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620619
Status: Unutilized
Directions: (55 total)
Comments:
Reasons: Secured Area

Buildings 1602 thru 1625
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620620
Status: Unutilized
Directions: (24 total)
Comments:
Reasons: Secured Area

Buildings 1702 thru 1721
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620621
Status: Unutilized
Directions: (20 total)
Comments:
Reasons: Secured Area

Buildings 1803, 1804, 1805,
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620622
Status: Unutilized
Directions: 1806, 1807, 1810, 1811, 1812, 1813, 1816, 1818, 1819, 1823, 1825
Comments:
Reasons: Secured Area

Buildings 1931 thru 1989
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620623
Status: Unutilized
Directions: Except 1961, 1974, 1976
Comments:
Reasons: Secured Area

Building 2002
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620624
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 2105A
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620625
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3004
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620626
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3005
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620627
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3006
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620628
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3007
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620629
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3008
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620630
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3009
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620631
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3010
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620632
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3011
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620633
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3012
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620634
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3014
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620635
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3015
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620636
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3016
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620637
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Building 3017
Kansas Army Ammunition Plant
Parsons KS 67357
Landholding Agency: Army
Property Number: 21199620638
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 09451
9455 Rifle Range Road
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120068
Status: Unutilized
Reasons: Other—Temporary bldg., gas chamber

Bldg. 00745
745 Ray Rd.
Fort Riley USAR
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120069
Status: Unutilized
Reasons: Other—aviation storage shed; off site removal

Bldg. 08322
Ft. Riley USAR
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120071
Status: Unutilized
Reasons: Other—to be demolished; off site removal

Bldg. 8329
8329 Wells St.
Ft. Riley
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120072
Status: Unutilized
Reasons: Other—vehicle maint.; oil storage

Bldg. 08324
8324 Wells St.
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120073
Status: Unutilized
Reasons: Other—to be demolished

Bldg. 07634
7634 McGlachlin
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120074
Status: Unutilized
Reasons: Other—Power Plant

Bldg. 00747
747 Ray Rd.
Fort Riley KS

Landholding Agency: Army
Property Number: 21201120078
Status: Unutilized
Reasons: Other—Power plant; off site removal

Bldg. 00613
null
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120079
Status: Unutilized
Reasons: Other—off site removal only

Bldg. 01781
1781 ''K'' Street
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120082
Status: Unutilized
Reasons: Other environmental Other—work animal storage (DNE)

Bldg. 09098
09098 Vinton School Road
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120083
Status: Unutilized
Reasons: Other—guard shack; off site removal

Bldg. 09455
9455 Rifle Range Road
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120085
Status: Unutilized
Reasons: Other—Gas Chamber; off site removal only

Bldg. 00615
615 Huebner Rd.
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120087
Status: Unutilized
Reasons: Other—off site removal only

Bldg. 08323
8323 Wells St.
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120088
Status: Unutilized
Reasons: Other—vehicle maint. shop; off site removal

Bldg. 08328
8328 Wells St.
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120089
Status: Unutilized
Reasons: Other environmental

Bldg. 07739
7739 Apennines Drive
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120090
Status: Unutilized
Reasons: Other—oil storage bldg.; off site removal Other environmental

Bldg. 01780
1780 ''K'' Street
Fort Riley KS
Landholding Agency: Army
Property Number: 21201120091
Status: Unutilized
Reasons: Other environmental

Bldg. 09382
Fort Riley
Fort Riley KS 66442
Landholding Agency: Army
Property Number: 21201130035
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
null
Fort Riley KS
Landholding Agency: Army
Property Number: 21201130037
Status: Unutilized
Directions: 09081, 07123, 1865, 00747
Reasons: Extensive deterioration

6 Bldgs.
null
Fort Riley KS
Landholding Agency: Army
Property Number: 21201130038
Status: Unutilized
Directions: 09079, 09078, 09455, 09382, 09087, 09381
Reasons: Extensive deterioration

Bldgs. 09133 and 1865
null
Fort Riley KS 66442
Landholding Agency: Army
Property Number: 21201130043
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 612
null
Fort Riley KS 66442
Landholding Agency: Army
Property Number: 21201130045
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
null
Fort Riley KS 66442
Landholding Agency: Army
Property Number: 21201130060
Status: Unutilized
Directions: 09455, 07634, 00852, 00853
Reasons: Extensive deterioration

2 Bldgs.
null
Fort Riley KS 66442
Landholding Agency: Army
Property Number: 21201130064
Status: Unutilized
Directions: 09098, 00613
Reasons: Extensive deterioration

Bldgs. 00512 & 00617
Fort Riley
Fort Riley KS 66442
Landholding Agency: Army
Property Number: 21201140064
Status: Unutilized
Reasons: Secured Area

Kentucky

Bldg. 126
Lexington Blue Grass Army Depot
Lexington KY 40511
Landholding Agency: Army
Property Number: 21199011661
Status: Unutilized
Directions: 12 miles northeast of Lexington, Kentucky.
Comments:
Reasons: Other—Sewage treatment facility Secured Area

Bldg. 12
Lexington Blue Grass Army Depot
Lexington KY 40511
Landholding Agency: Army
Property Number: 21199011663
Status: Unutilized
Directions: 12 miles Northeast of Lexington, Kentucky.
Comments:
Reasons: Other—Industrial waste treatment plant.

Bldg. 07178
Fort Campbell
Ft. Campbell KY 42223
Landholding Agency: Army
Property Number: 21200220029
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 07230
Fort Campbell
Christian KY 42223
Landholding Agency: Army
Property Number: 21200520015
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 06612
Fort Campbell
Christian KY 42223
Landholding Agency: Army
Property Number: 21200720024
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 3216
Fort Campbell
Christian KY 42223
Landholding Agency: Army
Property Number: 21201030013
Status: Underutilized
Reasons: Secured Area

Bldgs. 01568 and 01572
Spillway Court
Fort Campbell KY 42223
Landholding Agency: Army
Property Number: 21201210072
Status: Underutilized
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

5 Bldgs.
Fort Campbell Military Installation
Fort Campbell KY 42223
Landholding Agency: Army
Property Number: 21201210073
Status: Unutilized
Directions: 6536, 7256, 7293, A3902, A6942
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

Bldg. 2435A
Ft. Campbell
Ft. Campbell KY 42223
Landholding Agency: Army
Property Number: 21201220005
Status: Underutilized
Comments: Nat'l security concerns; public access is denied; only authorized military personal; no alternative method for public to gain access w/out compromising Nat'l security
Reasons: Secured Area

8 Buildings
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201240043

Status: Unutilized
Directions: 5260, 5261, 6589, 7718, 7726, 7727, 7728, 9247
Comments: Located on secured military installation, where public access is denied & no alternative method to gain access without compromising national security.
Reasons: Secured Area

8 Buildings
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201240047
Status: Unutilized
Directions: 93, 430, 445, 1414, 2768, 798, 4016, 5250
Comments: Located in secured area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

14 Buildings
Ft. Campbell
Ft. Campbell KY 42223
Landholding Agency: Army
Property Number: 21201310034
Status: Unutilized
Directions: 7167, 7169, A7167, A7169, B7167, B7169, C7167, C7169, D7167, D7169, E7167, E169, F7167, F7169
Comments: Located w/in the boundaries of an active military installation; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

11 Buildings
Ft. Knox
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201310042
Status: Unutilized
Directions: 00112, 00577, 01068, 01489, 06529, 06555, 06596, 06598, 07359, 09281, 09285
Comments: Located w/in military containment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 6117
Eisenhower Ave.
Ft. Knox KY 40121
Landholding Agency: Army
Property Number: 21201320026
Status: Unutilized
Comments: W/in Ft. Knox cantonment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 3304
46th & Indiana Ave.
Ft. Campbell KY 42223
Landholding Agency: Army
Property Number: 21201320027
Status: Underutilized
Comments: Secured area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 6908
A Shau Valley Rd.
Ft. Campbell KY 42223
Landholding Agency: Army
Property Number: 21201320028
Status: Unutilized
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

13 Building
Fort Knox
Fort Knox KY 40121
Landholding Agency: Army
Property Number: 21201330017
Status: Unutilized
Directions: 00119, 00492, 02347, 02768, 02798, 04016, 06135, 07216, 07218, 07221, 07224, 07231, 07234
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Louisiana

Bldg. 108
Louisiana Army Ammunition Plant
Area A
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199011714
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 110
Louisiana Army Ammunition Plant
Area A
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199011715
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 111
Louisiana Army Ammunition Plant
Area A
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199011716
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A133
Louisiana Army Ammunition Plant
Doylin LA 71023
Landholding Agency: Army
Property Number: 21199011735
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. A132
Louisiana Army Ammunition Plant
Area K
Doylin LA 71023
Landholding Agency: Army
Property Number: 21199011736
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. A131
Louisiana Army Ammunition Plant
Doylin LA 71023
Landholding Agency: Army
Property Number: 21199011737
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. A130
Louisiana Army Ammunition Plant
Area A
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199012112
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. X5093
Louisiana Army Ammunition Plant
Doyline LA
Landholding Agency: Army
Property Number: 21199013863
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. X5094
Louisiana Army Ammunition Plant
Doyline LA
Landholding Agency: Army
Property Number: 21199013865
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. S1627
Louisiana Army Ammunition Plant
Doyline LA
Landholding Agency: Army
Property Number: 21199013868
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. X5032
Louisiana Army Ammunition Plant
Doyline LA
Landholding Agency: Army
Property Number: 21199013869
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. J1015m
Louisiana Army Ammunition Plant
Doylin LA
Landholding Agency: Army
Property Number: 21199110131
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B–1442
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199240138
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. B–1453
Louisiana Army Ammunition Plant

Doyline LA 71023
Landholding Agency: Army
Property Number: 21199240139
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. D1249
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199240140
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. D1250
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199240141
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. K1104
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199240147
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. X–5033
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199420332
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldg. D1247
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610049
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. D1253
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610050
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. E1727
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610051
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. C1300, C1346, D1200
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610054
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. S1600, S1606
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610055
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. M2700
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610056
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1636
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610060
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1635
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610061
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D–1237
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610063
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–1344
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610064
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–1309
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610065
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B–1461
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610066
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1604
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610067
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A–117
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610068
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. S–1620, S–1621
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610069
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A–120
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610070
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. S–1602
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610072
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M–2701
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610073
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–1310
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610074
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. S–1605
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610075
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A–118
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610076
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A–129
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610078
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A–116
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610079
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. C–1301, C–1303
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610083
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. S–1601
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610086
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. K–1101, K–1103
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610087
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. J–1002
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610088
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. D–1201, D–1203
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610091
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. S–1612, S–1618, S–1615
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610092
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–1360
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610093
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. K–1120
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610094
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. S–1603
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610096
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. O–1503
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610097
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. K–1100
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610098
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. J–1001
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610099
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. D–1202
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610101
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–1302
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610102
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1613
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610104
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. K–1105, K–1111, K–1110
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610105
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A–149
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610107
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. J–1006, J–1008
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610111

Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. D–1221, D–1224
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610112
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–1011
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610115
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Louisiana Army Ammunition Plant
X–5013, X–5043, X–5083, X–5091
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610116
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. D–1262, D–1263, D–1264
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610118
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–1370
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610119
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs.
Louisiana Army Ammunition Plant
X–5069, X–5071, X–5077, X–5078, X–5084
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610121
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A–134
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610122
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1637
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610126
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Louisiana Army Ammunition Plant
C–1351, C–1352, C–1355, C–1353
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610128
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. E–1736, E–1734, E–1733
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610129
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. Y–2621
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610130
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D–1256
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610131
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. X–5016
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610132
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. X–5026, X–5106
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610133
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. D–1248, D–1251
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610134
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. E–1715
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610135
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1629
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610137
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D–1239
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610139
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. E–1732
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610140
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–1014
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610141
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. C–1347, C–1349
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610142
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–1362
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610143
Status: Unutilized

Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D–1259
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610144
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. M–2702, M–2706
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610145
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. X–6112
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610147
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–1361
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610148
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. D–1257, D–1267
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610149
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. A–154, A–155
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610151
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. Y–2626, Y–2627
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610152
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. S–1652, S–1653
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610153
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. Y–2613, Y–2614
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610154
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. A–115, A–153
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610155
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. M–2708, M–2709
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610157
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. S–1639, S–1646
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610158
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. D–1254, D–1255
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610162
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. C–1356, C–1366, C–1367
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610164
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A–157
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610165
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M–2703
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610167
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S–1624
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610170
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M–0218
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610171
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. M–0217
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610172
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D–1258
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610173
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–1363
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610174
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1319
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610175
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1317

Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610176
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1345
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610178
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1337
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610179
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1333
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610180
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1331
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610181
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1321
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610182
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1307
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610183
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1648
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610184
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1640
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610185
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1625
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610186
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1608
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610187
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1619
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610191
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1617
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610192
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1611
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610193
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1610
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610194
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1720
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610196
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1710
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610198
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building E–1709
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610199
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building E–1707
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610200
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1475
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610201
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1471
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610202
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1426
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610203
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building J–1018
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610204
Status: Unutilized

Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–219
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610205
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building Y–2609
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610206
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building E–1726
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610210
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1724
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610211
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building K–1115
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610212
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1114
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610213
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1112
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610214
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1220
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610215
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1117
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610216
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1106
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610217
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building J–1013
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610219
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building J–1007
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610220
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1335
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610221
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1334
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610222
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1325
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610223
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1313
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610224
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1228
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610225
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1233
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610226
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1227
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610227
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1217
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610228
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1226
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610229
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1207
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610230
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1222

Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610231
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1261
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610232
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1623
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610233
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1622
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610234
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1616
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610235
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1716
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610236
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1242
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610237
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1223
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610238
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1330
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610239
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1305
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610240
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Buildings
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610241
Status: Unutilized
Directions:
S1631, S1632, S1633, S1634
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1238
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610242
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1435
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610245
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building X–5053
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610251
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building N–1817
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610252
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building E–1712
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610253
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1476
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610254
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2100
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610255
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0600
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610256
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0200
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610257
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2346
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610258
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2200
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610259
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–0700
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610260

Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1102
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199610263
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1119
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620002
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building A–0150
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620006
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2109
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620008
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2108
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620009
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2107
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620010
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building J–1009
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620011
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building J–1004
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620012
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1368
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620020
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1260
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620021
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1369
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620022
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1414
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620025
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1340
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620026
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building X–5103
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620027
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1234
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620029
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1630
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620032
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building J–1003
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620033
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building N–1800
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620034
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building X–5072
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620035
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building J–1016
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620036
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building O–1500
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620037
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building X–5000
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620038
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building O–1501
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620039
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1218
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620042
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1216
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620043
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1213
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620044
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1211
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620045
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1209
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620046
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building D–1208
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620047
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1327
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620048
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1326
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620049
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1324
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620050
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1339
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620051
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1336
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620052
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1320
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620053
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building K–1116
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620054
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building K–1118
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620055
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1113
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620056
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1628
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620057
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1230
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620058
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1214
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620059
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building D–1229
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620060
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1713
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620061
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1711
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620062
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building E–1722
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620063

Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1721
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620064
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building E–1718
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620065
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1714
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620066
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1316
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620068
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1318
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620070
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1312
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620073
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1311
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620074
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1308
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620075
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building C–1315
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620076
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1123
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620081
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0634
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620084
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0633
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620085
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0632
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620086
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1107
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620087
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1473
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620089
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0635
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620092
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1108
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620093
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0205
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620094
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0203
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620095
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0204
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620096
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building S–1607
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620097
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1304
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620098
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0647
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620102
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0646
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620104
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1424
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620105
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1456
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620106
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1457
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620107
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1458
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620108
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1306
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620111
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1725
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620113
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building B–1449
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620117
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1443
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620118
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1609
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620119
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building K–1121
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620120
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0612
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620124
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0611
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620125
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0610
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620126
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0609
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620127
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0613
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620128
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0607
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620129
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0606
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620130
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0605
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620131
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0604
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620132
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–0603
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620133
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0211
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620134

Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0210
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620136
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0207
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620137
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–0206
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620138
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2110
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620139
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2105
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620140
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–2104
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620141
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building M–2103
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620142
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–2102
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620143
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–2101
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620144
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building X–5070
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620145
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building X–5100
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620146
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1463
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620149
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building N–1814
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620150
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building N–1815
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620151
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building Y–2612
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620152
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building A–0151
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620153
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2220
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620173
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2219
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620174
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2218
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620175
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2217
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620176
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2221
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620177
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2216
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620178
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2215
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620179
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2213
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620180
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2214
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620181
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2212
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620182
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2211
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620183
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2210
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620184
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2209
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620185
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2208
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620186
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2249
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620187
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2238
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620188
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2236
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620189
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2250
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620190
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2235
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620191
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2233
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620192
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2232
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620193
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2231
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620194
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2230
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620195
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2229
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620196
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2222
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620197
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2223
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620198
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2227
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620199
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2228
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620200
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building M–650
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620749

Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building C–1359
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620751
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1462
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620752
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building B–1478
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620753
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building S–1651
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620754
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building E–1741
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620755
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building N–1820
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620757
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building N–1823
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620758
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building N–1824
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620759
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2301
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620760
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2302
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620761
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2303
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620762
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2304
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620763
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2305
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620764
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2306
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620765
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2307
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620766
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2308
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620767
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2309
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620768
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2310
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620769
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2311
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620770
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2312
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620771
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2313
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620772
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2314
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620773
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2315
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620774
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2316
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620775
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2317
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620776
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2318
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620777
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2319
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620778
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building L–2320
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620779
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building L–2321
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620780
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Buildings L–2322, L–2323
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620781
Status: Unutilized
Directions: L–2324, L–2325, L–2326, L–2327, L–2328
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Buildings L–2329, L–2330
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620782
Status: Unutilized
Directions: L–2331, L–2332, L–2333, L–2334, L–2335
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building P–2500
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620793
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building P–2501
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620794
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building Y–2608
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620795
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building Y–2632
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620797
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building Y–2633
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620798
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Building Y–2640
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620799
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Building X–5108
Louisiana Army Ammunition Plant
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199620801
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M3–208
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820047
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. M4–2704
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820049
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. B–1412
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820051
Status: Excess
Directions:
Comments:
Reasons: Secured Area

Bldg. B–1427
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820052
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B–1433
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820053
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. B–1434
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820054
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. B–1472
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820058
Status: Excess
Directions:

Comments:
Reasons: Secured Area Floodway

Bldg. C–1322
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820059
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. C–1323
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820060
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. C–1348
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820061
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. D–1215
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820062
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D–1232
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820063
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. STP–2000, 2001, 2002
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820065
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. STP–2004
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820066
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. W–2900
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820067
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

4 Bldgs.
Louisiana AAP
W–2901, 2902, 2903, 2904
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820068
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldgs. W–2905, 2906
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820069
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. W–2907
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820070
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldgs. X–5080, 5101, 5102
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820071
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. X–5104
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820072
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. X–5105
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820073
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldgs. X–5107, X–5115
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820074
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. X–5114
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820075
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. X–5116
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820076
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. X–5117
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820077
Status: Excess
Directions:
Comments:
Reasons: Secured Area Floodway

Bldg. Y–2604
Louisiana AAP
Doyline LA 71023
Landholding Agency: Army
Property Number: 21199820078
Status: Excess
Directions:
Comments:
Reasons: Floodway Secured Area

Bldg. 7002
Fort Polk
Ft. Polk LA 71459
Landholding Agency: Army
Property Number: 21200130030
Status: Underutilized
Comments: 7001 is still in use
Reasons: Floodway

2 Bldgs.
Fort Polk
00414, 00418
Vernon LA 71459
Landholding Agency: Army
Property Number: 21200530008
Status: Unutilized
Comments: 00417 is demolished
Reasons: Floodway Secured Area

Maryland

Bldg. E5760
Aberdeen Proving Ground
Edgewood Area
Aberdeen City MD 21010–5425
Landholding Agency: Army
Property Number: 21199012610
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. E5375
Aberdeen Proving Ground
Edgewood Area
Aberdeen City MD 21010–5425
Landholding Agency: Army
Property Number: 21199012638
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. E5441
Aberdeen Proving Ground
Edgewood Area
Aberdeen City MD 21010–5425
Landholding Agency: Army

Property Number: 21199012640
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. E5190
Aberdeen Proving Ground
Edgewood Area
Aberdeen City MD 21010–5425
Landholding Agency: Army
Property Number: 21199012658
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5010
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199610489
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 5011
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199610490
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 0909A
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199730077
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 1977
Fort Meade
Ft. Meade MD 20755–5115
Landholding Agency: Army
Property Number: 21199810065
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. E3466
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199810076
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. E3544
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199810078
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. E3646
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199810085
Status: Unutilized
Directions:
Comments:
Reasons: Other—contamination

Bldg. E3236
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199820090
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. E5695
Aberdeen Proving Ground
MD 21005–5001
Landholding Agency: Army
Property Number: 21199820096
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 00310 (portion)
Aberdeen Proving Ground
Aberdeen MD 21005–5001
Landholding Agency: Army
Property Number: 21200120059
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. E3871
Aberdeen Proving Ground
Aberdeen MD 21005–5001
Landholding Agency: Army
Property Number: 21200120060
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 951
Ft. George G. Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200140059
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 968, 978, 988, 998
Ft. George G. Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200140060
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00211
Curtis Bay Ordnance Depot
Baltimore MD 21226–1790
Landholding Agency: Army
Property Number: 21200320024
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 6613
Fort George G. Meade
Ft. Meade MD 20755–5115
Landholding Agency: Army
Property Number: 21200410014
Status: Unutilized
Reasons: Extensive deterioration

Bldg. E1414
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200410024
Status: Unutilized
Reasons: Secured Area

Bldg. E1890
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200410026
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldgs. E3220, E5136
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200410030
Status: Unutilized
Reasons: Secured Area Extensive deterioration

Bldg. 05259
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200410031
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldg. E5330
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200410032
Status: Unutilized
Reasons: Extensive deterioration Secured Area

20 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200420098
Status: Unutilized
Directions: E3030, E3032, E3034, E3036, E3038, E3040, E3042, E3044, E3046, E3061 thru E3070, E3072
Reasons: Extensive deterioration

5 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200420099
Status: Unutilized
Directions: E3035, E3041, E3076, E3078, E3080
Reasons: Extensive deterioration

Bldgs. E3039, E3060, E3073
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200420100
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 3185
Fort George G. Meade
Ft. Meade MD 20755–5115
Landholding Agency: Army
Property Number: 21200510018
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 8610
Fort George G. Meade
Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 21200520020

Status: Unutilized
Reasons: Extensive deterioration

38 Bldgs.
Aberdeen Proving Grounds
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21200520021
Status: Underutilized
Directions: Chemical Warfare Neutralization Site
Reasons: Secured Area

Bldg. 0001B
Federal Support Center
Olney MD 20882
Landholding Agency: Army
Property Number: 21200530018
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 2204, 02271
Fort Meade
Anne Arundel MD 20755
Landholding Agency: Army
Property Number: 21200620015
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 2205
Fort Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200640049
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 4201, 4203
Fort Meade
Ft. Meade MD 20755
Landholding Agency: Army
Property Number: 21200640050
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 04272, 04554
Ft. George G. Meade
Anne Arundel MD 20755
Landholding Agency: Army
Property Number: 21200710031
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. E3850, E5699, E6882
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200740015
Status: Unutilized
Reasons: Secured Area

4 Bldgs.
Fort Meade
2630, 4717, 4720, 4721
Anne Arundel MD 20755
Landholding Agency: Army
Property Number: 21200740016
Status: Unutilized
Reasons: Secured Area

7 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200740142
Status: Unutilized
Directions: E3007, E3221, E3222, E3223, E3224, E3226, E3228
Reasons: Secured Area

Bldgs. E3236, E3268, E3850
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200740143
Status: Unutilized
Reasons: Secured Area

Bldgs. E7012, E7822
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200740144
Status: Unutilized
Reasons: Secured Area

Bldgs. E1407, E1417, E1452
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810012
Status: Unutilized
Reasons: Secured Area

7 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810013
Status: Unutilized
Directions: E3007, E3221, E3222, E3223, E3224, E3226, E3228
Reasons: Secured Area

Bldgs. E3236, E3268, E3850
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810014
Status: Unutilized
Reasons: Secured Area

Bldgs. E4060, E4440
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810015
Status: Unutilized
Reasons: Secured Area

6 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810016
Status: Unutilized
Directions: E5695, E5770, E5771, E5772, E5774, E5778
Reasons: Secured Area

Bldgs. E5897, E5913, E5914
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810017
Status: Unutilized
Reasons: Secured Area

Bldgs. E6892, E7012, E7822
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200810018
Status: Unutilized
Reasons: Secured Area

Bldg. 00940
Fort Detrick
Frederick MD 21702
Landholding Agency: Army
Property Number: 21200810019
Status: Unutilized
Reasons: Secured Area

Bldgs. E3641, E3728
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200820135
Status: Unutilized
Reasons: Contamination

4 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820138
Status: Unutilized
Directions: 05042, 05045, 05047, 05048
Reasons: Contamination

11 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820139
Status: Unutilized
Directions: 05200, 05202, 05204, 05206, 05207, 05212, 05214, 05215, 05216, 05217, 05218
Reasons: Contamination

Bldgs. E5325, E5375
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820140
Status: Unutilized
Reasons: Contamination

6 Bldgs.
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820141
Status: Unutilized
Directions: E5440, E5476, E5481, E5487, E5489, E5760
Reasons: Contamination

Bldg. 0909A
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820142
Status: Unutilized
Reasons: Contamination

Bldgs. P338, P436, P566
Fort Detrick
Frederick MD 21702
Landholding Agency: Army
Property Number: 21200840023
Status: Unutilized
Reasons: Secured Area

Bldgs. 01423, 01432
Fort Detrick
Frederick MD 21702
Landholding Agency: Army
Property Number: 21200840024
Status: Unutilized
Reasons: Secured Area

10 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840025
Status: Unutilized
Directions: E1100, R1101, E1102, E1103, E1104, E1105, E1106, E1107, E1108, E1109
Reasons: Secured Area

10 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840026
Status: Unutilized

Directions: E1110, E1111, E1112, E1113, E1114, E1115, E1116, E1117, E1118, E1119
Reasons: Secured Area

10 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840027
Status: Unutilized
Directions: E1120, E1121, E1122, E1123, E1124, E1125, E1126, E1127, E1128, E1129
Reasons: Secured Area

10 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840028
Status: Unutilized
Directions: E1130, E1131, E1132, E1133, E1134, E1135, E1136, E1137, E1138, E1139
Reasons: Secured Area

10 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840029
Status: Unutilized
Directions: E1140, E1141, E1142, E1143, E1144, E1145, E1146, E1147, E1148, E1149
Reasons: Secured Area

6 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840030
Status: Unutilized
Directions: E1150, E1151, E1152, E1153, E1154, E1155
Reasons: Secured Area

7 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840032
Status: Unutilized
Directions: 05015, 5015A, 05040, 05041, 05049, 05050, 05051
Reasons: Secured Area

5 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200840033
Status: Unutilized
Directions: 05220, 05221, 05222, 05224, 05613
Reasons: Secured Area

9 Bldgs.
Aberdeen Proving Grounds
Harford MD 21005
Landholding Agency: Army
Property Number: 21200940029
Status: Unutilized
Directions: E3220, E4405, E4410, E4430, E4435, E4445, E4455, E4460, E4475
Reasons: Secured Area

9 Bldgs.
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200940030
Status: Unutilized
Directions: E5641, E5642, E5684, E5685, E5686, E5687, E5910, E5911, E5912
Reasons: Secured Area

Bldg. SPITO
Adelphi Lab Center
Prince George MD 20783
Landholding Agency: Army
Property Number: 21201010008
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
Aberdeen Proving Ground
Aberdeen MD 21005
Landholding Agency: Army
Property Number: 21201020012
Status: Unutilized
Directions: E4082, E4083, E4084, E4085, E6834
Reasons: Secured Area

Bldg. 00517
517 Blossom Point Road
Blossom Point Research Facility
Welcome MD 20693
Landholding Agency: Army
Property Number: 21201140040
Status: Unutilized
Reasons: Secured Area Extensive deterioration

Bldg. 00402
402 Blossom Point Road
Blossom Point Research Facility
Welcome MD 20693
Landholding Agency: Army
Property Number: 21201140041
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Massachusetts

Bldg. 3713
USAG Devens
Devens MA 01434
Landholding Agency: Army
Property Number: 21200840022
Status: Excess
Reasons: Secured Area

Michigan

Bldg. 5756
Newport Weekend Training Site
Carleton MI 48166
Landholding Agency: Army
Property Number: 21199310061
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 930
U.S. Army Garrison-Selfridge
Selfridge MI 48045
Landholding Agency: Army
Property Number: 21200420093
Status: Unutilized
Reasons: Secured Area

Bldg. 001
Crabble USARC
Saginaw MI 48601–4099
Landholding Agency: Army
Property Number: 21200420094
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00714
Selfridge Air Nat'l Guard Base
Macomb MI 48045
Landholding Agency: Army
Property Number: 21200440032
Status: Unutilized
Reasons: Extensive deterioration

20 Bldgs.
US Army Garrison-Selfridge
Macomb MI 48045
Landholding Agency: Army
Property Number: 21200510020
Status: Unutilized
Directions: 227, 229, 231, 233, 235, 256 thru 270
Reasons: Secured Area

4 Bldgs.
US Army Garrison-Selfridge
Macomb MI 48045
Landholding Agency: Army
Property Number: 21200510021
Status: Unutilized
Directions: 769, 770, 774, 775
Reasons: Secured Area

9 Bldgs.
US Army Garrison-Selfridge
Macomb MI 48045
Landholding Agency: Army
Property Number: 21200510022
Status: Unutilized
Directions: 905, 907–909, 929–931, 935–936
Reasons: Secured Area

5 Bldgs.
US Army Garrison-Selfridge
Macomb MI 48045
Landholding Agency: Army
Property Number: 21200510023
Status: Unutilized
Directions: 50905, 50907–50909, 50911
Reasons: Secured Area

4 Buildings
Detroit Arsenal
T0209, T0216, T0246, T0247
Warren MI 48397–5000
Landholding Agency: Army
Property Number: 21200520022
Status: Unutilized
Reasons: Secured Area

6 Bldgs.
Detroit Arsenal
Warren MI 48397
Landholding Agency: Army
Property Number: 21201010009
Status: Unutilized
Directions: 521, 213, 214, 237, 00007, 00008
Reasons: Secured Area

Minnesota

Bldg. 575
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199120166
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 573
Twin Cities Army Ammunition Plant
Old Highway 8
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199210014
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 596
Twin Cities Army Ammunition Plant

Old Highway 8
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199210015
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 187
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220227
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 188
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220228
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 189
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220229
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 507
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220231
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 972
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220233
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 973
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220234
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 975
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199220235
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 595
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199240328
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 586
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199310056
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 598
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199320152
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 901
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199320153
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 902
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199320154
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5530
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199320155
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 5554
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199320156
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 174
null
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199330096
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 176
null
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199330097
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 517A
null
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199330100
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 517B
null
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199330101
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 517C
null
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199330102
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 576
null
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199330106
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 585
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199340015
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 101
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410159
Status: Unutilized

Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 102
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410160
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 108
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410161
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 111
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410162
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 112
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410163
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 114
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410164
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 115
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410165
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 117C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410166
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 146
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410167
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 151
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410168
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 152
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410169
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 153
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410170
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 155
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410171
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 157
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410172
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 167
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410173
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldg. 172
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410174
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 502
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410175
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 599
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410186
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 950
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410187
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 951
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410188
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 955
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199410189
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 119H
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420198
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 119P
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420199
Status: Unutilized
Directions:
Comments:

Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 119R
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420200
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldg. 119S
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420201
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. 119T
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420202
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 119U
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420203
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 125
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420206
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 126
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420207
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 127
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420208
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 128
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420209
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 129A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420210
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 129B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420211
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 130
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420212
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 131
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420213
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 132A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420214
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 132B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420215
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 135
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420216
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 136
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420217
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 137
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420218
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 138A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420219
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 138B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420220
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 138C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420221
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 139A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420222
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 139B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420223
Status: Unutilized
Directions:

Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 139C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420224
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 139D
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420225
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 140A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420226
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 140B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420227
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 140C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420228
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 141A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420229
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 141B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420230
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 142
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420231
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 143
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420232
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 144A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420233
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 144C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420234
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 144D
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420235
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 144E
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420236
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 144F
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420237
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 144G
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420238
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 144H
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420239
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420240
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420241
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 149C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420242
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149D
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420243
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149E
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420244
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 149F
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420245
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149G

Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420246
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149H
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420247
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 149I
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420248
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149J
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420249
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149K
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420250
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 149L
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420251
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 149M
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420252
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 149N
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420253
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 159
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420254
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 177
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420256
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 180
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420257
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 191
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420258
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 192A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420259
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 192B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420260
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 195
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420261
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 196
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420262
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 199
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420263
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 303
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420264
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 304
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420265
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 314
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420266
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 315
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420267
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 327
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420268
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 328
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army

Property Number: 21199420269
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 329
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420270
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 330
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420271
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 338B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420272
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 338C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420273
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 338D
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420274
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 372
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420275
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 519B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420276
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. 908
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420279
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. 917C
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420280
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldg. 1190
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420281
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldg. 1490
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420282
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5154
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199420283
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 158
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199430060
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 567A
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199430062
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 567B
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199430063
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 709
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199430064
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 570, 571
Twin Cities AAP
Arden Hills MN 55112–3928
Landholding Agency: Army
Property Number: 21200130053
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 917A, 917B
Twin Cities AAP
Arden Hills MN 55112–3928
Landholding Agency: Army
Property Number: 21200130054
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Missouri

Lake City Army Ammo. Plant 59
Independence MO 64050
Landholding Agency: Army
Property Number: 21199013666
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Lake City Army Ammo. Plant 59A
Independence MO 64050
Landholding Agency: Army
Property Number: 21199013667
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Lake City Army Ammo. Plant 59C
Independence MO 64050
Landholding Agency: Army
Property Number: 21199013668
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Lake City Army Ammo. Plant 59B
Independence MO 64050
Landholding Agency: Army
Property Number: 21199013669
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. #1
St. Louis Army Ammunition Plant
4800 Goodfellow Blvd.
St. Louis MO 63120–1798
Landholding Agency: Army
Property Number: 21199120067

Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. #2
St. Louis Army Ammunition Plant
4800 Goodfellow Blvd.
St. Louis MO 63120–1798
Landholding Agency: Army
Property Number: 21199120068
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. T–2350
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21199430075
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 18
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199530134
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 149
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199530136
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610469
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 7
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610470
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 11
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610471
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 13
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610472
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 14
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610473
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 15
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610474
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 16
St. Louis Army Ammunition Plant
St. Louis MO 63120–1584
Landholding Agency: Army
Property Number: 21199610475
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 5396
Fort Leonard Wood
Pulaski MO 65473–8994
Landholding Agency: Army
Property Number: 21199910020
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 5539
Fort Leonard Wood
Pulaski MO 65473–8994
Landholding Agency: Army
Property Number: 21199910021
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

6 Bldgs.
Lake City Army Ammunition Plant
40A, B, C, 41A, 41B, 41C
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910023
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Lake City Army Ammunition Plant
52B, 52C, 71A
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910025
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 83
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910027
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 131A, 132A
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910028
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 133A–133E
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910029
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

10 Bldgs.
Lake City Army Ammunition Plant
134A–134E, 135A–135E
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910030
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 141A–141B
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910033
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 144A, 144B
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199910034
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

3 Bldgs.
Lake City Army Ammunition Plant
145A, 145B, 145C
Independence MO 65050
Landholding Agency: Army
Property Number: 21199910035
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3A
Lake City Army Ammunition Plant
Independence MO 64050
Landholding Agency: Army
Property Number: 21199920082
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 58A

Lake City AAP
Independence MO 64050
Landholding Agency: Army
Property Number: 21200030049
Status: Underutilized
GSA Number:
Reasons: Secured Area

Bldg. P4122
U.S. Army Reserve Center
St. Louis MO 63120–1794
Landholding Agency: Army
Property Number: 21200240055
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. P4074, P4072, P4073
St. Louis Ordnance Plant
St. Louis MO 63120–1794
Landholding Agency: Army
Property Number: 21200310019
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 02200, 02205, 02223
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200320025
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 01355
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200330028
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 01356
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200330029
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 01360
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200330030
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 01361
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200330031
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 5402, 5742
Fort Leonard Wood
Ft. Leonard Wood MO 65743–8944
Landholding Agency: Army
Property Number: 21200430029
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00645
Fort Leonard Wood
Pulaski MO 65743
Landholding Agency: Army
Property Number: 21200640051
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 02553
Fort Leonard Wood
Pulaski MO 65743
Landholding Agency: Army
Property Number: 21200640052
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 1448, 1449
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200740145
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 2841, 2842
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200740146
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Leonard Wood
5234, 5339, 5345, 5351
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200740147
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 5535, 5742
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200740148
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 0071B, 0072
Lake City Army Ammo Plant
Independence MO 64056
Landholding Agency: Army
Property Number: 21200820001
Status: Unutilized
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. 2282, 2841, 2842
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200830017
Status: Underutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 528
Weldon Springs LTA
Saint Charles MO 63304
Landholding Agency: Army
Property Number: 21200840034
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200840035
Status: Unutilized
Directions: 05360, 05361, 05367, 05368, 05369
Reasons: Secured Area

6 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200840036
Status: Unutilized
Directions: 05370, 05371, 05372, 05373, 05374, 05376
Reasons: Secured Area

9 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200840037
Status: Unutilized
Directions: 06120, 06124, 06125, 06128, 06129, 06130, 06131, 06133, 06135
Reasons: Secured Area

14 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200920048
Status: Unutilized
Directions: 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2843, 2844, 2845, 4970
Reasons: Secured Area

Bldgs. 204, 802, 2563
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200930012
Status: Unutilized
Reasons: Secured Area

13 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200940044
Status: Unutilized
Directions: 401, 761, 762, 766, 790, 791, 792, 793, 794, 795, 796, 797, 798
Reasons: Secured Area

7 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200940045
Status: Unutilized
Directions: 851, 852, 853, 854, 857, 859, 2305
Reasons: Secured Area

9 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200940046
Status: Unutilized
Directions: 9004, 9005, 9007, 9009, 9011, 9013, 9015, 9017, 9029
Reasons: Secured Area

9 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200940047
Status: Unutilized
Directions: 9031, 9033, 9035, 9037, 9039, 9041, 9043, 9045, 9047
Reasons: Secured Area

6 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21200940048
Status: Unutilized

Directions: 9057, 9059, 9061, 9063, 9071, 12315
Reasons: Secured Area

Bldg. 06020
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21201010010
Status: Unutilized
Reasons: Floodway Secured Area

15 Bldgs.
Lake City Army Ammo Plant
Independence MO 64051
Landholding Agency: Army
Property Number: 21201010011
Status: Unutilized
Directions: 11A, 20B, 22A, 22B, 22C, 23A, 23B, 23C, 24A, 24B, 24C, 24D, 24E, 25A, 29A
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

9 Bldgs.
Lake City Army Ammo Plant
Independence MO 64051
Landholding Agency: Army
Property Number: 21201010012
Status: Unutilized
Directions: 31, 32A, 33A, 33B, 34A, 34B, 38F, 38G, 38H
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

9 Bldgs.
Lake City Army Ammo Plant
Independence MO 64051
Landholding Agency: Army
Property Number: 21201010013
Status: Unutilized
Directions: 52A, 53, 55, 59, 60, 73W, 79, 79A, 79B
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

7 Bldgs.
Lake City Army Ammo Plant
Independence MO 64051
Landholding Agency: Army
Property Number: 21201010014
Status: Unutilized
Directions: 80F, 91D, 91F, 94D 120A, 120D, 120G
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Lake City Army Ammo Plant
Independence MO 64051
Landholding Agency: Army
Property Number: 21201010015
Status: Unutilized
Directions: T056R, T94B, T94C, T239, T247, T260
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

13 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21201020013
Status: Unutilized
Directions: 182, 701 702, 703, 704, 705, 705A, 706, 707, 708, 709, 710, 2101
Reasons: Secured Area

14 Bldgs.
Lake City AAP
Independence MO 64051
Landholding Agency: Army
Property Number: 21201040010
Status: Unutilized
Directions: 59, 59A, 59B, 59C, 60, 66A, 66B, 66C, 66D, 66E, 67, 70A 70B 80D
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

10 Bldgs.
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21201040011
Status: Unutilized
Directions: 1228, 1255, 1269, 2101, 2112, 2551, 2552, 5280, 5506, 6824
Reasons: Secured Area

Facility 29995
Fort Leonard Wood
Pulaski MO 65473
Landholding Agency: Army
Property Number: 21201040012
Status: Unutilized
Reasons: Secured Area

Harry S. Truman Reservoir
15968 Truman Rd.
Warsaw MO 65355
Landholding Agency: Army
Property Number: 21201110001
Status: Underutilized
Directions: 07015 and L43002
Reasons: Extensive deterioration

12 Bldgs.
Ft. Leonard Woods
Ft. Leonard Woods MO 65473
Landholding Agency: Army
Property Number: 21201110043
Status: Excess
Directions: 00642, 00650, 00651, 00652, 00653, 00654, 00655, 00656, 00657, 00658, 00659, 00660
Reasons: Secured Area

Bldgs. 01604 and 05130
Ft. Leonard Woods
Ft. Leonard Woods MO 65473
Landholding Agency: Army
Property Number: 21201110044
Status: Excess
Reasons: Extensive deterioration Secured Area

TA002
Ft. Leonard Woods
Ft. Leonard Woods MO 65473
Landholding Agency: Army
Property Number: 21201110061
Status: Excess
Reasons: Secured Area Extensive deterioration

8 Bldgs.
Ft. Leonard Woods
Ft. Leonard Woods MO 65473
Landholding Agency: Army
Property Number: 21201110062
Status: Excess
Directions: 00618, 0618A, 00618B, 00619, 0619A, 0619B, 00906, 00907
Reasons: Secured Area

Bldgs. 5130 and 5136
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120011
Status: Excess
Reasons: Secured Area Extensive deterioration

Bldg. 1604
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120012
Status: Excess
Reasons: Extensive deterioration Secured Area

Bldg. 1269
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120013
Status: Excess
Reasons: Secured Area

Bldg. 1255
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120014
Status: Excess
Reasons: Secured Area

Bldg. 1228
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120015
Status: Excess
Reasons: Secured Area

Bldgs. 906 and 907
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120016
Status: Excess
Reasons: Secured Area

14 Bldgs.
Camp Clark
Nevada MO 64772
Landholding Agency: Army
Property Number: 21201130046
Status: Unutilized
Directions: K0001, K0002, K0003, K0004, K0005, K0006, K0007, K0008, K0010, K0012, K0014, K0016, K0018, K0020
Reasons: Extensive deterioration

11 Bldgs.
Camp Clark
Nevada MO 64772
Landholding Agency: Army
Property Number: 21201130047
Status: Unutilized
Directions: J0006, J0007, J0008, J0009, J0010, J0011, J0012, J0013, J0015, J0017, J0019
Reasons: Extensive deterioration Secured Area

12 Bldgs.
Camp Clark
Nevada MO 64772
Landholding Agency: Army
Property Number: 21201130048
Status: Unutilized
Directions: 435, 436, 438, 460, 466, 504, 506, J0001, J0002, J0003, J0004, J0005
Reasons: Extensive deterioration Secured Area

13 Bldgs.
Camp Clark
Nevada MO 64772
Landholding Agency: Army
Property Number: 21201130049
Status: Unutilized
Directions: 00383, 00384, 00385, 00386, 00388, 00389, 00391, 00392, 00402, 00410, 00411, 00425, 00433

Reasons: Extensive deterioration Secured Area

15 Bldgs.
Camp Clark
Nevada MO 64772
Landholding Agency: Army
Property Number: 21201130050
Status: Unutilized
Directions: 00127, 00329, 00337, 00344, 00352, 00356, 00360, 00362, 00363, 00365, 00366, 00367, 00372, 00376, 00380
Reasons: Extensive deterioration Secured Area

Bldg. T62–9
Lake City Army Ammunition Plant
Independence MO 64051
Landholding Agency: Army
Property Number: 21201140071
Status: Underutilized
Reasons: Secured Area Contamination

2 Bldgs.
Railroad Ave.
Fort Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201140072
Status: Unutilized
Directions: 02351, 02352
Reasons: Secured Area

11 Bldgs.
Ft. Leonard Woods
Ft. Leonard Woods MO 65473
Landholding Agency: Army
Property Number: 21201220019
Status: Excess
Directions: 499, 720, 745, 2555, 2556, 2557, 2558, 5076, 8208, 8370, 30
Comments: Nat'l security concerns; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

14 Buildings
Camp Crowder
Neosho MO 64850
Landholding Agency: Army
Property Number: 21201230010
Status: Unutilized
Directions: 5, 6, 8, 9, 10, 12, 18, 34, 35, 36, 37, 38, 39, 51
Comments: Military personnel only; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

11 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230032
Status: Underutilized
Directions: 2314, 2313, 1614, 1230, 786, 689, 404, 690, 763, 764, 766
Comments: No public access & no alternative method w/out comprising Nat'l security
Reasons: Secured Area

19 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230033
Status: Unutilized
Directions: 9613, 9611, 6127, 6125, 6124, 6120, 5125, 5124, 5122, 5073, 2565, 2349, 1134, 978, 975, 758, 9615, 9617, 9619
Comments: No public access & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

4 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230038
Status: Unutilized
Directions: 565, 566, 567, 569
Comments: No public access & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

5 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230039
Status: Underutilized
Directions: 664, 665, 669, 686, 687
Comments: No public access & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

3 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230040
Status: Unutilized
Directions: 688, 759, 760
Comments: No public access & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

9 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230041
Status: Excess
Directions: 711, 712, 713, 714, 715, 720, 721, 722, 723
Comments: No public access & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Bldg. 724
Utah St.
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201230059
Status: Excess
Comments: No public access; no alternative method for public to gain access w/out comprising Nat'l security
Reasons: Secured Area

Bldg. 31
Camp Crowder
Neosha MO 64850
Landholding Agency: Army
Property Number: 21201230061
Status: Unutilized
Comments: Military personnel/authorized use personnel; public access denied & no alternative method for public to gain access w/out comprising Nat'l security
Reasons: Secured Area

4 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201240017
Status: Unutilized
Directions: 691, 692, 693, 694
Comments: Located in secured area, public access denied & no alternative method to gain access without compromising national security.
Reasons: Secured Area

4 Buildings
Ft. Leonard Wood
Ft. Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201320022
Status: Unutilized
Directions: 05343, 05382, 05394, 06501
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 02351
Fort Leonard Wood
FF Leonard Wood MO 65473
Landholding Agency: Army
Property Number: 21201330016
Status: Excess
Directions: 02351
Comments: Public access denied & no alternative method & gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 00007
890 Ray A. Carver Ave. (Camp Crowder)
Neosho MO 64850
Landholding Agency: Army
Property Number: 21201330035
Status: Excess
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Montana

Bldg. P0516
Fort Harrison
Ft. Harrison MT 59636
Landholding Agency: Army
Property Number: 21200420104
Status: Excess
Reasons: Secured Area Extensive deterioration

4 Bldgs.
Ft. Harrison
0003A, T0003, T0024, T0562
Lewis & Clark MT 59636
Landholding Agency: Army
Property Number: 21200740018
Status: Unutilized
Reasons: Extensive deterioration

Nevada

Bldg. 000A4
Hawthorne Army Ammunition Plant
Enlisted Barracks/Mess Hall
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199012013
Status: Unutilized
Directions: East side of Decatur Street, North of Maine Avenue in the Industrial Area.
Comments:
Reasons: Secured Area Within airport runway clear zone

Bldg. 292
Hawthorne Army Ammunition Plant
Officers Barracks with Dining Facility
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013614

Status: Unutilized
Directions: North side of Maine Avenue west of Pringle Road
Comments:
Reasons: Secured Area

Bldg. 101–2
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013615
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–3
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013616
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–4
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013617
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–5
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013618
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–7
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013619
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–8
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013620
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–9
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013621
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–10
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013622
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–17
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013623
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–18
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013624
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–19
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013625
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–20
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013626
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–31
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013627
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–32
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013628
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–33
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013629
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–35
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013630
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–36
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013631
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–37
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013632
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–52
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013633
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–53
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013634
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–54
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013635
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–56
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013636
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–57
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013637
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–58
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013638
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–59
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013639
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 101–63
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013640
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–66
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013641
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–67
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013642
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 101–69
Hawthorne Army Ammunition Plant
Group Mine Filling Plant, Central Mag. Area
Hawthorne NV 89415
Landholding Agency: Army
Property Number: 21199013643
Status: Underutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Group 101, 34 Bldgs.
Hawthorne Army Ammunition Plant
NV 89415–0015
Landholding Agency: Army
Property Number: 21199830132
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 00389, 00390
Hawthorne Army Depot
Mineral NV 89415
Landholding Agency: Army
Property Number: 21200930019
Status: Underutilized
Reasons: Secured Area

New Jersey

Bldg. No. 1354A
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010444
Status: Excess
Directions: Route 15 North
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. No. 1308
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010452
Status: Excess
Directions: Route 15 North
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. No. 1309
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010454
Status: Excess
Directions: Route 15 North
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. No. 1071G
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010458
Status: Excess
Directions: Route 15 North
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. No. 1364
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010464
Status: Unutilized
Directions: Route 15 North
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. No. 1071C
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010474
Status: Excess
Directions: Route 15 North
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 209
Armament Research Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199010639
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 295
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199010663
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 296
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199010664
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 514
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199010680
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 540
Armament Research, Dev. Center
Route 15 North

Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010690
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 813–A
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010698
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1436
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010701
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1437
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010702
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1519
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010705
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1520
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010706
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3045
Armament Research, Dev. and Eng. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199010715
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 717I
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012428
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 717–L
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012430
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 645A
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012433
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 605
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012434
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 717J
Armanement Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012441
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 732A
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012444
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 810A
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012445
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 807B
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012447
Status: Excess
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3625
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012448
Status: Unutilized
Directions: Route 15 North
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 930
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012452
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3603
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012456
Status: Unutilized
Directions: Route 15 North
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 911
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012457
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3617
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012458
Status: Unutilized
Directions: Route 15 North
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3618
Armament Res. Dev. Ctr.
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012461
Status: Unutilized
Directions: Route 15 North
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 816A
Armament Research. Dev. Center

Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012465
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 816B
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012469
Status: Excess
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 918
Armament Research, Dev. Center
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199012475
Status: Unutilized
Directions: Route 15
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1431
Armament Research Dev. and Engineering Center
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199012765
Status: Excess
Directions:
Comments:
Reasons: Secured Area

Bldg. 154
Armament Res. Development Ctr.
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199014306
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3518
Armament Res. Development Ctr.
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199014311
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1031
Armament Res. Development Ctr.
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199014317
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1071
Armament Research, Dev. Center
Route 15 North
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199140617
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 291
Armament Research, Development Center
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199420006
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 164B
Armament R Engineering Ctr
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199740113
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 3043
Armament R Engineering Ctr
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199740126
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 3056
Armament R Engineering Ctr
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199740127
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

4 Bldgs.
Armament Research
#282A, 282B, 282C, 282D
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199940096
Status: Unutilized
GSA Number:
Reasons: Other—unexploded ordnance Extensive deterioration

Bldg. 3213
Armament Research
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199940098
Status: Unutilized
GSA Number:
Reasons: Other—unexploded ordnance

Bldg. 1242
Armament R, D, Center
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21200130062
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 1381/2
Armament R, D, Center
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21200130063
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 01305, 01306
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200230074
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1462A
Picatenny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200330060
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 864, 00876, 00899
Fort Monmouth
Ft. Monmouth NJ 07703
Landholding Agency: Army
Property Number: 21200430030
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00492
Fort Monmouth
Monmouth NJ 07703
Landholding Agency: Army
Property Number: 21200510025
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00908
Fort Monmouth
Monmouth NJ 07703
Landholding Agency: Army
Property Number: 21200510026
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 01076
Fort Monmouth
Monmouth NJ 07703
Landholding Agency: Army
Property Number: 21200510027
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 178
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520024
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Picatinny Arsenal
230, 230A, 230B, 230G
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520026
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 232, 234, 235
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520027
Status: Unutilized

Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Picatinny Arsenal
408, 424, 424C, 424D
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520029
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs.
Picatinny Arsenal
427, 427B, 429A, 430B, 477
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520030
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 525A, 566
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 611C, 634, 637
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520032
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

3 Bldgs.
Picatinny Arsenal
641C, 641F, 641G
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520033
Status: Unutilized
Comments: 641D was demolished.
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs.
Picatinny Arsenal
655, 659
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520034
Status: Unutilized
Comments: 652B & 658 were demolished
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 1241, 1242, 1242A
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520035
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520036
Status: Unutilized
Directions: 1354, 1357, 1357A, 1359, 1359A, 1361
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1400
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520037
Status: Unutilized
Comments: 1510B was demolished
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3612
Picatinny Arsenal
Dover NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 00214
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200530022
Status: Unutilized
Comments: 00213 was demolished
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 01406
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200530023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 01416, 01417
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200530026
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200530028
Status: Unutilized
Directions: 03704, 03706, 03708, 03715
Comments: 03710, 03716 were demolished
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 224, 225
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200620017
Status: Unutilized
Comments: 221a was demolished
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 230, 230f
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200620018
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 231, 232a, 236
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200620019
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 252c
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200620020
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 403
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200620022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 224
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630001
Status: Unutilized
Comments: 221A was demolished
Reasons: Secured Area

Bldgs. 230F, 232A, 252C
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630002
Status: Unutilized
Reasons: Secured Area

Bldgs. 427A, 429
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630003
Status: Unutilized
Reasons: Secured Area

Bldgs. 430, 430B
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630004
Status: Unutilized
Reasons: Secured Area

Bldgs. 436, 437
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630005
Status: Unutilized
Reasons: Secured Area

Bldgs. 471, 471A, 471B
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630006
Status: Unutilized
Reasons: Secured Area

Bldg. 477F
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630007
Status: Unutilized
Comments: 477E was demolished
Reasons: Secured Area

Bldg. 636A
Picatinny Arsenal

Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630008
Status: Unutilized
Reasons: Secured Area

Bldgs. 1354, 1354A
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630009
Status: Unutilized
Reasons: Secured Area

Bldgs. 1357, 1357A
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630010
Status: Unutilized
Reasons: Secured Area

Bldgs. 1359, 1359A
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630011
Status: Unutilized
Reasons: Secured Area

3 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630012
Status: Unutilized
Directions: 1509, 1509A, 1510A
Comments: 1510 was demolished
Reasons: Secured Area

Bldgs. 1513, 1514, 1515
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630013
Status: Unutilized
Reasons: Secured Area

Bldgs. 1517, 1518, 1529
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630014
Status: Unutilized
Reasons: Secured Area

Bldg. 1609A
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630015
Status: Unutilized
Reasons: Secured Area

Bldg. 3320
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630016
Status: Unutilized
Reasons: Secured Area

Bldgs. 3500, 3501, 3515
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200630018
Status: Unutilized
Reasons: Secured Area

Bldg. 00354
Picatinny Arsenal
Morris NJ 07806
Landholding Agency: Army
Property Number: 21200720102
Status: Unutilized
Comments: 00350, 00352 were demolished
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 937, 1071D
Picatinny Arsenal
Morris NJ 07806
Landholding Agency: Army
Property Number: 21200720103
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 1361, 1372
Picatinny Arsenal
Morris NJ 07806
Landholding Agency: Army
Property Number: 21200720104
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200820043
Status: Unutilized
Directions: 717C, 727, 916, 937
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200820044
Status: Unutilized
Directions: 1029W, 01061, 01094, 1210S, 1212S
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

1227A
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200820045
Status: Unutilized
Comments: 1229A, 01510, 01602 were demolished
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200820046
Status: Unutilized
Directions: 3533, 3608, 3611, 3616
Comments: 3236 was demolished
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3716
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200820047
Status: Unutilized
Comments: 3715 was demolished
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

7 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21200940031
Status: Unutilized
Directions: 80, 80C, 81, 82, 83, 948, 949
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 166, 167, 197
Picatinny Arsenal
Morris NJ 07806
Landholding Agency: Army
Property Number: 21201020014
Status: Unutilized
Reasons: Secured Area

9 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201040013
Status: Unutilized
Directions: 23, 48, 49, 50, 111, 454B, 620, 620C, 641B
Reasons: Secured Area

5 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201040014
Status: Unutilized
Directions: 1182, 1351, 1354A, 1521, 1522
Comments: 1181 is demolished
Reasons: Secured Area

7 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201040016
Status: Unutilized
Directions: 3604, 3605, 3606, 3609, 3613, 3615, 3627
Reasons: Secured Area

3 Bldgs.
Picatinny Arsenal
Dover NJ
Landholding Agency: Army
Property Number: 21201120007
Status: Unutilized
Directions: B00164, 1241A, X1240
Reasons: Extensive deterioration Within airport runway clear zone Secured Area

Bldg. 0022C
Picatinny Arsenal
Dover NJ
Landholding Agency: Army
Property Number: 21201120009
Status: Unutilized
Reasons: Secured Area Extensive deterioration

9 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201130017
Status: Unutilized
Directions: 1241A, 0031A, 0430A, 0445F, 0507A, 0507B, 1175, 03180, 3219A
Comments: 525, 1505J, 1505K, 3345, 3354 are demolished
Reasons: Extensive deterioration Secured Area

Bldgs. 3007 & 22C
null
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201130036
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

9 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201140034
Status: Unutilized
Directions: 00639, 00623, 00623A, 00623B, 0623C, 0623D, 0623E, 0075, 0075A
Reasons: Extensive deterioration Secured Area

5 Bldgs.
Picatinny Arsenal
Dover NJ 07806
Landholding Agency: Army
Property Number: 21201140035
Status: Unutilized
Directions: 00281, 03013, 00332, 0623F, 0639A
Reasons: Secured Area Contamination Extensive deterioration

New Mexico

17 Buildings
White Sands Missile Range
WSMR NM 88002
Landholding Agency: Army
Property Number: 21201330039
Status: Unutilized
Directions: 1714, 1783, 1784, 1819, 20526, 20527, 20547, 20548, 21880, 21913, 21915, 23452, 25850, 25875, 27206, 33131, 27214
Comments: Public access denied and no alternative method to gain access w/out compromising national security
Reasons: Secured Area

Building 464
White Sands Missile Range
WSMR NM 88002
Landholding Agency: Army
Property Number: 21201330040
Status: Underutilized
Comments: Public access denied and no alternative method to gain access w/out compromising national security
Reasons: Secured Area

New York

Bldg. 12
Watervliet Arsenal
Watervliet NY
Landholding Agency: Army
Property Number: 21199730099
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldgs. B9008, B9009
Youngstown Training Site
Youngstown NY 14131
Landholding Agency: Army
Property Number: 21200220064
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. B9016, B9017, B9018
Youngstown Training Site
Youngstown NY 14131
Landholding Agency: Army
Property Number: 21200220065
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. B9025, B9026, B9027
Youngstown Training Site
Youngstown NY 14131
Landholding Agency: Army
Property Number: 21200220066
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. B9033, B9034
Youngstown Training Site
Youngstown NY 14131
Landholding Agency: Army
Property Number: 21200220067
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. B9042
Youngstown Training Site
Youngstown NY 14131
Landholding Agency: Army
Property Number: 21200220068
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. B9050, B9051
Youngstown Training Site
Youngstown NY 14131
Landholding Agency: Army
Property Number: 21200220069
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 1716
U.S. Military Academy
West Point NY 10996
Landholding Agency: Army
Property Number: 21200330064
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 3014
West Point
Highlands NY 10996–1592
Landholding Agency: Army
Property Number: 21200410050
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 108
Fredrick J ILL, Jr. USARC
Bullville NY 10915–0277
Landholding Agency: Army
Property Number: 21200510028
Status: Unutilized
Reasons: Secured Area

Bldgs. 107, 112, 113
Kerry P. Hein USARC
NY058
Shoreham NY 11778–9999
Landholding Agency: Army
Property Number: 21200510054
Status: Excess
Reasons: Secured Area

Quarters 3018
U.S. Military Academy
Highlands NY 10996–1592
Landholding Agency: Army
Property Number: 21200520040
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 21609, 22789
Fort Drum
Jefferson NY
Landholding Agency: Army
Property Number: 21200720106
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 813
U.S. Army Garrison
West Point NY 10996
Landholding Agency: Army
Property Number: 21200820049
Status: Underutilized
Reasons: Secured Area

Bldgs. 0134, 0136, 0139, 0142
U.S. Garrison
West Point NY 10996
Landholding Agency: Army
Property Number: 21200840043
Status: Underutilized
Reasons: Secured Area

6 Bldgs.
Fort Drum
Jefferson NY 13602
Landholding Agency: Army
Property Number: 21200940010
Status: Unutilized
Directions: 1190, 1714, 10181, 10183, 10287, 11457
Reasons: Extensive deterioration

Bldgs. 214, 215, 228
Fort Hamilton
Brooklyn NY 11252
Landholding Agency: Army
Property Number: 21201010031
Status: Unutilized
Reasons: Secured Area

Bldg. 00145
U.S. Army Garrison
West Point NY 10996
Landholding Agency: Army
Property Number: 21201010032
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Hamilton
Brooklyn NY 11252
Landholding Agency: Army
Property Number: 21201020018
Status: Unutilized
Directions: FENCC, 214, 215, 228
Reasons: Secured Area

Bldg. 110
Fort Hamilton
Brooklyn NY 11252
Landholding Agency: Army
Property Number: 21201040019
Status: Underutilized
Reasons: Secured Area

Bldg. 00001
U.S. Army Garrison
West Point NY 10996
Landholding Agency: Army
Property Number: 21201040041
Status: Unutilized
Reasons: Extensive deterioration Secured Area

14 Bldgs.
Ft. Drum
Watertown NY
Landholding Agency: Army
Property Number: 21201110054
Status: Underutilized
Directions: 0M905, 0M906, 0M907, 1O180, 1O182, 1O183, 1O184, 1O185, 1O186, 1O187, 1O188, 1O189, 1O190, 1O191
Reasons: Extensive deterioration

Bldg. 01555
Ft. Drum
Watertown NY
Landholding Agency: Army
Property Number: 21201110055

Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

6 Bldgs.
Ft. Drum
Ft. Drum NY
Landholding Agency: Army
Property Number: 21201120040
Status: Underutilized
Directions: T–120, T–121, T–122, T–124, T–126, and T–127
Reasons: Extensive deterioration

Bldg. 08703
null
Ft. Drum NY
Landholding Agency: Army
Property Number: 21201120049
Status: Excess
Reasons: Extensive deterioration

Bldg. 01230
1230 Route 218/293
U.S. Army Garrison, West Pt.
West Point NY 10996
Landholding Agency: Army
Property Number: 21201120097
Status: Underutilized
Reasons: Contamination

Bldg. 01404
West Point
West Point NY 10996
Landholding Agency: Army
Property Number: 21201130034
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00849
849 Upton Rd
West Point NY 10996
Landholding Agency: Army
Property Number: 21201130057
Status: Underutilized
Reasons: Secured Area

Bldg. 2709
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201140004
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldgs. 02710 and 02743
Ft. Drum
Ft. Drum NY 13602
Landholding Agency: Army
Property Number: 21201140031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. 01404
U.S. Army Garrison
West Point NY 10996
Landholding Agency: Army
Property Number: 21201210006
Status: Unutilized
Comments: Beyond repair; no potential to meet habitation or any other use to assist the homeless
Reasons: Extensive deterioration

North Carolina

Bldg. A–1815
Fort Bragg
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199640074
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

4 Bldgs.
Fort Bragg
#A5230, A5231, A5232, A5233
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199710107
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

4 Bldgs.
Fort Bragg
#A5430, A5431, A5432, A5433
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199710108
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. A5435
Fort Bragg
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199710109
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

4 Bldgs.
Fort Bragg
#A5628, A5630, A5631, A5632
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199710110
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. M–2362, Fort Bragg
null
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199710224
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. H4886
Fort Bragg
Ft. Bragg NC 28307
Landholding Agency: Army
Property Number: 21199810167
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 05029
Fort Bragg
Ft. Bragg NC 28314
Landholding Agency: Army
Property Number: 21200410056
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 09066
Fort Bragg
Ft. Bragg NC 28314
Landholding Agency: Army
Property Number: 21200430042
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 09039
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200440050
Status: Unutilized
Comments:
09134 demolished 12/7/2009
Reasons: Extensive deterioration

Bldg. P4544
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200440051
Status: Unutilized
Comments: P4443 was demolished on 9/16/2008
Reasons: Extensive deterioration

Bldgs. A5451, A5452,
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200530041
Status: Unutilized
Comments: A5454 demolished
Reasons: Extensive deterioration

Bldgs. A5646 thru A5654
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200530044
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. C7646, C7845
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200610020
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. A3872, A3879, A3881
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620024
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. A4118, A4119
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620026
Status: Unutilized
Comments: Bldg. A4318 was demo in 3/13/2008
Reasons: Extensive deterioration

Bldgs. A4681, A4683, A4684
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620029
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. A4685, A4686, A4687
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620030
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. A4877, A4878, A4879
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army

Property Number: 21200620031
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620032
Status: Unutilized
Directions: A4883, A4884, A4885, A4886, A4887
Reasons: Extensive deterioration

Bldgs. M6750, M6751,
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620034
Status: Unutilized
Comments: M6753 was demolished on 03/13/2008
Reasons: Extensive deterioration

Bldgs. 81703, 82105, 82313
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200620039
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630029
Status: Unutilized
Directions: A2003, A2205, A2207, A2302
Reasons: Extensive deterioration

Bldg. T2758
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630031
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 3008
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630032
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. T2857, T2858, T2954
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630034
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. T3364, T3502, T3503
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630040
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. D3548, D3555
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630041
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630043
Status: Unutilized
Directions: A3703, A3872, A3879, A3881
Reasons: Extensive deterioration

Bldgs. A4118, A4119, A4318
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630046
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630047
Status: Unutilized
Directions: A4620, A4622, A4623, A4626, A4628
Reasons: Extensive deterioration

Bldgs. A4635, A4636
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200630048
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. M7240, M7243, M7248
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200640059
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 41443, 41443, 41444
Fort Brag
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200640114
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 02723
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200720029
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 9656
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200720032
Status: Unutilized
Reasons: Extensive deterioration

2 Bldgs.
Fort Bragg
42145, 42245,
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200720033
Status: Unutilized
Comments: 42848, 42948 demolished 5/5/2012
Reasons: Extensive deterioration

Bldg. P3839
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200740020
Status: Unutilized
Reasons: Secured Area Extensive deterioration

2 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200740154
Status: Unutilized
Directions: 2847 and 3236
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

6 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200740155
Status: Unutilized
Directions: 3241, 3245, 3249, 3253, 3258, 3262
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

5 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200740157
Status: Unutilized
Directions: 5024, 5028, 5032, 5034, 5071
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

8 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21200740158
Status: Unutilized
Directions: 5182, 5381, 5473, 5645, 5779, 5849, 5878, 5880
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

5 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200820056
Status: Unutilized
Directions: C8145, C8246, C8344, C8442, C8448
Reasons: Secured Area Extensive deterioration

6 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200820057
Status: Unutilized
Directions: C8541, C8548, C8640, C8750, C8948, C9349
Reasons: Extensive deterioration Secured Area

7 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200830018
Status: Unutilized
Directions: 21414, 21559, 21755, 21757, 21859, 21862, 21957
Reasons: Secured Area

Bldgs. 31602, 31603, 31604
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army

Property Number: 21200830019
Status: Unutilized
Reasons: Secured Area

Bldg. 55047
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200830021
Status: Unutilized
Comments: 55353 and 55250 was demolished
Reasons: Secured Area

4 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200830022
Status: Unutilized
Directions: 83015, 83019, 83201, 83502
Comments: 82807, 82809 were demolished
Reasons: Secured Area

M4020
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200830023
Status: Unutilized
Comments: M5865, M5868, C4614 were demolished
Reasons: Secured Area

4 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200840045
Status: Unutilized
Directions: 22053, 22055, 22059, 82714
Reasons: Secured Area Extensive deterioration

6 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200920049
Status: Unutilized
Directions: A1355, A2029, A2031, A2032, A2144, P2352
Reasons: Secured Area Extensive deterioration

8 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200920050
Status: Unutilized
Directions: C4125, 09045, 11460, 22809, 23212, 23810, 30844, 55010
Reasons: Secured Area Extensive deterioration

5 Bldgs.
Simmons Army Airfield
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21200920053
Status: Unutilized
Directions: P2455, P2457, P2542, P2757, P2852
Reasons: Secured Area Extensive deterioration

Bldg. T3361
Fort Bragg
Camp Mackall NC 28373
Landholding Agency: Army
Property Number: 21200940033
Status: Unutilized
Comments: T3354 demolished
Reasons: Secured Area Extensive deterioration

12 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201020019
Status: Unutilized
Directions: 661A, M2146, C2629, F2630, A3527, C3609, A3726, A3728, C3731, A3732, A3734, A3736
Reasons: Secured Area

8 Bldgs.
Fort Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201020021
Status: Unutilized
Directions: A6133, C7017, C7018, C7116, C7118, C7549, C7842, C7943
Comments: C7444, C7342, C7244, was demolished
Reasons: Secured Area Extensive deterioration

3 Bldgs.
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21201030017
Status: Unutilized
Directions: 31743, M5044, M5040
Comments: T2139 demolished
Reasons: Secured Area Extensive deterioration

Bldg. 83022
Fort Bragg
Cumberland NC 28310
Landholding Agency: Army
Property Number: 21201040020
Status: Unutilized
Reasons: Extensive deterioration Secured Area

4 Bldgs.
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201110031
Status: Unutilized
Directions: X5062, X5066, X6260, X6266
Reasons: Secured Area Extensive deterioration

5 Bldgs.
null
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201110032
Status: Unutilized
Directions: X5041, X5045, X5049, X5053, X5058
Reasons: Extensive deterioration Secured Area

5 Bldgs.
null
Ft. Bragg NC
Landholding Agency: Army
Property Number: 21201110033
Status: Unutilized
Directions: X4134, X4137, X4139, X4141, X5036
Reasons: Extensive deterioration Secured Area

5 Bldgs.
null
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201110034
Status: Unutilized
Directions: N3305, X3266, X3770, X4126, X4130
Reasons: Extensive deterioration Secured Area

5 Bldgs.
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201110050
Status: Unutilized
Directions: 42273, H1617, H1713, H1715, H2614
Reasons: Secured Area Extensive deterioration

2 Bldgs.
Ft. Bragg
Ft. Bragg NC
Landholding Agency: Army
Property Number: 21201120021
Status: Underutilized
Directions: N5505, 15905
Comments: T3352 demolished 6/20/2011
Reasons: Extensive deterioration

4 Bldgs.
null
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201130001
Status: Unutilized
Directions: A5586, A5587, A5783, A5787
Reasons: Secured Area Extensive deterioration

10 Bldgs.
null
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201130002
Status: Unutilized
Directions: A5287, A5377, A5378, A5380, A5381, A5383, A5385, A5386, A5387, A5583
Reasons: Extensive deterioration Secured Area

10 bldgs.
null
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201130003
Status: Unutilized
Directions: A5078, A5080, A5083, A5084, A5085, A5087, A5277, A5280, A5283, A5284
Reasons: Secured Area Extensive deterioration

Bldg. 31802
null
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201130004
Status: Unutilized
Reasons: Secured Area Extensive deterioration

Bldg. 1537
null
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201130005
Status: Unutilized
Reasons: Extensive deterioration

12 Bldgs.

null
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201130007
Status: Unutilized
Directions: V3408, V3509, V3510, V3610, V3611, V3712, V3810, V3911, X6037, X6088, X6252, A5077
Reasons: Extensive deterioration Secured Area

14 Bldgs.
Pope Army Field
Fort Bragg NC 28308
Landholding Agency: Army
Property Number: 21201130010
Status: Unutilized
Directions: 610, 614, 617, 618, 619, 623, 625, 15905, C7620, M6446, V3111, V3308, V3310, V3312
Reasons: Secured Area Extensive deterioration

10 Bldgs.
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201140009
Status: Unutilized
Directions: 32039, K1846, K2106, X7163, X7169, X7269, X7362, X7369, X7462, X7665
Reasons: Extensive deterioration Secured Area

Bldg. 22017 and 91765
Fort Bragg
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201210061
Status: Unutilized
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

17 Bldgs.
Fort Bragg
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201210062
Status: Unutilized
Directions: A5620, A5622, A5623, A5626, A5627, A5633, A5635, A5636, A5720, A5721, A5722, A5723, A5724, A5725, A5726, A5727, A5728
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

14 Bldgs.
Fort Bragg
Fort Bragg NC 28310
Landholding Agency: Army
Property Number: 21201210063
Status: Unutilized
Directions: A5730, A5731, A5732, A5733, A5735, A5957, D1705, D2004, D2007, D2105, M2362, M2643, M2645, V3312
Comments: Nat'l security concerns; restricted access; and no alternative method of access; Bldgs. A5256, A5257, A5656 are still in use
Reasons: Secured Area

B–H1607
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201210094
Status: Unutilized
Comments: Nat'l security concerns; no public access; restricted area; no alternative method to gain access
Reasons: Secured Area

4 Buildings
Ft. Bragg
Ft. Bragg NC 28308
Landholding Agency: Army
Property Number: 21201230004
Status: Unutilized
Directions: 276, 31335, C1624, D1910
Comments: Restricted access to authorized military personnel only; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

2 Buildings
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201240015
Status: Underutilized
Directions: W2976, W2979
Comments: Located on secured military installation; authorized personnel only; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

4 Buildings
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201240016
Status: Unutilized
Directions: M6135, M6151, O3305, O4305
Comments: Located on secured military installation; authorized personnel only; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

6 Buildings
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201240031
Status: Unutilized
Directions: J1951, A5786, A5785, A5679, A4290, A3275
Comments: Located in secured military installation, public access denied & no alternative method to gain access without compromising national security.
Reasons: Secured Area

5 Buildings
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201240033
Status: Unutilized
Directions: 85306, A5624, D1910, H4401, H4802
Comments: Located in restricted area, public access denied & no alternative method to gain access without compromising national security
Reasons: Secured Area

4 Building
Ft. Bragg
Cumberland NC 28308
Landholding Agency: Army
Property Number: 21201240036
Status: Unutilized
Directions: 15,115, 32033, 41442
Comments: Located in a secured military installation, public access denied and no alternative method to gain access without compromising national security.
Reasons: Secured Area

Buildings 6036 & 7556
4030 & 4551 Normandy Dr.
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201310032
Status: Underutilized
Comments: Located w/in military reservation; public access denied & no alternative method to gain access w/out compromising Nat'l security.
Reasons: Secured Area

4 Buildings
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201310057
Status: Underutilized
Directions: F2131, F2534, F3040, F3134
Comments: Restricted military installation; public denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

7 Buildings
Ft. Bragg
Ft. Bragg NC 28310
Landholding Agency: Army
Property Number: 21201320001
Status: Underutilized
Directions: 21817, A5886, C8310, D2302, D2307, D2502, D2507
Comments: Military reservation; access limited to military personnel only; access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

North Dakota

Bldg. 440
Stanley R. Mickelsen
Nekoma ND 58355
Landholding Agency: Army
Property Number: 21199940103
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 455
Stanley R. Mickelsen
Nekoma ND 58355
Landholding Agency: Army
Property Number: 21199940104
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 456
Stanley R. Mickelsen
Nekoma ND 58355
Landholding Agency: Army
Property Number: 21199940105
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 3101
Stanley R. Mickelsen
Langdon ND 58355
Landholding Agency: Army
Property Number: 21199940106
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 3110
Stanley R. Mickelsen
Langdon ND 58355
Landholding Agency: Army
Property Number: 21199940107
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Ohio

Bldg. S0390
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730104
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. T0441
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730105
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 00442
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730106
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 00443
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730107
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 00452
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730108
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 00693
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730109
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. TO707
Lima Army Tank Plant
Lima OH 45804–1898
Landholding Agency: Army
Property Number: 21199730110
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Oklahoma

Bldg. M–1441
Fort Sill
Lawton OK 73501–5100
Landholding Agency: Army
Property Number: 21199510023
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 00445
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200330065
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 01193
Fort Sill
Lawton OK 73501–5100
Landholding Agency: Army
Property Number: 21200430043
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. MA050, MA070
Regional Training Institute
Oklahoma City OK 73111
Landholding Agency: Army
Property Number: 21200440052
Status: Unutilized
Reasons: Extensive deterioration

Bldg. GRM03
Camp Gruber Training Site
Braggs OK 74423
Landholding Agency: Army
Property Number: 21200510029
Status: Unutilized
Reasons: Extensive deterioration

Bldg. GRM24
Camp Gruber Training Site
Braggs OK 74423
Landholding Agency: Army
Property Number: 21200510030
Status: Unutilized
Reasons: Extensive deterioration

Bldg. GRM26
Camp Gruber Training Site
Braggs OK 74423
Landholding Agency: Army
Property Number: 21200510031
Status: Unutilized
Reasons: Extensive deterioration

Bldg. GRM34
Camp Gruber Training Site
Braggs OK 74423
Landholding Agency: Army
Property Number: 21200510032
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 1500, 1515, 1539
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530053
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 2185
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530054
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 2306, 2332
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530055
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

6 Bldgs.
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530056
Status: Unutilized
Directions: 2452, 2458, 2464, 2473, 2485, 2491
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 2523, 2932, 2962
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530057
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

Bldg. 3359
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530058
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

4 Bldgs.
Fort Sill
3455, 3461, 3475, 3491
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530059
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

Bldgs. 5150, 6101, 6111
Fort Sill
Lawton OK 73503
Landholding Agency: Army
Property Number: 21200530060
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material

4 Bldgs.
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21200840047
Status: Unutilized
Directions: M5680, M5681, M5682, M5683
Reasons: Extensive deterioration

Bldgs. M3805, M4905
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201010035
Status: Unutilized
Reasons: Extensive deterioration

RS Kerr Lake
HC61
Sallisaw OK 74955
Landholding Agency: Army
Property Number: 21201040042
Status: Underutilized

Reasons: Extensive deterioration

Fort Sill, (4 Bldgs.)
Fort Sill
Lawton OK
Landholding Agency: Army
Property Number: 21201110027
Status: Unutilized
Directions: Bldgs.: 00208, M4902, M4903, 06204
Reasons: Extensive deterioration

14 Bldgs.
Fort Sill
Lawton OK 73501
Landholding Agency: Army
Property Number: 21201130056
Status: Unutilized
Directions: 00214, 00216, 01445, 01447, 01448, 01468, 02524, 02594, 02809, 6472, 6473, 6474, M1453, M4905
Reasons: Contamination Extensive deterioration

MA040
Regional Training Institute
Oklahoma City OK
Landholding Agency: Army
Property Number: 21201220010
Status: Unutilized
Comments: Nat'l security concerns; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Bldg. 137CO
Camp Gruber
Braggs OK 74423
Landholding Agency: Army
Property Number: 21201220028
Status: Unutilized
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

5 Building
McAlester Army Ammunition Plant
McAlester OK 74501
Landholding Agency: Army
Property Number: 21201330015
Status: Underutilized
Directions: 00029, 00139, 00148, 00159, 00235
Comments: Anti-terrorism/force protection security reqs., public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Oregon
Bldg. 38
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012174
Status: Underutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 53
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012175
Status: Underutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 54
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012176
Status: Underutilized
Directions: 8 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 56
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012177
Status: Unutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 83
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012178
Status: Underutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 85
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012179
Status: Underutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 127
Tooele Army Depot
Umatilla Army Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012185
Status: Unutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 128
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012186
Status: Unutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 155
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012189
Status: Unutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 208
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012190
Status: Underutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 211
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012191
Status: Underutilized
Directions: 13 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 417
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012195
Status: Unutilized
Directions: 8 miles east of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 418
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012196
Status: Unutilized
Directions: 8 Miles East of Hermiston, Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 433
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012197
Status: Underutilized
Directions: 13 Miles East of Hermiston, Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 457
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012198
Status: Underutilized
Directions: 8 Miles East of Hermiston, Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 482
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army

Property Number: 21199012199
Status: Unutilized
Directions: 13 Miles East of Hermiston, Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 483
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012200
Status: Unutilized
Directions: 13 Miles East of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 484
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012201
Status: Unutilized
Directions: 13 Miles East of Hermiston Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 485
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012202
Status: Unutilized
Directions: 13 Miles East of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 486
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012203
Status: Unutilized
Directions: 8 Miles East of Hermiston Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 488
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012204
Status: Unutilized
Directions: 8 Miles East of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 490
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012205
Status: Unutilized
Directions: 13 Miles East of Hermiston Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 493
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012207
Status: Unutilized
Directions: 8 Miles East of Hermiston, Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 494
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012208
Status: Unutilized
Directions: 13 Miles East of Hermiston, Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 608
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012217
Status: Underutilized
Directions: 8 Miles East of Hermiston, Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 616
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012225
Status: Unutilized
Directions: 13 Miles East of Hermiston, Oregon I–84
Comments:
Reasons: Secured Area

Bldg. 624
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012229
Status: Underutilized
Directions: 8 Miles East of Hermiston, Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 431
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199012279
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 202
Tooele Army Depot, Umatilla Depot
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199014304
Status: Unutilized
Directions: 13 miles east of Hermiston, Oregon on I–84
Comments:
Reasons: Secured Area

Bldg. 203
Tooele Army Depot
Umatilla Depot
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199014305
Status: Unutilized
Directions: 13 miles east of Hermiston, Oregon on I–84.
Comments:
Reasons: Secured Area

Bldg. 137
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199014782
Status: Unutilized
Directions: 8 miles east of Hermiston, OR on I–84
Comments:
Reasons: Secured Area

Bldg. 489
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199030362
Status: Unutilized
Directions: 8 miles East of Hermiston, OR. on I–84.
Comments:
Reasons: Secured Area

Bldg. 154
Tooele Army Depot
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199030363
Status: Unutilized
Directions: 13 miles East of Hermiston, OR on I–84
Comments:
Reasons: Secured Area

Bldg. 619
Umatilla Depot Activity
Hermiston OR 97838
Landholding Agency: Army
Property Number: 21199120032
Status: Unutilized
Directions: 8 miles east of Hermiston, Oregon on I–84.
Comments:
Reasons: Secured Area

Bldgs. 122, 123, 125
Umatilla Chemical Depot
OR 97838
Landholding Agency: Army
Property Number: 21199840108
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldgs. 204, 205
Umatilla Chemical Depot
OR 97838
Landholding Agency: Army
Property Number: 21199840109
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 346
Umatilla Chemical Depot
OR 97838
Landholding Agency: Army
Property Number: 21199840110
Status: Unutilized

Directions:
Comments:
Reasons: Secured Area

Pennsylvania

8 Bldgs.
Fort Indiantown Gap
Annville PA 17003–5000
Landholding Agency: Army
Property Number: 21199810183
Status: Unutilized
Directions: T–2–50, T–2–52, T–2–53, T–2–54, T–2–55, T–2–57, T–2–58, T–2–59
Comments:
Reasons: Extensive deterioration

4 Bldgs.
Fort Indiantown Gap
Annville PA 17003–5000
Landholding Agency: Army
Property Number: 21199810184
Status: Unutilized
Directions: T–2–64, T–2–65, T–2–66, T–2–67
Comments:
Reasons: Extensive deterioration

11 Bldgs.
Fort Indiantown Gap
Annville PA 17003–5000
Landholding Agency: Army
Property Number: 21199810190
Status: Unutilized
Directions: T–10–24, T–10–25, T–10–26, T–10–27, T–10–28, T–10–29, T–10–30, T–10–31, T–10–32, T–10–33, T–10–34
Comments:
Reasons: Extensive deterioration

Bldg. 01006
Tobyhanna Army Depot
Tobyhanna PA 18466
Landholding Agency: Army
Property Number: 21200330068
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 00635
Carlisle Barracks
Carlisle PA 17013
Landholding Agency: Army
Property Number: 21200640115
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 00302, 00630, 00846
Carlisle Barracks
Cumberland PA 17013
Landholding Agency: Army
Property Number: 21200720107
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00301
Carlisle Barracks
Cumberland PA 17013
Landholding Agency: Army
Property Number: 21200740026
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
Tobyhanna Army Depot
Monroe PA 18466
Landholding Agency: Army
Property Number: 21200820074
Status: Unutilized
Directions: 1004, 1005, 1009, 1010, 1016
Comments: Bldgs. 22 and CPR22 were demolished 12.01.2008
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldg. 00257
Carlisle Barracks
Cumberland PA 17013
Landholding Agency: Army
Property Number: 21200830001
Status: Excess
Reasons: Extensive deterioration

Bldg. 00017
Scranton Army Ammo Plant
Scranton PA 18505
Landholding Agency: Army
Property Number: 21200840048
Status: Unutilized
Reasons: Extensive deterioration Secured Area

5 Bldgs.
Letterkenny Army Depot
Chambersburg PA 17201
Landholding Agency: Army
Property Number: 21200920063
Status: Unutilized
Directions: 01466, 03231, 03243, 03244, 03245
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. S0093
Tobyhanna Army Depot
Monroe PA 18466
Landholding Agency: Army
Property Number: 21200920065
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Letterkenny Army Depot
Franklin PA 17201
Landholding Agency: Army
Property Number: 21200940034
Status: Unutilized
Directions: S3627, 03811, S4344, S5298
Reasons: Secured Area

Bldg. 891
Carlisle Barracks
Cumberland PA 17013
Landholding Agency: Army
Property Number: 21201020023
Status: Excess
Reasons: Secured Area

Bldg. 70
Tobyhanna Army Depot
Tobyhanna PA 18466
Landholding Agency: Army
Property Number: 21201210048
Status: Underutilized
Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

Bldg. 71
Tobyhanna Army Depot
Tobyhanna PA 18466
Landholding Agency: Army
Property Number: 21201220008
Status: Underutilized
Comments: Nat'l security concerns; public access is denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Buildings 00039 & 00068
Tobyhanna Army Depot
Tobyhanna PA 18466
Landholding Agency: Army
Property Number: 21201330049
Status: Unutilized
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security.
Reasons: Secured Area

Puerto Rico

8 Bldgs.
Fort Buchanan
00089, 00091 thru 00097
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200530061
Status: Excess
Reasons: Extensive deterioration

3 Bldgs.
Fort Buchanan
00090, 00099, 00036
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200530062
Status: Excess
Reasons: Extensive deterioration

12 Bldgs.
Fort Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200530063
Status: Excess
Directions: 01000–01001, 01002, 01010 thru 01015, 0116, 0123 01024
Reasons: Extensive deterioration

8 Bldgs.
Fort Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200610023
Status: Excess
Directions: 01003, 01004, 01005, 01006, 01007, 01008, 01009, 01026
Reasons: Extensive deterioration

8 Bldgs.
Fort Buchanan
Guaynabo PR
Landholding Agency: Army
Property Number: 21200620041
Status: Excess
Directions: 01003, 01004, 01005, 01006, 01007, 01008, 01009, 01026
Reasons: Extensive deterioration

5 Bldgs.
Fort Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200830027
Status: Excess
Directions: 312, 348, 519, 746, 1025
Reasons: Extensive deterioration

Bldgs. 148, 380, 381, 386
Fort Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200840049
Status: Excess
Reasons: Extensive deterioration

Bldg. 1020
Fort Buchanan
Guaynabo PR 00934
Landholding Agency: Army
Property Number: 21200920066
Status: Excess
Reasons: Extensive deterioration

7 Bldg.
Fort Buchanan
Guaynabo PR

Landholding Agency: Army
Property Number: 21201040021
Status: Excess
Directions: 76, 83, 84, 85, 86, 87, 98
Reasons: Extensive deterioration Secured Area

USAG Fort Buchanan (5 Bldgs.)
null
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201110039
Status: Excess
Directions: Bldgs.: 00177, 01017, 01018, 01019, 01021
Reasons: Extensive deterioration

USAG, Fort Buchanan (5 Bldgs.)
USAG, Fort Buchanan
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201110040
Status: Excess
Directions: Bldg.: 01022, 01101, 01102, 01103, 01104
Reasons: Extensive deterioration

USAG, Fort Buchanan, 3 Bldgs.
1105–1107 Raintree Street
Coconut Grove
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201110041
Status: Excess
Reasons: Extensive deterioration

6 Bldgs.
USAG
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201120001
Status: Excess
Directions: 1252, 1253, 1254, 1255, 1256, 1257
Reasons: Extensive deterioration

6 Bldgs.
USAG
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201120002
Status: Excess
Directions: 1274, 1275, 1276, 1277, 1278, 1279
Reasons: Extensive deterioration

6 Bldgs.
USAG
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201120003
Status: Excess
Directions: 1280, 1281, 1282, 1283, 1285, 1286
Reasons: Extensive deterioration

4 Bldgs.
USAG
Fort Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201120004
Status: Excess
Directions: 1287, 1288, 1289, 1290
Reasons: Extensive deterioration

Bldg. 2034
USARC
Army Reserve Ctr. PR 00735
Landholding Agency: Army
Property Number: 21201140007
Status: Excess
Reasons: Extensive deterioration

12 Bldgs.
Ft. Buchanan
Ft. Buchanan PR 00934
Landholding Agency: Army
Property Number: 21201140008
Status: Excess
Directions: 13, 15, 30, 517, 556, 576, 1315, 1316, 1319, 1320, 1323, 1324
Reasons: Extensive deterioration

Rhode Island

Bldgs. 0A65V, 340, 382
Camp Fogarty Training Site
Kent RI 02818
Landholding Agency: Army
Property Number: 21201040022
Status: Excess
Reasons: Secured Area

Samoa

Bldg. 00002
Army Reserve Center
Pago Pago AQ 96799
Landholding Agency: Army
Property Number: 21200810001
Status: Unutilized
Reasons: Secured Area Floodway

Bldg. 00644
Tree Top U.S. Army Reserve Ctr
Pago AQ
Landholding Agency: Army
Property Number: 21201040039
Status: Unutilized
Reasons: Extensive deterioration Secured Area

South Carolina

Bldg. 2511
Fort Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21199620312
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 2495
Fort Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21199720095
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 9512
Fort Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21199730154
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 11550
Fort Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21199730157
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Facility J8575
Fort Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21199740138
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 1539
Fort Jackson
SC 29207
Landholding Agency: Army
Property Number: 21199830142
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 2544
Fort Jackson
SC 29207
Landholding Agency: Army
Property Number: 21199830150
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 5882
Fort Jackson
Richland SC 29207
Landholding Agency: Army
Property Number: 21200520050
Status: Unutilized
Reasons: Extensive deterioration

Bldg. M2617
Fort Jackson
Richland SC 29207
Landholding Agency: Army
Property Number: 21200810031
Status: Unutilized
Reasons: Secured Area

Bldg. 10810
Ft. Jackson
Richland SC 29207
Landholding Agency: Army
Property Number: 21200920067
Status: Excess
Reasons: Secured Area

Arts and Crafts/Wood Shop
Ft. Jackson
Ft. Jackson SC
Landholding Agency: Army
Property Number: 21201120008
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldg. 01916
DRMS Storage Facility
Ft. Jackson SC
Landholding Agency: Army
Property Number: 21201120020
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldg. 02101
Ft. Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201140024
Status: Underutilized
Reasons: Secured Area

Bldg. 01916
1916 Ewell Rd.
Fort Jackson SC 29207
Landholding Agency: Army
Property Number: 21201210084
Status: Unutilized

Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

Bldgs. 04376 and J4236
null
Fort Jackson SC 29207
Landholding Agency: Army
Property Number: 21201210085
Status: Unutilized
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

Bldg. 01745
1745 Housing Rd.
Fort Jackson
Columbia SC 29207
Landholding Agency: Army
Property Number: 21201210086
Status: Underutilized
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

Bldg. 4407
Ft. Jackson
Ft. Jackson SC
Landholding Agency: Army
Property Number: 21201220023
Status: Excess
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Bldg. 1727
Ft. Jackson
Ft. Jackson SC
Landholding Agency: Army
Property Number: 21201220024
Status: Unutilized
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

3 Bldgs.
Ft. Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201220026
Status: Excess
Directions: 2441, 4461, 2451
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

J5800
Wildcat Rd.
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201230013
Status: Underutilized
Comments: Controlled access pts.; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

4 Buildings
Golden Arrow Rd.
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201230014
Status: Underutilized
Directions: F5035, F5036, F5037, F5048
Comments: Controlled access pts.; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

4400
Early St & Jackson Blvd.
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201230016
Status: Underutilized
Comments: Controlled access pts.; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

3 Buildings
Bragg St.
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201230018
Status: Underutilized
Directions: 2375, 2376, 2377
Comments: Controlled access pts.; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

6 Buildings
Sumter Ave.
Ft. Jackson SC 45455
Landholding Agency: Army
Property Number: 21201230026
Status: Underutilized
Directions: 2270, 2250, 2280, 2260, 2240, 2230
Comments: Control gates; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

8 Buildings
Magrunder Ave.
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201230027
Status: Underutilized
Directions: 2255, 2275, 2277, 2360, 2361, 2370, 2371, 2265
Comments: Controlled access pts.; public access denied & no alternative method w/out comprising Nat'l security
Reasons: Secured Area

2285
Beauregard St.
Ft. Jackson SC 45455
Landholding Agency: Army
Property Number: 21201230056
Status: Underutilized
Comments: Control gates; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

21 Buildings
Ft. Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201310028
Status: Unutilized
Directions: H7378, H7379, H7575, H7576, H7577, H2004, H2005, H2010, H2011, H2012, H3313, H4005, H7168, F7908, G7348, G7555, P6032, G7556, G7557, G7561, F7029
Comments: Located w/in controlled military installation; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

11 Buildings
Ft. Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201310031
Status: Unutilized
Directions: P8654, P8655, Q8374, O7160, 07165, O7170, O7178, O7179, M7507, N7657, N7664
Comments: Located w/in controlled military installation; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

24 Buildings
Ft. Jackson
Ft. Jackson SC 29207
Landholding Agency: Army
Property Number: 21201310035
Status: Unutilized
Directions: F7123, F7124, F7125, F7132, F7133, F7903, F6685, F6792, F6794, F6800, F6802, F6926, F7017, F7023, F6050, F6051, F6142, F6143, F6461, F6462, F6467, F6681, F6684, E5991
Comments: Located w/in controlled military installation; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Tennessee

Bldg. 225
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012304
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 226
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012305
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. F9
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012306
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. P5
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012307
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. P9
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012308
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. V1
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012309
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. V3
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012311
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. V7
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012312
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. F–1
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012314
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 107
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012316
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. R9
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012317
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. W1
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012328
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. P10
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012330
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. U1
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012332
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. P1
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012334
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. V9
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199012337
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. R1
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199013790
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Holston Army Ammunition Plant
4509 West Stone Drive
Kingsport TN 37660–9982
Landholding Agency: Army
Property Number: 21199140613
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–52
Milan Army Ammunition Plant
Milan TN 38358
Landholding Agency: Army
Property Number: 21199240448
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. K–8
Milan Army Ammunition Plant
Milan TN 38358
Landholding Agency: Army
Property Number: 21199240449
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. I010
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199440212
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. J010
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199440213
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. K010
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199440214
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. L010
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199440215
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M010
Holston Army Ammunition Plant
Kingsport TN 61299–6000
Landholding Agency: Army
Property Number: 21199440216
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J001
Holston Army Ammunition Plant
Kingsport TN
Landholding Agency: Army
Property Number: 21199510025
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. M001
Holston Army Ammunition Plant
Kingsport TN
Landholding Agency: Army
Property Number: 21199510026
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. N001
Holston Army Ammunition Plant
Kingsport TN
Landholding Agency: Army
Property Number: 21199510027
Status: Unutilized
Directions:
Comments:

Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A10
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200230035
Status: Excess
GSA Number:
Reasons: Extensive deterioration

Bldg. 227
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200310040
Status: Excess
GSA Number:
Reasons: Extensive deterioration

Bldgs. D–1, D–2, D–6 thru D–10
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320054
Status: Excess
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Holston Army Ammo Plant
E–1, E–2, E–5, E–7 thru E–9
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320055
Status: Excess
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. G–1, G–2, G–3, G–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320056
Status: Excess
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs.
Holston Army Ammo Plant
H–1 thru H–3, H–9, H–10
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320057
Status: Excess
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs.
Holston Army Ammo Plant
I–1, I–2, I–7, I–8, I–9
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320058
Status: Excess
GSA Number:
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. K–1, K–7, K–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320059
Status: Excess
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. L–1M, L–2, L–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320060
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldgs. O–1, O–7, O–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320061
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldgs. J–2, J–6 thru J–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320062
Status: Excess
GSA Number:
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. M–2, M–7, M–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320063
Status: Excess
GSA Number:
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldg. U–2
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320064
Status: Excess
GSA Number:
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. P–3, P–7
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320065
Status: Excess
GSA Number:
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldgs. 4, A–5, B–5, B–9
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320066
Status: Excess
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. C–6, N–9, N–10, V–10
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320067
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldgs. A14, A20, A28
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320068
Status: Excess
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

4 Bldgs.
Holston Army Ammo Plant
301, 303B, 304, 312
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320071
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldgs. 401, 408
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200320073
Status: Excess
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Extensive deterioration

6 Bldgs.
Fort Campbell
Ft. Campbell TN 42223
Landholding Agency: Army
Property Number: 21200330100
Status: Unutilized
GSA Number:
Directions: 6730, 6731, 6732, 6733, 6735, 6736
Reasons:
Extensive deterioration

Bldg. A–35
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200340056
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4–A
Holston Army Ammo Plant
Kingsort TN 37660
Landholding Agency: Army
Property Number: 21200510042
Status: Unutilized
Reasons: Secured Area

Air Raid Shelters
Milan Army Ammo Plant
Gibson TN 38358

Landholding Agency: Army
Property Number: 21200520051
Status: Excess
Directions: A001U–A119U, B001U–B008U, C001U–C010U, D001U–D010U, E001U–E010U, F001U–F010U, G001U–G010U, H001U–H005U
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldg. X0028
Milan Army Ammo Plant
Gibson TN 38358
Landholding Agency: Army
Property Number: 21200520052
Status: Excess
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 8(1), 8(2), 8(4)
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200530064
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 8C, 8E
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200530065
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 07878, 07882, 07884
Fort Campbell
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200540063
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 07878, 07882, 07884
Fort Campbell
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21200610027
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. D–3, J–5
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200640069
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. H–8
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200640070
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldgs. 136, 148
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200640071
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 318, 342
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200640072
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 8(3)
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200710035
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. W0055, W0058
Milan AAP
Gibson TN 38358
Landholding Agency: Army
Property Number: 21200740028
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldgs. 101, 118, 143
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21200740160
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. W005A
Milan AAP
Gibson TN 38358
Landholding Agency: Army
Property Number: 21200840051
Status: Excess
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. B0268, J0134
Milan AAP
Gibson TN 38358
Landholding Agency: Army
Property Number: 21200920068
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldgs. 00001, 00003, 00030
John Sevier Range
Knoxville TN 37918
Landholding Agency: Army
Property Number: 21200930021
Status: Excess
Reasons: Extensive deterioration

Bldgs. 604, 7851
Fort Campbell
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21201030019
Status: Unutilized
Reasons: Extensive deterioration Secured Area

9 Bldgs.
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21201030020
Status: Unutilized
Directions: 6, 8A, 24A, 25A, 40A, 101, 118, 143, 154
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

9 Bldgs.
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21201030021
Status: Unutilized
Directions: 249, 252, 253, 254, 255, 256, 302BP, 315, 331
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

8 Bldgs.
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21201030022
Status: Unutilized
Directions: 404, 405, 406, 407, 411, 414, 423, 427
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

9 Bldgs.
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21201030023
Status: Unutilized
Directions: A–0, B–11, C–3A, F–3, G–1A, M–8, N–10A, O–5, D–6A
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

11 Bldgs.
Holston Army Ammo Plant
Kingsport TN 37660
Landholding Agency: Army
Property Number: 21201030024
Status: Unutilized
Directions: YM–1, YM–2, YM–3, YM–4, YM–5, YM–6, YM–7, YM–8, YM–9, YM–10, YM–11
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

9 Bldgs.
Fort Campbell
Montgomery TN 42223
Landholding Agency: Army
Property Number: 21201030050
Status: Unutilized
Directions: 6817, 6818, 6819, 6824, 6847, 6849, 6850, 7005, 7006
Reasons: Secured Area Extensive deterioration

Bldgs. 5291 & A1584
Fort Campbell Military Installation
Fort Campbell TN 42223
Landholding Agency: Army
Property Number: 21201140042
Status: Unutilized
Reasons: Secured Area Extensive deterioration

6 Bldgs.
Fort Campbell Military Installation
Fort Campbell TN 42223
Landholding Agency: Army
Property Number: 21201210075
Status: Unutilized
Directions: 6844,7502,7503,7505,7606,7608
Comments: Nat'l security concerns; restricted access and no alternative method of access
Reasons: Secured Area

2 Buildings
Holston Army Amo Plant
Kingsport TN 37660

Landholding Agency: Army
Property Number: 21201310037
Status: Unutilized
Directions: 328, 328A
Comments: Located w/in secured area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 50139
2280 Hwy 104 W. Suite 2 (Milan Army Ammunition Plant)
Milan TN 38358
Landholding Agency: Army
Property Number: 21201330012
Status: Unutilized
Directions: 50139
Comments: Public access denied & no alternative method to gain access w/out compromising nat. security
Reasons: Secured Area

Texas

Bldg. M–3
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012524
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–11
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012529
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–10
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012533
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–15
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012536
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. J–8
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012539
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–17
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012540
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. J–21
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012542
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M–8
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012544
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M–24
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199012545
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C–42
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030337
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C–6
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030338
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–1
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030339
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–3
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030340
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. J–6
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030341
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. J–7
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030342
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. M–1
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030343
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. M–6
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030344
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. M–7
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199030345
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 532
Red River Army Depot
Texarkana TX 75507–5000
Landholding Agency: Army
Property Number: 21199420322

Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 586
Red River Army Depot
Texarkana TX 75507–5000
Landholding Agency: Army
Property Number: 21199420325
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 1ST–1
Longhorn Army Ammunition Plant
Karnack TX 75671
Landholding Agency: Army
Property Number: 21199620827
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3156
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199830171
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 7000
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199830182
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldgs. 7124
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199830185
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldgs. 7139
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199830186
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldgs. 7151, 7154, 7157–7159
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199830187
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldgs. 7175–7177
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21199830189
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldgs. 9901
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200320079
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. YAREA
Longhorn Army Ammo Plant
Kamack TX 75661
Landholding Agency: Army
Property Number: 21200340062
Status: Excess
GSA Number:
Directions: 0003Y, 0004Y, 004Y2, 0013Y, 0016Y, 16Y1, 16Y2, 0018Y, 018Y1 0029Y, 0032Y, 0034Y, 0038Y, 0040Y, 0045Y
Reasons: Secured Area

Bldgs. P–3X, 3X–4of5
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340063
Status: Excess
GSA Number:
Directions: 00P10, 00P11, 0046A, 0049B, 0053B, 0054B, 0055B, 0056B, 0059B, 0060B 0068F, 0026E, 0032E, 0029D
Reasons: Secured Area

Bldgs. P–3X, 3X–3of5
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340064
Status: Excess
GSA Number:
Directions: 00S13, 00P13, 00B10, 00B16, SHEDC, 00B15, 00B13, 00B11, 000B9, 000B7, SHEDJ, SHEDD, 000M4, 000P3, 000P1
Reasons: Secured Area

Bldgs. P–3X 5of5
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340065
Status: Excess
GSA Number:
Directions: 0025D, 0025C, 0050G, 0054F, 0053D, 0054G, 0031G, 00403, 00406, 00408, 00409, 0016T, 0020T, 0035T, 0036T036T1
Reasons: Secured Area

Bldgs. Inert SH10F3
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340066
Status: Excess
GSA Number:
Directions: 00101, 00102, 0102R, 00103, 000L6, 00402, 000L5, SHEDL, SHEDB, 0061I, 0060I, 0022B, 0032B, 0029A, 0031A
Reasons: Secured Area

Bldgs. Inert SH3of3
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340067
Status: Excess
GSA Number:
Directions: 016T1, 020T1, 0034T, 034T1, 0020X, 022X1
Reasons: Secured Area

Bldgs. SH2of3
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340068
Status: Excess
GSA Number:
Directions: 068G1, 068F1, 0022B, 0032B, 054F1, 0040H, 00402, 00404, 00405, 0018G, 0015G, 0009G, 0010G, 0011G
Reasons: Secured Area

Bldgs. Inert
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340069
Status: Excess
GSA Number:
Directions: 00703, 0703A, 0703C, 0707E, 0018K, 01ST1, 0201A, 00202, 00204, 0022G, 0025G, 0031W, 0049W, 0501E, 510B2, 0601B, 018K1
Reasons: Secured Area

Bldgs. SHOPS
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340070
Status: Excess
GSA Number:
Directions: 00723, 0722P, 0704D, 00715, 00744, 0722G
Reasons: Secured Area

Bldgs. Magaz
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340071
Status: Excess
GSA Number:
Directions: 08111, 08117, 81110, 81111, 81112, 81113, 81114, 81117, 81118, 81121, 81122, 81124, 81128, 81141, 81143, 81156
Reasons: Secured Area

Bldgs. P–3X SHT1of5
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340072
Status: Excess
GSA Number:
Directions: 02121 thru 21211, 21214 thru 21221, 21223, 21225, 21227, 21231D thru 21240, 21242, 21244, 21246, 21248
Reasons: Secured Area

Bldgs. P–3X SHT2of5
Longhorn Army Ammo Plant
Karnack TX 75661
Landholding Agency: Army
Property Number: 21200340073
Status: Excess
GSA Number:
Directions: 21250 thru 21257, 21259, 0027X, 0022X, 0035X
Reasons: Secured Area

Bldgs. 56208, 56220
Fort Hood
Ft. Hood TX 76544
Landholding Agency: Army
Property Number: 21200420146

Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 05110, 06088
Fort Sam Houston
Camp Bullis TX
Landholding Agency: Army
Property Number: 21200520063
Status: Excess
Reasons: Extensive deterioration

Bldgs. 7122, 7125
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200540070
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 7136
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200540071
Status: Unutilized
Reasons: Extensive deterioration

Bldg. D5040
Grand Prairie Reserve Complex
Tarrant TX 75051
Landholding Agency: Army
Property Number: 21200620045
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldgs. 1177, 1178, 1179
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200640073
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 199, 1271, 11306
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200710036
Status: Unutilized
Reasons: Secured Area

Bldgs. 56226, 56228
Fort Hood
Bell TX 76544
Landholding Agency: Army
Property Number: 21200720109
Status: Excess
Reasons: Extensive deterioration

Bldg. 1235
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200740030
Status: Unutilized
Reasons: Extensive deterioration Secured Area

Bldg. 00002
Denton
Lewisville TX 76102
Landholding Agency: Army
Property Number: 21200810034
Status: Unutilized
Reasons: Extensive deterioration

9 Bldgs.
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200820013
Status: Excess
Directions: 1610, 1680, 2322, 2323, 2332, 2333, 2343, 2353, 3191
Reasons: Secured Area

Bldg. 08017
Fort Worth
Tarrant TX 76108
Landholding Agency: Army
Property Number: 21200830028
Status: Unutilized
Reasons: Extensive deterioration Secured Area

9 Bldgs.
Fort Worth
Tarrant TX 76108
Landholding Agency: Army
Property Number: 21200830029
Status: Unutilized
Directions: 8501, 8504, 8505, 8506, 8507, 8508, 8509, 8511, 8514
Reasons: Extensive deterioration Secured Area

Bldgs. 617, 619, 889, 890
Fort Bliss
El Paso TX
Landholding Agency: Army
Property Number: 21200830030
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200830039
Status: Unutilized
Directions: 11411, 11530, 11540, 11550
Reasons: Extensive deterioration

Bldg. 5817
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200920071
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 9550, 9557, 9558, 11301
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200930025
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 03826
Fort Sam Houston
San Antonio TX 78234
Landholding Agency: Army
Property Number: 21200930026
Status: Underutilized
Reasons: Secured Area

Bldgs. 11284, 11304
Fort Bliss
El Paso TX 79916
Landholding Agency: Army
Property Number: 21200940036
Status: Unutilized
Reasons: Secured Area

Bldg. 25
Brownwood
Brown TX 76801
Landholding Agency: Army
Property Number: 21201020033
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00046
Ft. Bliss
El Paso TX
Landholding Agency: Army
Property Number: 21201120056
Status: Unutilized
Reasons: Extensive deterioration

6 Bldgs.
Ft. Bliss
El Paso TX
Landholding Agency: Army
Property Number: 21201120059
Status: Unutilized
Directions: 07180, 07184, 07186, 07188, 07190, 07192
Reasons: Extensive deterioration

Bldg. 1674
42nd & Old Ironsides
Fort Hood TX 76544
Landholding Agency: Army
Property Number: 21201140065
Status: Excess
Reasons: Secured Area Contamination

Utah

Bldg. 9307
Pugway Proving Ground
Dugway UT 84022
Landholding Agency: Army
Property Number: 21199013997
Status: Underutilized
Directions: North of Stark Road on V Grid Access Road.
Comments:
Reasons: Secured Area

Bldg. 5145
Deseret Chemical Depot
Tooele UT 84074
Landholding Agency: Army
Property Number: 21199820120
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 8030
Deseret Chemical Depot
Tooele UT 84074
Landholding Agency: Army
Property Number: 21199820121
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldgs. 04546, 04550
Deseret Chemical Depot
Stockton UT 84071
Landholding Agency: Army
Property Number: 21200610034
Status: Excess
Reasons: Extensive deterioration

Bldg. 03300
Deseret Chemical Depot
Stockton UT 84071
Landholding Agency: Army
Property Number: 21200720036
Status: Excess
Comments: Bldg. 03312 was demolished 04/12/2012.
Reasons: Secured Area

Bldg. 5126
Deseret Chemical Depot
Stockton UT
Landholding Agency: Army
Property Number: 21200820075
Status: Excess
Comments: Bldg. 4535 was demolished 04/12/2012
Reasons: Secured Area

10 Bldgs.
Deseret Chemical Depot
Stockton UT 84071
Landholding Agency: Army
Property Number: 21201030029
Status: Excess
Directions: 5003, 6000, 6009, 6011, 6013, 6039, 6057, 7100, 9110, 9111
Reasons: Secured Area

Bldgs. 222 thru 227
MTA–L Camp Williams
Eagle Mountain UT 84005
Landholding Agency: Army
Property Number: 21201040028
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldgs. 04153 and 04180
Camp Williams Trng. Ctr.
Riverton UT 84065
Landholding Agency: Army
Property Number: 21201110025
Status: Unutilized
Reasons: Extensive deterioration

10 Bldgs.
Camp Williams Training Site
Camp Williams Road
Riverton UT 84065
Landholding Agency: Army
Property Number: 21201110042
Status: Unutilized
Directions: Bldgs.: 03090, 03091, 03093, 03095, 03097, 03110, 03111, 03112, 03113, 03117
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

16 Bldgs.
Green River Test Complex
Green River UT 84525
Landholding Agency: Army
Property Number: 21201210043
Status: Unutilized
Directions: 50101, 50102, 50106, 50108, 50109, 50130, 50131, 50133, 50210, 50253, 50291, 50308, 50331, 50400
Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

14 Bldgs.
Green River Test Complex
Green River UT 84525
Landholding Agency: Army
Property Number: 21201210044
Status: Unutilized
Directions: 50001, 50002, 50003, 50006, 50019, 50020, 50022, 50024, 50027, 50029, 50031, 50032, 50040, 50043
Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

2 Bldgs.
Green River Test Complex
Green River UT 84525
Landholding Agency: Army
Property Number: 21201210096
Status: Unutilized
Directions: 50105, 50207
Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

Building Z2206 & Z2212
115500 Stark Rd.
Stockton UT 84071
Landholding Agency: Army
Property Number: 21201330027
Status: Unutilized
Comments: Secured facility access denied to general public & no alter. method to gain access w/out compromising Nat'l security.
Reasons: Secured Area

2 Building
White Sands Missile Range
Green River UT
Landholding Agency: Army
Property Number: 21201330050
Status: Underutilized
Directions: 50305, 50320
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Vermont

6 Buildings
Ethan Allen Range
Jericho VT 05465
Landholding Agency: Army
Property Number: 21201240035
Status: Unutilized
Directions: 004–2, 004–3, 03020, 04009, 04010, 04011
Comments: located on secured military installation where public access is denied & no alternative method to gain access without compromising national security
Reasons: Secured Area

Virginia

Bldg. 4327–07 Warehouse
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010833
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4339–03
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010834
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Other—Latrine, detached structure Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 4339–23
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010835
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other—Latrine, detached structure

Bldg. 3012, Nitrating House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010836
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4339–02
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010837
Status: Underutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Other—Latrine, detached structure Within 2000 ft. of flammable or explosive material

Bldg. 4339–10
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010838
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Other—Latrine, detached structure Secured Area

Bldg. 4339–11
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010840
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Other—Latrine, detached structure Within 2000 ft. of flammable or explosive material

Bldg. 4339–24
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010841
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Other—Latrine, detached structure Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3507
Radford Army Ammunition Plant
Thermal Dehy
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010842
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4710–01
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010843
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Other—Latrine, detached structure Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3511–00
Radford Army Ammunition Plant
Blocker Press
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010844
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4710–02
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010845
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Other—Latrine, detached structure Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4710–05
Radford Army Ammunition Plant
Latrine
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010846
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Other—Latrine, detached structure Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3512–00
Radford Army Ammunition Plant
Block Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010847
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4343–00
Radford Army Ammunition Plant
Codmium Plating House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010848
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4901–00
Radford Army Ammunition Plant
Block Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010849
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3553–00, A–1
Radford Army Ammunition Plant
Press Cutting House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010851
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4905–00
Radford Army Ammunition Plant
Control House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010852
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4909–01
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010853
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4909–02
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010854
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3649–00
Radford Army Ammunition Plant
Premix House No. 3
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010855
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4909–03
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010856
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4909–04
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010857
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4909–05
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010858
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3662–00
Radford Army Ammunition Plant
Screen Storehouse
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010859
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4910–01
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010860
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4910–02
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010861
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4910–03
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010862
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3670–00
Radford Army Ammunition Plant
Perchlorate Grind House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010863
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4910–04
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010864
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4910–05
Radford Army Ammunition Plant
Water Dry House

Radford VA 24141
Landholding Agency: Army
Property Number: 21199010865
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3672–00
Radford Army Ammunition Plant
Perchlorate Grind House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010866
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3675–00
Radford Army Ammunition Plant
Air Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010867
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4911–02
Radford Army Ammunition Plant
Air Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010868
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4912–05
Radford Army Ammunition Plant
Waste Powder and Solvent Storage
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010869
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3676–00
Radford Army Ammunition Plant
C–7 Mix House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010870
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4913–00
Radford Army Ammunition Plant
Large Grain Disassembly House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010871
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3678–00
Radford Army Ammunition Plant
Air Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010872
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4933–00
Radford Army Ammunition Plant
Filter House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010874
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3688
Radford Army Ammunition Plant
Control House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010875
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4935–00
Radford Army Ammunition Plant
Chilled Water Refrigeration
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010876
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4945–02
Radford Army Ammunition Plant
Coating House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010877
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3702–00
Radford Army Ammunition Plant
Chemical Grind House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010878
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4952–00
Radford Army Ammunition Plant
Beaker Wrap House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010879
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3706–00
Radford Army Ammunition Plant
Pre-Mix Rest House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010880
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3723–00
Radford Army Ammunition Plant
Nibbling House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010881
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3742–00
Radford Army Ammunition Plant
Catch Tank House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010882
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3743–00
Radford Army Ammunition Plant
Weigh House No. 1
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010883
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 5501–00
Radford Army Ammunition Plant
Finishing Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010884
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5502–00
Radford Army Ammunition Plant
Waste Water Treatment Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010885
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7112–01
Radford Army Ammunition Plant
Increment House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010886
Status: Unutilized
Directions: State Highway 114
Comments:

Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5500–00
Radford Army Ammunition Plant
Manufacturing Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010887
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 7124–02
Radford Army Ammunition Plant
Nibbling House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010888
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7126–00
Radford Army Ammunition Plant
Halfway House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010889
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7160–00
Radford Army Ammunition Plant
Area Maintenance Office
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010890
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7223–01
Radford Army Ammunition Plant
Latrine and Utility House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010891
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Other—Latrine, detached Structure Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7800–00
Radford Army Ammunition Plant
Extruded Grain Finishing House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010892
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7806–00
Radford Army Ammunition Plant
Latrine and Utility House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010893
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9203–00
Radford Army Ammunition Plant
Solvent Preparation Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010894
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9205
Radford Army Ammunition Plant
Green Line Complex
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010895
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9209
Radford Army Ammunition Plant
Traying Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010896
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9210
Radford Army Ammunition Plant
Traying Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010897
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9211
Radford Army Ammunition Plant
Traying Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010898
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9206
Radford Army Ammunition Plant
Green Line Complex
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010899
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9207
Radford Army Ammunition Plant
Green Line Complex
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010900
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9310–01
Radford Army Ammunition Plant
Rolled Powder Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010901
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9361–06
Radford Army Ammunition Plant
Material Storage
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010903
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9500–00
Radford Army Ammunition Plant
Nitrating House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010904
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9503–00
Radford Army Ammunition Plant
Finishing House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010905
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9510–00
Radford Army Ammunition Plant
Spent Acid Recovery
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010907
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9521–00
Radford Army Ammunition Plant
Personnel Rest House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010908
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9546–01
Radford Army Ammunition Plant

Soda Ash Mix House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010909
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9550–00
Radford Army Ammunition Plant
Storage Bldg.
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010910
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9556–00
Radford Army Ammunition Plant
Cooling Tower Control House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010911
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9560
Radford Army Ammunition Plant
Carbon Treatment House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199010912
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1600
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011521
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1604
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011522
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1608
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011523
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. NR 0221–00
Radford Army Ammunition Plant
Boiler House
Dublin VA 24084
Landholding Agency: Army
Property Number: 21199011524
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1618
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011525
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1619
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011526
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1622
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011527
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1625
Radford Army Ammunition Plant
Solvent Recovery House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011528
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 208
Radford Army Ammunition Plant
Office Building
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011529
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1650
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011530
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1651
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011531
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1652
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011532
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 221–25
Radford Army Ammunition Plant
Burning Ground Office
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011533
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1653
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011534
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1654
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011535
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. NR 222–00
Radford Army Ammunition Plant
Change House, New River Facility
Dublin VA 24084
Landholding Agency: Army
Property Number: 21199011536
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1655
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011537
Status: Unutilized

Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1656
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011538
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. NR–225
Radford Army Ammunition Plant
Maintenance Office, New River Facility
Radford VA 24084
Landholding Agency: Army
Property Number: 21199011539
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1657
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011540
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1658
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011541
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0407–00
Radford Army Ammunition Plant
Filter Plant Station
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011542
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0403–09
Radford Army Ammunition Plant
Control House Water Monitoring
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011543
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1659
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011544
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1675
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011545
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: ≤Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1676
Radford Army Ammunition Plant
Water Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011547
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1007
Radford Army Ammunition Plant
Acid Screening House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011548
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1008
Radford Army Ammunition Plant
Acid Heat And Circulating House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011549
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1010
Radford Army Ammunition Plant
Dry House and Conveyor
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011550
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1012
Radford Army Ammunition Plant
Nitrating House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011551
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1014–00
Radford Army Ammunition Plant
Emergency Catch House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011553
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1019
Radford Army Ammunition Plant
Boiling Tub House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011554
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1024–00
Radford Army Ammunition Plant
Poacher House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011555
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1026–00
Radford Army Ammunition Plant
Final Wringer House Equipment
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011556
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1500–00
Radford Army Ammunition Plant
Dehy Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011557
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1501–00
Radford Army Ammunition Plant
Alcohol Pump and Accumulator House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011558
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1506–00
Radford Army Ammunition Plant
Diphenylamine Mix House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011559
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1508–00

Radford Army Ammunition Plant
Mix House No. 1
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011560
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1509–00
Radford Army Ammunition Plant
Mix House No. 2
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011561
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1510–00
Radford Army Ammunition Plant
Block Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011562
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1511–00
Radford Army Ammunition Plant
Block Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011563
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1512–00
Radford Army Ammunition Plant
Block Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011564
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1513–00
Radford Army Ammunition Plant
Finishing Press House No. 2
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011565
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1514–00
Radford Army Ammunition Plant
Finishing Press House No. 3
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011566
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1521–00
Radford Army Ammunition Plant
Hydraulic Station
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011567
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1548–00
Radford Army Ammunition Plant
Oil Storage House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011568
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1549–00
Radford Army Ammunition Plant
Area Maintenance Shop
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011569
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1554–00
Radford Army Ammunition Plant
Powder Line Office
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011570
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1558–00
Radford Army Ammunition Plant
Ingredient Storehouse
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011571
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1559–00
Radford Army Ammunition Plant
Ingredient Storehouse
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011572
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1567–00
Radford Army Ammunition Plant
Lunch Room
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011573
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1685–00
Radford Army Ammunition Plant
Sorting House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011574
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1703–00
Radford Army Ammunition Plant
Coating House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011575
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1725–00
Radford Army Ammunition Plant
Air Dry House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011576
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1851–00
Radford Army Ammunition Plant
Screening House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011577
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1980–05
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011578
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other—Latrine; detached structure

Bldg. 1980–06
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011579
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Other—latrine; detached structure Secured Area

Bldg. 1980–17
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011580
Status: Unutilized
Directions: State Highway 114

Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other—latrine; detached structure

Bldg. 2051–00
Radford Army Ammunition Plant
NC Fines Separation
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011581
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2509–00
Radford Army Ammunition Plant
Mix House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011582
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2517
Radford Army Ammunition Plant
Finishing Press House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011583
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2518
Radford Army Ammunition Plant
Finishing Press And Cutting House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011585
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2519
Radford Army Ammunition Plant
Finishing Press And Cutting House
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011588
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2559–00
Radford Army Ammunition Plant
Refrigeration Building
Radford VA 24141
Landholding Agency: Army
Property Number: 21199011591
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3045–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013559
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3022–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013560
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3050–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013561
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3046–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013562
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3007–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013563
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3002–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013564
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3010–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013566
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3019–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013567
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4912–06
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013568
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9544–00
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013569
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 206
Radford Army Ammunition Plant
State Highway 114
Radford VA
Landholding Agency: Army
Property Number: 21199013570
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 221–05
Radford Army Ammunition Plant
State Highway 114
Radford VA 24141
Landholding Agency: Army
Property Number: 21199110142
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 221–06
Radford Army Ammunition Plant
State Highway 114
Radford VA 24141
Landholding Agency: Army
Property Number: 21199110143
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B1826 Elev. Motor House
Radford Army Ammunition Plant
State Hwy. 114
Radford VA 24141
Landholding Agency: Army
Property Number: 21199120071
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A426

Powder Burning Ground Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140618
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 456, Filter House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140619
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 734
AOP Plant Control House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140620
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. D1733, Control Shelter
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140621
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B3553, Lunch Room
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140622
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B3670, Control House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140623
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B3671, Control House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140624
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. C3676
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140626
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B3677, Elevator House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140627
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A4912–05, Blower House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140628
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B4912–11, Control House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140629
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C4913, Control House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140630
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. D4915, Storage Building
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140631
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 7103–01, HE Saw House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140632
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A7103–01, Motor House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199140633
Status: Unutilized
Directions: State Highway 114
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A1732
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220210
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. B1732
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220211
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. C1732
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220212
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. A1999
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220213
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. B4915
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220214
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. A4921
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220215
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 7102–01
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220216
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. A7102–01
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220217
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. B7102–01
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199220218
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. US 100–02
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199230100
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6208
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199230101
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 9477–5
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199230102
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 9481
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199230103
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. B7103–01, Motor House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199240324
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Other—Extensive Deterioration Secured Area

Bldg. 1980–27
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430341
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 221–23
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430342
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 420–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430343
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 420–02
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430344
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1523–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430345
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1625–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430346
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2502–000
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430347
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3015–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430348
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3561–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430349
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3680–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430350
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3693–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430351
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4702–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430352
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4904–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430353
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4911–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430354
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4939–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430355
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6208–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141

Landholding Agency: Army
Property Number: 21199430356
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 7501–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430357
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9477–06
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430358
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9505–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430359
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9543–03
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430360
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A420–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430361
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A420–02
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430362
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A426–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430363
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A429–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430364
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A1020–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430365
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A1524–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430366
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A1625–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430367
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A1851–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430368
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A2020–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430369
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A2502–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430370
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A3020–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430371
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A3507–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430372
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A3680–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430373
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A4901–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430374
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A4904–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430375
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A4910–05
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430376
Status: Unutilized
Directions:
Comments:

Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A4911–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430377
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A4912–16
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430378
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A4939–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430379
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A7501–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430380
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A9218–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430381
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B1625–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430382
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B2502–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430383
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B3680–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430384
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B4904–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430385
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B4910–05
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430386
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C224–08
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430387
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C420–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430388
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C420–02
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430389
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C1625–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430390
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C3680–00
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430391
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. C4911–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430392
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B4911–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430393
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. D420–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430394
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. E420–01
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430395
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. F224–08
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199430396
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. B420–01
Radford Army Ammunition Plant
Radford VA 24141

Landholding Agency: Army
Property Number: 21199440219
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1022–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199440220
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A1022–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199440221
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A1024–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199440222
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. B1013–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199440223
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. C1013–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199440224
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D1013–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199440225
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0429–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199510032
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1522–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199510033
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 3013–00, B3013–00, C3013–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199520037
Status: Excess
Directions:
Comments:
Reasons: Secured Area

Bldgs. 2013–00, B2013–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199520052
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. A1601–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199530194
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration

Bldg. A9304–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199610607
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9229–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199610608
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. T0117
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830223
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830224
Status: Unutilized
Directions: 0221–03, 0221–30, 0221–31, 0221–32, 0221–33
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830225
Status: Unutilized
Directions: A0266–01, 0266–03, 0266–08
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0267–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830226
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830227
Status: Unutilized
Directions: 0421–00, A0421–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. A0425–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830228
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A0428–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830229
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0525–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830230
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830231
Status: Unutilized
Directions: 0602–00N, 0603–00N, 0604–00N

Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0906–18
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830232
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1035–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830233
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830234
Status: Unutilized
Directions: 1601–00, C1601–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. D1601–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830235
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830236
Status: Unutilized
Directions: B1608–00, C1608–00, D1608–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830237
Status: Unutilized
Directions: 1651–00, A1651–00, B1651–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830238
Status: Unutilized
Directions: A1652–00, B1652–00, A1653–00, B1653–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

8 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830239
Status: Unutilized
Directions: 1654–00, A1654–00, B1654–00, A1655–00, B1655–00, A1656–00, B1656–00, A1657–00, B1657–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1732–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830240
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830241
Status: Unutilized
Directions: D1801–00, 1802–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 19803–23
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830242
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830243
Status: Unutilized
Directions: 2002–00, T2018–00, 2050–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830244
Status: Unutilized
Directions: B2518–00, A2519–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830245
Status: Unutilized
Directions: A3553–00, C3553–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. A3561–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830246
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3602–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830247
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830248
Status: Unutilized
Directions:
3641–00, 3647–00, A3647–00, B3647–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830249
Status: Unutilized
Directions: 3648–00, A3648–00, B3648–00, A3649–00, B3649–00, 3650–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830250
Status: Unutilized
Directions: A3670–00, C3670–00, A3676–00, B3676–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3727–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830251
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3901–00
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830252
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830253
Status: Unutilized

Directions: 4000–00, 4017–00, 4023–00, 4024–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830254
Status: Unutilized
Directions: 4334–00, 4339–26, 4339–36
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830255
Status: Unutilized
Directions: 4703–00, 4708–00, 4712–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

7 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830256
Status: Unutilized
Directions: A4909–04, B4909–04, C4909–04, B4910–04, A4911–02, B4911–02, C4911–02
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

15 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830257
Status: Unutilized
Directions: B4912–10, C4912–10, 4912–11, A4912–11, 4912–12, A4912–12, B4912–12, C4912–12, 4912–32, A4912–32, B4912–32, 4912–38, A4912–38, 4912–47, A4912–47
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830258
Status: Unutilized
Directions: 4915–00, A4915–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830259
Status: Unutilized
Directions: 4922–00, A4924–02, 4924–07, 4928–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830260
Status: Unutilized
Directions: A4945–02, B4945–02, 4951–06
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830261
Status: Unutilized
Directions: 5002–00, 5020–00, 5027–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830262
Status: Unutilized
Directions: A5500–00, B5500–00, C5500–00, A5501–00, 5503–00, A5503–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

3 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830263
Status: Unutilized
Directions: 5510–00, 5511–00, 5512–00
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830264
Status: Unutilized
Directions: 7100–00, A7102–02, B7102–02, 7105–00, A7105–00, 7120–02
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

10 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830265
Status: Unutilized
Directions: 9200–00, 9201–00, 9202–00, 9204–00, 9208–00, 9212–00, 9215–00, 9216–00, 9217–00, 9218–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 21199830267
Status: Unutilized
Directions: 9470–00, 9478–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. C3677–00
Radford AAP
Radford VA 24141
Landholding Agency: Army
Property Number: 21200020079
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5504–00
Radford AAP
Radford VA 24141
Landholding Agency: Army
Property Number: 21200020080
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 7503–00
Radford AAP
Radford VA 24141
Landholding Agency: Army
Property Number: 21200020081
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 2393
Fort Belvoir
Ft. Belvoir VA 22060–5227
Landholding Agency: Army
Property Number: 21200130076
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 3074, 3075
Fort Belvoir
Ft. Belvoir VA 22060–5110
Landholding Agency: Army
Property Number: 21200130077
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. A0415
Radford AAP
Radford VA 24143–0100
Landholding Agency: Army
Property Number: 21200230038
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. 00200
Radford Army Amo Plant
Radford VA 24143–0100
Landholding Agency: Army
Property Number: 21200240071
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. T4022
Radford Army Amo Plant
Radford VA 24143–0100
Landholding Agency: Army
Property Number: 21200240072
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 00723
Fort Story
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200310046
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. T0304
Fort AP Hill

Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200410069
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00306
Fort AP Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200410070
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort AP Hill
S0308, S0309, S0311, S0312
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200410071
Status: Unutilized
Reasons: Extensive deterioration

Bldg. T0312
Fort AP Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200410072
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00314
Fort AP Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200410073
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 01105
Fort AP Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200410076
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 00151, T0515
Fort A.P. Hill
Ft. A.P. Hill VA 22427–3114
Landholding Agency: Army
Property Number: 21200430057
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 00222
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21200510045
Status: Unutilized
Reasons: Secured Area

Bldgs. 22127, 22128
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21200510046
Status: Unutilized
Reasons: Secured Area

Bldg. 00677
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710043
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 00705, 00706, 00771
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710044
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 01112, 01139
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710045
Status: Unutilized
Reasons: Extensive deterioration

5 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710046
Status: Unutilized
Directions: 01141, 01146, 01147, 01148, 01153
Reasons: Extensive deterioration

Bldgs. 3065–3071
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710047
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 3086, 3087, 3099
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710048
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 05089, 05093, 05099
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200710049
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720043
Status: Unutilized
Directions: 0629, 0630, 00704, 00771
Reasons: Extensive deterioration

Bldgs. 01147, 01148
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720044
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720045
Status: Unutilized
Directions: 05002, 05009, 05010, 05014
Reasons: Extensive deterioration

5 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720046
Status: Unutilized
Directions: 05033, 05034, 05035, 05036, 05037
Reasons: Extensive deterioration

Bldgs. 05040, 05043
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720047
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720048
Status: Unutilized
Directions: 05065, 05066, 05067, 05069
Reasons: Extensive deterioration

6 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720049
Status: Unutilized
Directions: 05071, 05072, 05073, 05075, 05076, 05077
Reasons: Extensive deterioration

Bldgs. 05081, 05088
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720050
Status: Unutilized
Reasons: Extensive deterioration

7 Bldgs.
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200720051
Status: Unutilized
Directions: 05090, 05092, 05094, 05095, 05096, 05097, 05098
Reasons: Extensive deterioration

Bldgs. US042, US044, US45B
Radford AAP
Montgomery VA 24013
Landholding Agency: Army
Property Number: 21200740031
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 01001
Radford AAP
Montgomery VA 24013
Landholding Agency: Army
Property Number: 21200740032
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs.
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21200740169
Status: Unutilized
Directions: 19980, 25710, 36020, 36370, 36380
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21200740170
Status: Unutilized
Directions: 36410, 36470, 36500, 37060
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 50020, 50200
Radford Army Ammo Plant

Radford VA 24143
Landholding Agency: Army
Property Number: 21200740171
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Fort Story
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200810037
Status: Unutilized
Directions: T0540, T0750, T0753, T0762
Reasons: Extensive deterioration

Bldgs. 01140, 01154
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200810042
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 05015, 05021
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200810043
Status: Unutilized
Reasons: Extensive deterioration

Bldg. T2837
Fort Pickett
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21200820015
Status: Unutilized
Reasons: Extensive deterioration Secured Area

9 Bldgs.
Ft. A.P. Hill
Caroline VA 22427
Landholding Agency: Army
Property Number: 21200820030
Status: Unutilized
Directions: T0708, S0718, S0719, S0720, S0721, S0722, S0723, S0724, S0726
Reasons: Secured Area Extensive deterioration

8 Bldgs.
Ft. A.P. Hill
Caroline VA 22427
Landholding Agency: Army
Property Number: 21200820031
Status: Unutilized
Directions: 0846A, 0854A, AS903, A0904, A0912, 00916, 00924, 00980
Reasons: Secured Area Extensive deterioration

7 Bldgs.
Ft. A.P. Hill
Caroline VA 22427
Landholding Agency: Army
Property Number: 21200820032
Status: Unutilized
Directions: 01107, 01213, 01213, S1259, S1267, 01447, TPPAD
Reasons: Secured Area Extensive deterioration

Bldg. P0545
Fort Story
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200830040
Status: Unutilized
Reasons: Extensive deterioration

Bldg. C0903
Fort A.P. Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200840054
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 00187, 00189, 00707
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21200840056
Status: Underutilized
Reasons: Secured Area

6 Bldgs.
Fort A. P. Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21200920072
Status: Unutilized
Directions: T0807, T0811, T0815, T0816, T0817, T0818
Reasons: Extensive deterioration

Bldgs. 735–1, 01001
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21200920075
Status: Unutilized
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. T0514
Fort Story
Ft. Story VA 23459
Landholding Agency: Army
Property Number: 21200920077
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21200930028
Status: Unutilized
Directions: 1030, 1031, 1038, 1044
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

8 Bldgs.
Radford Army Ammo Plant
Radford VA 24413
Landholding Agency: Army
Property Number: 21200930029
Status: Unutilized
Directions: 2019, 2019A, 2022A, 2024, 2024A, 2031, 2031A, 4730
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 1000, 2000, 2010
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21200940038
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 1106, 1109, 1110
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21201010037
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Radford Army Ammo Plant
Montgomery VA 24013
Landholding Agency: Army
Property Number: 21201010038
Status: Unutilized
Directions: US042, US044, US45B, 51565
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

8 Bldgs.
Hampton Readiness Center
Hampton VA 23666
Landholding Agency: Army
Property Number: 21201020026
Status: Unutilized
Directions: 8, 9, 10, 12, 13, 14, 15, 23
Reasons: Extensive deterioration

Bldgs. S0001, S0002
Defense Supply Center
Richmond VA
Landholding Agency: Army
Property Number: 21201020035
Status: Unutilized
Reasons: Secured Area

4 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030030
Status: Unutilized
Directions: 1002, 1003, 1026, 1045
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

9 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030031
Status: Unutilized
Directions: 1618A, 1618C, 1622, 1621A, 1621B, 1621C, 1622A, 1622B, 1622C
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

16 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030032
Status: Unutilized
Directions: 1666A, 1666B, 1668A, 1671A, 1671B, 1672A, 1672B, 1674, 1674A, 1674B, 1675, 1675A, 1675B, 1676, 1676A, 1676B
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

12 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030033
Status: Unutilized
Directions: 1751, 1754, 1762, 1765, 2002, 2003, 2007, 2026, 2047, 2048, 2049, 2050A
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

10 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030034
Status: Unutilized
Directions: 3621, 3652, 3655, 3658, 3675, 3675B, 3675C, 3678A, 3678B, 3678C
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

6 Bldgs.
Radford AAP
Montgomery VA 24143

Landholding Agency: Army
Property Number: 21201030035
Status: Unutilized
Directions: 4703, 9101A, 9101B, 9102A, 9102B, 9103B
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

9 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030036
Status: Unutilized
Directions: 49102, 49103, 49126, 71022, 71032, 72215, 91248, 91253, 91254
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

23 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030037
Status: Unutilized
Directions: 98023, 98024, 98030, 98035, 98045, 98046, 98048, 98056, 98059, 98104, 98105, 98125, 98126, 98129, 98130, 98133, 98138, 98139, 98141, 98167, 98185, 98186, 98189
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

18 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030038
Status: Unutilized
Directions: 98206, 98209, 98216, 98217, 98218, 98224, 98226, 98227, 98231, 98232, 98242, 98244, 98280, 98289, 98291, 98294, 98297, 98298
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

8 Bldgs.
Radford AAP
Montgomery VA 24143
Landholding Agency: Army
Property Number: 21201030039
Status: Unutilized
Directions: 98303, 98304, 98307, 98327, 98332, 98347, 98348, 98364
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs.
Fort A.P. Hill
Bowling Green VA 22427
Landholding Agency: Army
Property Number: 21201040031
Status: Unutilized
Directions: 1105, 1218, 1274, 1293, 1296
Reasons: Extensive deterioration

Bldg. ANTEN
Fort Eustis
Ft. Eustis VA 23604
Landholding Agency: Army
Property Number: 21201040032
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 1132, 1133, 1134
Fort Belvoir
Fairfax VA 22060
Landholding Agency: Army
Property Number: 21201040033
Status: Excess
Reasons: Extensive deterioration

6 Bldgs.
Radford AAP
Radford VA 24143
Landholding Agency: Army
Property Number: 21201040036
Status: Unutilized
Directions: 1000, 1010, 2000, 2010, 22116, USO43
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

1618B
Radford Army Ammo Plant
Rte 114, P.O. Box 2
Radford VA
Landholding Agency: Army
Property Number: 21201110007
Status: Unutilized
Reasons: Secured Area

Bldg. 1618B
Rte. 114, P.O. Box 2
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21201120063
Status: Unutilized
Reasons: Not accessible by road Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1621
Rte., P.O. Box 2
Radford Army Ammo Plant
Radford VA 24143
Landholding Agency: Army
Property Number: 21201120064
Status: Unutilized
Reasons: Secured Area Contamination Not accessible by road

Bldg. 98241
Rte., 114, P.O. Box 2
Radford Army Ammunition Plant
Radford VA
Landholding Agency: Army
Property Number: 21201120065
Status: Unutilized
Reasons: Secured Area Not accessible by road Within 2000 ft. of flammable or explosive material

Bldg. 00222
Rte. 114 P.O. Box2
Radford VA
Landholding Agency: Army
Property Number: 21201130008
Status: Excess
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 00731
null
Radford VA
Landholding Agency: Army
Property Number: 21201130009
Status: Excess
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

Bldg. 0731A
Rte 114 P.O. Box 2
Radford VA
Landholding Agency: Army
Property Number: 21201130011
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material Extensive deterioration Secured Area

Bldg. 07352
null
Radford VA 24143
Landholding Agency: Army
Property Number: 21201130012
Status: Unutilized
Reasons: Extensive deterioration Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 00736 & 0736A
null
Radford VA 24143
Landholding Agency: Army
Property Number: 21201130013
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldg. 47052
null
Radford VA 24143
Landholding Agency: Army
Property Number: 21201130014
Status: Underutilized
Reasons: Secured Area Extensive deterioration Within 2000 ft. of flammable or explosive material

4 Bldgs.
8000 Jefferson Davis Hwy
Richmond VA 23297
Landholding Agency: Army
Property Number: 21201130027
Status: Underutilized
Directions: 00031, 00032, 00033, 00035
Reasons: Secured Area

Bldgs. 2302 & 2303
null
Fort Belvoir VA 22060
Landholding Agency: Army
Property Number: 21201130031
Status: Excess
Reasons: Secured Area

5 Bldgs.
Sandston Armory
Sandston VA 23150
Landholding Agency: Army
Property Number: 21201130053
Status: Unutilized
Directions: T3700, T3702, T3704, T4500, T4504
Reasons: Secured Area Extensive deterioration

4 Bldgs.
8000 Jefferson Davis Hwy
Defense Supply Center
Richmond VA 23297
Landholding Agency: Army
Property Number: 21201140063
Status: Unutilized
Directions: 00091, 00006, 00007, 00010
Reasons: Secured Area

Bldg. 00104
8000 Jefferson Davis Hwy
Richmond VA 23297
Landholding Agency: Army
Property Number: 21201140069
Status: Unutilized
Reasons: Secured Area

12 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201210051
Status: Excess
Directions: T2823, T2826, T2828, T2829, T2838, T2860, T2861, T2856, T2862, T2863, T2864, T2865

Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

15 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201220037
Status: Excess
Directions: T2864, T2565, R0065, R0066, R0067, R0068, R0078, R0108, R0109, R0110, R0112, R0113, R0114, R0215, R0233
Comments: Nat'l security concerns; public access and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

16 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201220038
Status: Excess
Directions: T2814, T2815, T2816, T2817, T2823, T2826, T2827, T2828, T2829, T2838, T2841, T2856, T2860, T2861, T2863, T2862
Comments: Nat'l security concerns; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

14 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201220039
Status: Excess
Directions: T2632, T2633, T2635, T2636, T2638, T2639, T2646, T2647, T2642, T2643, T2644, T2648, T2649, T2681
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

15 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201220040
Status: Excess
Directions: T2616, T2617, T2818, T2620, T2621, T2622, T2623, T2624, T2625, T2626, T2627, T2628, T2629, T2630, T2631
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

15 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201220041
Status: Excess
Directions: R0234, R0235, T1650, T1651, T1653, T2022, T2023, T2024, T2238, T2376, T2604, T2612, T2613, T2614, T2615
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

12 Bldgs.
Ft. Pickett Trng Ctr
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201220042
Status: Excess
Directions: A1811, AT306, AT307, R0013, R0014, R0021, R0026, R0027, R0040, R0055, R0063, R0064
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

2 Buildings
114 P.O. Box 2
Radford VA 24143
Landholding Agency: Army
Property Number: 21201230047
Status: Unutilized
Directions: 2045, 2046
Comments: restricted area; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Building 238
Joint Base Mayer-Hunderson Hall
Ft. Myer VA 22211
Landholding Agency: Army
Property Number: 21201240025
Status: Unutilized
Directions: 238
Comments: Located in secured area, public access denied and no alternative meted to gain access without compromising national security.
Reasons: Secured Area

26 Building
null
Radford VA 24143
Landholding Agency: Army
Property Number: 21201320007
Status: Unutilized
Directions: 1506A, 1506B, 1609, 1609A, 1609B, 1609C, 1616, 1616A, 1616B, 1616C, 2500, 2501, 2506, 2508, 2510, 2512, 2515, 2516, 2518, 2555, 2555A, 2560A, 2558, 2560, 3740, 9379
Comments: W/in restricted area, public assess denied & no alter. method w/out compromising Nat'l sec.
Reasons: Secured Area

38 Building
Fort Pickett Training Center
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201330052
Status: Excess
Directions: T2612, T2613, T2614, T2615, T2116, T2617, T2618, T2620, T2621, T2622, T2623, T2624, T2625, T2626, T2627, T2628, T2629, T2630, T2631, T2632, T2633, T2635, T2636, T2638, T2639, T2642, T2643, T2644, T2646, T2647, T2648, T2649, T2650, T2657, T2659, T2671, T2672, T2673
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

2 Buildings
Fort Pickett Training Center
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201330054
Status: Unutilized
Directions: T1710, T2606
Comments: Public access denied & no alternative method to gain access w/out compromising Nat'l security.
Reasons: Secured Area

Washington

Bldg. 9577
Fort Lewis
Fort Lewis WA 98433
Landholding Agency: Army
Property Number: 21199610006
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration Secured Area

Bldg. 9581
Fort Lewis
Fort Lewis WA 98433
Landholding Agency: Army
Property Number: 21199610009
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

Bldg. 2414
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199620512
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 9639
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199620516
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. U091B, Fort Lewis
null
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199640193
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 6021
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199810236
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 6032
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199810238
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 6991
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army

Property Number: 21199810242
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 9650
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199820132
Status: Unutilized
Directions:
Comments:
Reasons: Extensive deterioration

Bldg. 415
Fort Worden
Port Angeles WA 98362
Landholding Agency: Army
Property Number: 21199910062
Status: Excess
GSA Number:
Reasons: Extensive deterioration

Bldg. U515A
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920124
Status: Excess
GSA Number:
Reasons: Other—gas chamber

33 Bldgs.
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920143
Status: Excess
GSA Number:
Directions: D0704–D0709, D0728–D0733, D0804–D0809, D0828–D0833, D1106, D1117–D1118, D1143, D1151, D1158–D1160, D1163
Reasons: Extensive deterioration

Bldg. A1401
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920158
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

4 Bldgs.
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920164
Status: Unutilized
GSA Number:
Directions: 3092, 3101, 03094, 03097
Reasons: Extensive deterioration

Bldgs. 8095, 8096
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199920174
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. A1202
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199930094
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 3145
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199930099
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldgs. 4063, 4064
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21199930100
Status: Unutilized
GSA Number:
Reasons: Extensive deterioration

Bldg. 8001
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21200330105
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldg. 11139
Fort Lewis
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21200330106
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldgs. 006PF, 0025B
Fort Lewis
Pierce WA 98433
Landholding Agency: Army
Property Number: 21200620054
Status: Unutilized
Reasons: Extensive deterioration

Bldgs. 3253, 3254, 3255
Fort Lewis
Pierce WA 98433
Landholding Agency: Army
Property Number: 21200620056
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 3312
Fort Lewis
Pierce WA 98433
Landholding Agency: Army
Property Number: 21200620057
Status: Unutilized
Reasons: Extensive deterioration

Bldg. 02080
Fort Lewis
Pierce WA 98433
Landholding Agency: Army
Property Number: 21200630067
Status: Unutilized
Reasons: Extensive deterioration

4 Bldgs.
Fort Lewis
Pierce WA 98433
Landholding Agency: Army
Property Number: 21201010041
Status: Unutilized
Directions: 3123, 3124, 3140, 3141
Reasons: Extensive deterioration

6 Bldgs.
Joint Base Lewis/McChord
Ft. Lewis WA 98433
Landholding Agency: Army
Property Number: 21201020029
Status: Unutilized
Directions: 2202, 2204, 2205, 2206, 2260, 2265
Reasons: Secured Area

15 Bldgs.
Fort Lewis
Pierce WA 98433
Landholding Agency: Army
Property Number: 21201030041
Status: Unutilized
Directions: 3417, 3418, 3423, 3424, 3427, 3428, 3429, 3430, 3433, 3434, 3435, 3436, 3439, 3442, 3444
Reasons: Secured Area Extensive deterioration

Bldgs. 00852 and 00853
Yakima Trng. Ctr.
Yakima WA 98901
Landholding Agency: Army
Property Number: 21201140001
Status: Unutilized
Reasons: Extensive deterioration

8995
American Lake Ave.
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201230021
Status: Unutilized
Comments: Secured military cantonment area; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

3561 & 5181
4th Division Dr.
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201230024
Status: Unutilized
Comments: Secured military cantonment area; public access denied & no alternative method w/out comprising Nat'l security
Reasons: Secured Area

3 Buildings
joint Base Lewis-McChord
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201310043
Status: Underutilized
Directions: 1158, 3151, 8066
Comments: Secured military cantonment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

10 Buildings
Joint Base Lewis McChord
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201310066
Status: Underutilized
Directions: 03154, 03156, 03157, 03158, 03160, 03161, 03163, 03164, 03165, 03167
Comments: Secured military cantonment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

5 Buildings
Division Dr.
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201320024
Status: Underutilized

Directions: 03131; 03135, 03139, 03317, 03320
Comments: Secured military cantonment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

3 Buildings
Libbey Ave.
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201320025
Status: Underutilized
Directions: 03316, 03322, 03330
Comments: Secured military cantonment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

7 Buildings
Spangler Ave.
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201320029
Status: Underutilized
Directions: 03105, 03107, 03117, 03120, 03129, 03133, 03138
Comments: Secured military cantonment area; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

Building 03136
Joint Base Lewis-McChord
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201320030
Status: Underutilized
Comments: Secured military cantonment; public access denied & no alternative method to gain access w/out compromising Nat'l security
Reasons: Secured Area

14 Buildings
3rd Division Drive
JBLM WA 98433
Landholding Agency: Army
Property Number: 21201320045
Status: Unutilized
Directions: 03177, 03174, 03181, 03196, 03173, 03175, 03186, 03189, 03190, 03191, 03193, 03194, 03195, 03197
Comments: Secured military cantonment; public access denied & no alter. method w/ out compromising Nat'l sec.
Reasons: Secured Area

Bldg. 227–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011104
Status: Unutilized
Directions: Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 513–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011106
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 513–4
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011108
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 720–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011109
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 720–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011110
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 2016
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011111
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3016
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011112
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 5016
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011113
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2031
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011115
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 3031
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011116
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4031
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011117
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 5031
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011119
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2036
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011120
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3036
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011122
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4036
Badger Army Ammunition Plant
Change House

Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011123
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 5036
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011124
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 2504–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011125
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2504–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011126
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 3504–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011127
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 3504–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011128
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 4504–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011129
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 4504–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011130
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 5504–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011131
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 5504–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011132
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2557
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011133
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 2563
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011134
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3563–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011135
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 3563–3
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011136
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 4563–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011137
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4563–3
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011138
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 4563–4
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011139
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 5557–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011141
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 5557–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011142
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 5557–5
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011144
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 273
Badger Army Ammunition Plant
Training Facility
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011148
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 229
Badger Army Ammunition Plant
Administration Building
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011149
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 2030
Badger Army Ammunition Plant
Administration-General Purpose
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011150
Status: Unutilized
Directions:
Comments: Firable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 268
Badger Army Ammunition Plant
Administration Bldg.
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011151
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 267
Badger Army Ammunition Plant
Administration Bldg.
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011152
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1900–1
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011153
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1900–2
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011154
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1900–3
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011155
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1900–4
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011156
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3030
Badger Army Ammunition Plant
Administration-General Purpose
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011157
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1900–5
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011158
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1900–6
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011159
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1900–7
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011160
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 4030
Badger Army Ammunition Plant
Administration-General Purpose
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011161
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–1
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011162
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–10
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011163
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–21
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011164
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 5030
Badger Army Ammunition Plant
Administration-General Purpose
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011165
Status: Unutilized
Directions:
Comments: Friable asbestos

Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1906–31
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011166
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1993–2
Badger Army Ammunition Plant
Administration-General Purpose
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011167
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1906–42
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011168
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1906–46
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011169
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–50
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011170
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–4
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011171
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–12
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011172
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1906–13
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011173
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–23
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011174
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–28
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011175
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1932–25
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011176
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1906–34
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011177
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–33
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011178
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–39
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011179
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1932–2
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011180
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1932–7
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011181
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 1906–43
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011182
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1932–21
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011183
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1906–40
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011184

Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–48
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011185
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–51
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011186
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1932–33
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011187
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1906–53
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011188
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–8
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011189
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1932–8
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011190
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–9
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011191
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1932–17
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011192
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1906–14
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011193
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1906–15
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011194
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 1906–20
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011195
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–19
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011196
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1906–25
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011197
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1906–24
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011198
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1932–5
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011199
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 1906–29
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011200
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 1906–36
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011201
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1932–23
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011202
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 1906–45
Badger Army Ammunition Plant
Standard Magazine

Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011203
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1906–49
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011204
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1932–9
Badger Army Ammunition Plant
Cannon Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011205
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 1906–56
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011206
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 9100–1
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011207
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1906–54
Badger Army Ammunition Plant
Standard Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011208
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 3000
Badger Army Ammunition Plant
Warehouse
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011209
Status: Underutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 5000
Badger Army Ammunition Plant
Warehouse
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011210
Status: Underutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 275
Badger Army Ammunition Plant
Warehouse
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011211
Status: Underutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 200
Badger Army Ammunition Plant
Post HQ
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011212
Status: Underutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 9100–2
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011213
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 214
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011214
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1975–2
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011215
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9100–3
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011216
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 718
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011217
Status: Underutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9100–4
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011218
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 9100–5
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011219
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 9100–6
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011220
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 9100–8
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011221
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 9100–10
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011222
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 9100–11
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011223
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 9100–12
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011224
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9100–19
Badger Army Ammunition Plant
Richmond Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011225
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 9102–1
Badger Army Ammunition Plant
Igloo Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011226
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9102–2
Badger Army Ammunition Plant
Igloo Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011227
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 9102–3
Badger Army Ammunition Plant
Igloo Magazine
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011228
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 1975–1
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011229
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1975–4
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011230
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1975–5
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011231
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 1975–7
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011233
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 1975–8
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011234
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 205
Badger Army Ammunition Plant
Clinic
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011236
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 2554
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011238
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 5554
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011240
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 3554
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011242
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4554
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011244
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 4568
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011247
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 8010
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011249
Status: Unutilized
Directions:
Comments: Friable asbestos

Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 6530–1
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011251
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6535
Badger Army Ammunition Plant
Bus Station
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011256
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 2015
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011259
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3015
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011263
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4015
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011265
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 5015
Badger Army Ammunition Plant
Administration
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011268
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6532–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011270
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 6532–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011275
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6532–3
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011277
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6532–4
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011280
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 6532–5
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011282
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6532–6
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011284
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 6532–7
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011286
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 6532–8
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011290
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 6532–9
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011293
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 6532–10
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011295
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 6532–11
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011297
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6532–12
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011300
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 6532–13
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011302

Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 6532–14
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011304
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 6532–15
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011305
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 6532–16
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011306
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 6532–17
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011307
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 6532–18
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011308
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Other environmental

Bldg. 6532–19
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011309
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6532–20
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011310
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 9016–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011311
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Secured Area Other environmental Within 2000 ft. of flammable or explosive material

Bldg. 9016–3
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011317
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Other environmental

Bldg. 9504–1
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011319
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9504–2
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011320
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9504–3
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011321
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Other environmental Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9504–4
Badger Army Ammunition Plant
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199011323
Status: Unutilized
Directions:
Comments: Friable asbestos
Reasons: Within 2000 ft. of flammable or explosive material Other environmental Secured Area

Bldg. 9030
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013871
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 264
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013872
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6861–2
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013873
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6861–6
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013875
Status: Underutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6861–1
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013876
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6861–3
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013877
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6861–5
Badger Army Ammunition Plant
Baraboo WI
Landholding Agency: Army
Property Number: 21199013878
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–27
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199210097
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6823–2
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199210098
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6861–4
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199210099
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6513–28
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220295
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–31
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220296
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–32
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220297
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–33
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220298
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–34
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220299
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–35
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220300
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–36
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220301
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–37
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220302
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–38
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220303
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–39
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220304
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–40
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220305
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–41
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220306
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–42
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220307
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–47
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220308
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–48
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220309
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–49
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220310
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldg. 6513–50
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199220311
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldgs. 6657–2, 6659–2
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510065
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldgs. 6668–2 thru 6668–4
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510067
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Bldgs. 6808–9 thru 6808–16
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510069
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

28 Buildings
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510070
Status: Unutilized
Directions: Include: 6807–28 thru 6807–33, 6807–36 thru 6807–53, 6807–58 thru 6807–61
Comments:
Reasons: Secured Area Extensive deterioration

9 Buildings

Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510071
Status: Unutilized
Directions: Include: 6806–3, 6806–4, 6805–8 thru 6805–10, 6803–5 thru 6803–8
Comments:
Reasons: Extensive deterioration Secured Area

Bldgs. 6804–15 thru 6804–21
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510072
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Extensive deterioration

7 Buildings
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510073
Status: Unutilized
Directions: Include: 6953–2, 6956–2, 6955–2, 6957–2
Comments:
Reasons: Secured Area Extensive deterioration

8 Buildings
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510074
Status: Unutilized
Directions: Include: 6828–3, 6828–4, 6828–9, 6828–10, 6868–4 thru 6868–6, 6868–9
Comments:
Reasons: Secured Area Extensive deterioration

5 Buildings
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510075
Status: Unutilized
Directions: Include: 906–1–SL5, 6864–2, 6850–2, 6829–4, 6826–3
Comments:
Reasons: Secured Area Extensive deterioration

21 Buildings
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510076
Status: Unutilized
Directions: Include: 6815–1 thru 6815–13, 6816–7, 6816–8,6816–10, 6814–6 thru 6814–10
Comments:
Reasons: Extensive deterioration Secured Area

31 Buildings
Badger Army Ammunition Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199510077
Status: Unutilized
Directions: Include: 6810–17 thru 6810–32, 6810–39 thru 6810–44 6812–11 thru 6812–16, 6812–20 thru 6812–22
Comments:
Reasons: Extensive deterioration Secured Area

5 Bldgs., Badger AAP
Paste Weigh House
6805–01 thru 6805–05
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740184
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

10 Bldgs., Badger AAP
Roll House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740185
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs., Badger AAP
Slitting Roll
6802–02, 6802–3, 6802–5, 6802–7
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740186
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Press House
6810–04, 6810–07
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740187
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

7 Bldgs., Badger AAP
Inspection House
6816–01 thru 6816–06, 6816–09
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740188
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6826–01, Badger AAP
Supersonic Scanning House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740189
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6878–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740190
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 8008–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740191
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9016–02, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740192
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 9045–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740193
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

13 Bldgs., Badger AAP
Latrines
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740194
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 9101–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740196
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs., Badger AAP
Telpher System
0923–03, 0923–04, 0923–07
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740201
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

12 Bldgs., Badger AAP
Solvent Recovery House
1600–19 thru 1600–30
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740202
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

11 Bldgs., Badger AAP

Water Dry House
1650–20 thru 1650–30
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740203
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs., Badger AAP
Air Dry House
1725–08 thru 1725–12
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740204
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

8 Bldgs., Badger AAP
Rest House
1750–13 thru 1750–19, 1750–21
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740205
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

6 Bldgs., Badger AAP
Glaze House
1800–02 thru 1800–07
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740206
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

8 Bldgs., Badger AAP
Screening House
1850–01 thru 1850–08
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740207
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

4 Bldgs., Badger AAP
Screen Storehouse
1852–02 thru 1852–05
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740208
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

23 Bldgs., Badger AAP
Magazine Standard
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740209
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

6 Bldgs., Badger AAP
Hydro-Jet House
1996–13 thru 1996–18
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740210
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 3566–02, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740211
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Dehy Press House
4500–00, 5500–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740212
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Alcohol Pump House
4501–00, 5501–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740213
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Ingredient Mix House
4506–00, 5506–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740215
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs., Badger AAP
Mixer Macerator
4508–01, 4508–02, 5508–01, 5508–02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740216
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

6 Bldgs., Badger AAP
Block Press
4510–01 thru 4510–03, 5510–01 thru 5510–03
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740217
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs., Badger AAP
Final Press
4513–01 thru 4513–03, 5513–01, 5513–02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740218
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs., Badger AAP
Cutting House
4515–01 thru 4516–03, 5516–01, 5516–02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740219
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs., Badger AAP
Loading Platform
4517–01 thru 4517–03, 5517–01, 5517–02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740220
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Hydraulic Station
4521–00, 5521–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740221
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

3 Bldgs., Badger AAP
Maintenance Shop
4549–00, 5549–00, 5045–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740222
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 4555–00, Badger AAP
ACR Bldg.
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740223
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

6 Bldgs., Badger AAP
Material Store
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740224
Status: Unutilized
Directions:

4558–01, 4558–02, 4567–00, 5558–01, 5558–02, 5567–00
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Acid Mix
5002–00, 9002–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740225
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Acid Screening
5007–00, 9007–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740226
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Acid Heat
5008–00, 9008–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740227
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs., Badger AAP
Cellulose Drying House
5010–00, 5044–00, 9010–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740228
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Catch House
5011–00, 9011–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740229
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Nitrating House
5012–00, 9012–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740230
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

18 Bldgs., Badger AAP
Steam Pressure Reducing Station
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740231
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Steam Pressure Reducing Station
000E–02, 000F–02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740232
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0021–03, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740233
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0202–04, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740234
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0204–B1, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740235
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0271–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740236
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs., Badger AAP
0308–01, 0308–02, 0308–03, 0316–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740237
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0312–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740238
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area Extensive deterioration

Bldg. 0318–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740239
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0402–00, Badger AAP
null
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740240
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Waste Acid Disposal Plant
0420–04, 0420–06
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740241
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 0425, Badger AAP
PH Recorder
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740242
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Storage Shed
0429–01, 0429–02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740243
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0534–00, Badger AAP
Fire Station #2
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740244
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Nitric Circulator
0705–00, 0706–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740246
Status: Unutilized
Directions:
Comments:

Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Fume Exhaust
5013–00, 9013–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740247
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
NC Pump House
5014–00, 9014–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740248
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Boiling Tub House
5019–00, 9019–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740249
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs., Badger AAP
Settling Pit
5020–00, 9020–00, 5025–00, 9025–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740250
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Beater House
5022–00, 9022–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740251
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Poacher
5024–00, 9024–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740252
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs., Badger AAP
Final Wringer
5026–00, 5043–00, 9026–00, 9043–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740253
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Spent Acid Pump
5035–00, 9035–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740254
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Maintenance Shop
5037–00, 9037–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740255
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Chemical Storehouse
5038–00, 9038–00
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740256
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 5555–00, Badger AAP
ACR Bldg. Work
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740257
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 5557–03, Badger AAP
Change House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740258
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

13 Bldgs., Badger AAP
Latrines
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740259
Status: Unutilized
Directions:
6513–05, 11, 25, 26, 29, 45, 9063–06 thru 10, 13, 14
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Transfer Shed
6531–01, 02
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740260
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 6538–00, Badger AAP
Powerhouse #2
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740261
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

2 Bldgs., Badger AAP
Gate House
6543–02, 6543–04
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740262
Status: Unutilized
Directions:
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs., Badger AAP
Inspection House
6543–11, 13, 14
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740264
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

2 Bldgs., Badger AAP
Inert Storage
6586–04, 05
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740266
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

10 Bldgs., Badger AAP
Pre-Dry House
6709–14, 15, 16, 20, 22, 23, 24, 25, 26, 28
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740268
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material Extensive deterioration

11 Bldgs., Badger AAP
Rest House
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740269
Status: Unutilized
Directions:
6726–02, 6803–01, 02, 03, 04, 6812–08, 17, 18, 19, 6828–07, 6882–02
Comments:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

3 Bldgs., Badger AAP
Rest House
6804–01, 08, 14

Baraboo WI 53913
Landholding Agency: Army
Property Number: 21199740271
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0423–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020083
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 0931–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020084
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldg. 1800–1
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020085
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 1805–1, 1805–2, 1852–1
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020086
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 1994–0, 1995–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020087
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 3502–0, 3566–1
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020088
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 4524–4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020089
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6536–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020090
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6662–0, 6666–0, 6669–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020091
Status: Unutilized
GSA Number:
Reasons: Secured Area

Bldgs. 6706–2, 6712–0, 6724–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020092
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6731–2, –3, –4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020093
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

5 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020094
Status: Unutilized
GSA Number:
Directions: 6732–0, 6732–1, 6736–0, 6738–0, 6738–1
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020095
Status: Unutilized
GSA Number:
Directions: 6826–2, 6850–1, 6863–0, 6881–0, 6882–1
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020096
Status: Unutilized
GSA Number:
Directions: 6953–1, 6955–1, 6956–1, 6957–1
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

12 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020097
Status: Unutilized
GSA Number:
Directions: 1725–1 thru 7, 1725–13 thru 17
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 1810–1 thru 4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020098
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 1825–1 thru 4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020099
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 1875–1 thru 4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020100
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

13 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020101
Status: Unutilized
GSA Number:
Directions: 1996–1 thru 10, 1996–19 thru 21
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2002–0, 3002–0, 4002–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020102
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2003–0, 3003–0, 4003–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020103
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2005–0, 3005–0, 4005–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020104
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2007–0, 3007–0, 4007–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020105
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2008–0, 3008–0, 4008–0
Badger AAP

Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020106
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2011–0, 3011–0, 4011–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020107
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2012–0, 3012–0, 4012–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020108
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2013–0, 3013–0, 4013–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020109
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

4 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020110
Status: Unutilized
GSA Number:
Directions: 8002–0, 8003–0, 8004–0, 8006–0
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 0420–01, 02, 03
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020111
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 0712–17, 18, 19
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020112
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 0923–01, 02, 05, 06, 08
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020113
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

29 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020114
Status: Unutilized
GSA Number:
Directions: 1600–01 thru 18, 1600–31 thru 39, 41, 42
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 1650–36 thru 42
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020115
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2014–0, 3014–0, 4014–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020116
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2019–0, 3019–0, 4019–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020117
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2020–0, 3020–0, 4020–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020118
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2022–0, 3022–0, 4022–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020119
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

6 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020120
Status: Unutilized
GSA Number:
Directions: 2024–0, 3024–0, 4024–0, 2025–0, 3025–0, 4025–0
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2026–0, 3026–0, 4026–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020121
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2035–0, 3035–0, 4035–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020122
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2043–0, 3043–0, 4043–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020123
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2046–0, 3046–0, 4046–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020124
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 2500–0, 3500–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020125
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 2501–0, 3501–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020126
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

7 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020127
Status: Unutilized
GSA Number:
Directions: 2506–0, 3506–0, 4506–0, 2508–1, 2508–2, 3508–1, 3508–2
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

13 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020128
Status: Unutilized
GSA Number:
Directions: 2510–1 thru 3, 3510–1 thru 3, 2513–1 thru 4, 3513–1 thru 3
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

5 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020129
Status: Unutilized
GSA Number:
Directions: 2517–1, 2517–2, 3517–1, 3517–2, 3517–3

Reasons: Secured Area Within 2000 ft. of flammable or explosive material

6 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020130
Status: Unutilized
GSA Number:
Directions: 2546–1 thru 4, 2555–0, 3555–0
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 3044–0
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020131
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 3502–1, 3502–2
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020132
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 3516–1, 2, 3
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020133
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 4524–1, 2, 3
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020134
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

22 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020135
Status: Unutilized
GSA Number:
Directions: 6513–1, 6513–6 thru 10, 6513–13 thru 24, 6513–30, 6513–43, 6513–44, 6513–46
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6529–0, 6586–1
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020136
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6672–1, 6672–2
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020138
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020139
Status: Unutilized
GSA Number:
Directions: 6702–3, 6702–4, 6704–3, 6704–4
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 6705–3, 6705–4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020140
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

15 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020141
Status: Unutilized
GSA Number:
Directions: 6709–2, 6709–5 thru 13, 6709–17 thru 19, 6709–21, 6709–27
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

11 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020142
Status: Unutilized
GSA Number:
Directions: 6804–2 thru 7, 6804–9 thru 13
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

20 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020143
Status: Unutilized
GSA Number:
Directions: 6807–1 thru 5, 6807–7 thru 10, 6807–12 thru 15, 6807–17, 6807–19 thru 21, 6807–24, 6807–54, 6807–56
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

4 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020144
Status: Unutilized
GSA Number:
Directions: 6808–1, 4, 6, 8
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

20 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020145
Status: Unutilized
GSA Number:
Directions: 6810–1 thru 3, 6810–5, 6810–6, 6810–8, 6810–10 thru 16, 33 thru 38
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

7 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020146
Status: Unutilized
GSA Number:
Directions: 6812–1 thru 7
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6814–1 thru 5
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020147
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 6817–1 thru 4
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020148
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6828–1, 2, 8
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020149
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6829–1, 2
Badger AAJP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020150
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6837–1, 2
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020151
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 6868–1, 2, 3, 7, 8
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020152
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 8000–1, 2, 3
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020153
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

28 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020154
Status: Unutilized
GSA Number:
Directions: 9062–01 thru 18, 25, 28, 9063–01 thru 05, 11, 12, 15
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

45 Bldgs.
Badger AAP
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200020155
Status: Unutilized
GSA Number:
Directions: Steam Pressure Reducing Station
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 420–8
Badger Army Amo Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200240074
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 750, 751, 753
Badger Army Amo Plant
Baraboo WI 3913
Landholding Agency: Army
Property Number: 21200240075
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Bldgs. 754–1 thru 754–6
Badger Army Amo Plant
Baraboo WI 53919
Landholding Agency: Army
Property Number: 21200240076
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 763, 765, 768
Badger Army Amo Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200240077
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 770–1 thru 770–3
Badger Army Amo Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200240078
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 771, 00778
Badger Army Amo Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200240079
Status: Unutilized
GSA Number:
Reasons: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. 791, 793
Badger Army Amo Plant
Baraboo WI 53913
Landholding Agency: Army
Property Number: 21200240080
Status: Unutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

Unsuitable Properties

Land

Maryland

approx. 1 acre
Fort Meade
Anne Arundel MD 20755
Landholding Agency: Army
Property Number: 21200740017
Status: Unutilized
Reasons: Other—no public access

RNWYA
Aberdeen Proving Ground
Harford MD
Landholding Agency: Army
Property Number: 21200820143
Status: Unutilized
Reasons: Within airport runway clear zone

Landa
Aberdeen Proving Ground
Aberdeen Area/1500 sq. ft.
Harford MD 21005
Landholding Agency: Army
Property Number: 21200920046
Status: Unutilized
Reasons: Secured Area

Lande
Aberdeen Proving Ground
Harford MD 21005
Landholding Agency: Army
Property Number: 21200920047
Status: Unutilized
Directions: Edgewood Area/1500 sq. ft./2 acres/34 acres
Reasons: Secured Area

Minnesota

Portion of R.R. Spur
Twin Cities Army Ammunition Plant
New Brighton MN 55112
Landholding Agency: Army
Property Number: 21199620472
Status: Unutilized
Directions:
Comments:
Reasons: Other—landlocked

Missouri

Bldg. TA002
Ft. Leonard Woods
FLW MO
Landholding Agency: Army
Property Number: 21201120010
Status: Excess
Reasons: Secured Area

New Jersey

Land
Armament Research Development Center
Route 15 North
Picatinny Arsenal NJ 07806
Landholding Agency: Army
Property Number: 21199013788
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Spur Line/Right of Way
Armament Rsch., Dev., Center
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199530143
Status: Unutilized
Directions:
Comments:
Reasons: Floodway

2.0 Acres, Berkshire Trail
Armament Rsch, Development Center
Picatinny Arsenal NJ 07806–5000
Landholding Agency: Army
Property Number: 21199910036
Status: Underutilized
GSA Number:
Reasons: Secured Area Within 2000 ft. of flammable or explosive material

South Carolina

Skate Park
Ft. Jackson
Ft. Jackson SC
Landholding Agency: Army
Property Number: 21201220022
Status: Underutilized
Comments: Nat'l security concerns; public access denied & no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Basketball Court
Ft. Jackson
Ft. Jackson SC
Landholding Agency: Army
Property Number: 21201220025
Status: Unutilized
Comments: Nat'l security concerns; public access denied and no alternative method to gain access w/out comprising Nat'l security
Reasons: Secured Area

Tennessee

Sites #1, #2, #3
Fort Campbell
Christian TN 42223
Landholding Agency: Army
Property Number: 21200920070
Status: Unutilized
Reasons: Secured Area

Texas

Land—Approx. 50 acres
Lone Star Army Ammunition Plant
Texarkana TX 75505–9100
Landholding Agency: Army
Property Number: 21199420308
Status: Unutilized
Directions:
Comments:
Reasons: Secured Area

Land 1
Brownwood
Brown TX 76801
Landholding Agency: Army
Property Number: 21201020034
Status: Unutilized
Reasons: Contamination

Utah

B–50000
Green River Test Complex
Green River UT 84525
Landholding Agency: Army
Property Number: 21201210047
Status: Unutilized

Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

Virginia

11 Bldgs.
Ft. Pickett Trng Ctr.
Blackstone VA 23824
Landholding Agency: Army
Property Number: 21201210050
Status: Excess
Directions: T2650, T2657, T2659, T2671, T2672, T2673, T2811, T2814, T2815, T2816, T2817
Comments: Nat'l security concerns; no public access and no alternative method to gain access
Reasons: Secured Area

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Part III

Department of Education

34 CFR Chapter II

Department of Health and Human Services

45 CFR Subtitle A

Final Priorities, Requirements, Definitions, and Selection Criteria; Race to the Top—Early Learning Challenge; Final Rule

DEPARTMENT OF EDUCATION

34 CFR Chapter II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Subtitle A

RIN 1810–AB18

[Docket ID ED–2013–OESE–0046]

Final Priorities, Requirements, Definitions, and Selection Criteria; Race to the Top—Early Learning Challenge

AGENCY: Department of Education and Department of Health and Human Services.

ACTION: Final priorities, requirements, definitions, and selection criteria.

[CFDA Number: 84.412A.]

SUMMARY: The Secretary of Education and the Secretary of Health and Human Services (hereafter ''the Secretaries'') announce priorities, requirements, definitions, and selection criteria for the Race to the Top—Early Learning Challenge (RTT–ELC) program. The Secretaries may use one or more of these priorities, requirements, definitions, and selection criteria for competitions in fiscal year (FY) 2013 and later years.

The U.S. Department of Education (ED) and the U.S. Department of Health and Human Services (HHS) (collectively, ''the Departments'') conducted the first competition under the RTT–ELC program in FY 2011 and awarded grants to nine States. In FY 2012, the Departments funded the five next highest-rated applicants on the slate of high-scoring applications from the FY 2011 competition.

In order to maintain the overall purpose and structure of the FY 2011 RTT–ELC competition in future competitions, these final priorities, requirements, definitions, and selection criteria are almost identical to the ones used in the FY 2011 competition, with the exception of small language clarifications and eight substantive changes from the prior competition.

DATES: These priorities, requirements, definitions, and selection criteria are effective September 30, 2013.

FOR FURTHER INFORMATION CONTACT: Miriam Lund. Telephone: (202) 401–2871 or by email: *miriam.lund@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Executive Summary

Purpose of This Regulatory Action: The purpose of this document is to announce final priorities, requirements, definitions, and selection criteria for the RTT–ELC program that will enable effective grant making and result in high-quality proposals from States.

Summary of the Major Provisions of this Regulatory Action: In this document, we establish final priorities, requirements, definitions, and selection criteria that are almost identical to those we used in the FY 2011 competition with the exception of small language clarifications and eight substantive changes from the prior competition.

Costs and Benefits: The Secretary believes that the costs imposed on applicants by these priorities, requirements, definitions, and selection criteria are limited to paperwork burden related to preparing an application and the benefits of implementing them would outweigh any costs to applicants. The costs of carrying out activities will be paid for with RTT–ELC grant funds. Thus, the costs of implementation would not be a burden for any eligible applicants, including small entities. Please refer to the *Regulatory Impact Analysis* in this document for a more complete discussion of the costs and benefits of this regulatory action.

This document provides an accounting statement that estimates that approximately $280 million will transfer from the Federal Government to States under this program. Please refer to the accounting statement in this document for a more detailed discussion.

Purpose of Program: The purpose of the RTT–ELC program is to improve the quality of early learning and development and close the educational gaps for children with high needs. This program focuses on improving early learning and development for young children by supporting States' efforts to increase the number and percentage of low-income and disadvantaged children, in each age group of infants, toddlers, and preschoolers, who are enrolled in high-quality early learning and development programs; and to design and implement an integrated system of high-quality early learning and development programs and services.

Program Authority: Sections 14005 and 14006 of the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub. L. 111–5), as amended by section 1832(b) of Division B of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Pub. L. 112–10), and the Department of Education Appropriations Act, 2012 (Title III of Division F of Pub. L. 112–74, the Consolidated Appropriations Act, 2012).

We published a notice of proposed priorities, requirements, definitions, and selection criteria (NPP) for this program in the **Federal Register** on May 20, 2013 (78 FR 29500). That notice contained background information and our reasons for proposing the particular priorities, requirements, definitions, and selection criteria for the RTT–ELC program.

In response to comments received on the NPP, we have made the following changes. These changes are described in greater detail below in the *Analysis of Comments and Changes* section.

- We clarified that the professional development programs described in Priority 4 include other educators, such as administrators and related personnel, rather than just teachers.
- We added a priority, Priority 5, to allow States to describe strategies for addressing the unique needs of rural populations in their States.
- We added language to the definition of Kindergarten Entry Assessment [1] (KEA) indicating that a KEA must not be used as a single measure for high-stakes decision-making.
- We added a request for data on participation of children to be disaggregated by race and ethnicity to selection criterion (A)(1).
- We amended the list of potential stakeholders in selection criterion (A)(3)(c)(2) to include public television stations.
- We included language on supporting the social and emotional development of children in paragraph (c) of Priority 4 and selection criterion (C)(3)(e).
- We included language that supports soliciting and using parental input on children's needs and abilities in educational decision making in the definition of KEA and selection criterion (C)(2)(d) and (e).
- We added language relating to building family capacity to support children's learning and to build protective factors to paragraphs (b) and (e) in Priority 4, the definitions of KEA, Program Standards, and Workforce Knowledge and Competency Frameworks, selection criterion (C)(1) through (4), and selection criterion (E)(2)(d).

Public Comment: In response to our invitation in the NPP, 36 parties submitted comments on the proposed priorities, requirements, definitions, and selection criteria. In the following section, we summarize and provide responses to the comments we received.

[1] Defined terms are used throughout the notice and are indicated by capitalization.

We group major issues addressed in these comments according to subject. Generally, we do not address technical and other minor changes. In addition we do not address comments that raised concerns not directly related to the proposed priorities, requirements, definitions, and selection criteria.

Analysis of Comments and Changes: An analysis of the comments and any changes in the priorities, requirements, definitions, and selection criteria since publication of the NPP follows.

Infant-Early Childhood Mental Health

Comment: One commenter proposed adding a definition of ''infant-early childhood mental health consultation'' and using this term throughout the selection criteria and priorities. The commenter also proposed additional language relating to supporting children's social and emotional development, including infant-early childhood mental health, in selection criteria (A)(2), B(1), (C)(3), and (D)(2), and Priorities 1 and 4.

Discussion: The Departments agree that supporting infant-early childhood mental health is an important concern. However, we decline to specifically define the term ''infant-early childhood mental health consultation'' as approaches to addressing infant-early childhood mental health may vary across States, and we do not wish to restrict how States might explore supporting mental health issues in infants and children.

In selection criteria (A)(2), (B)(1), and (D)(2) and Priority 1 where this commenter suggested adding language relating to supporting children's social and emotional development, including infant-early childhood mental health, the Departments believe that such additions are unnecessary and overly specific in the context of the criteria and priorities, which are intended to be broader and already include social and emotional development, which includes infant-child mental health. Specifying one of the Essential Domains of School Readiness would suggest that this domain is more important than the others. We believe that all the domains are essential and do not wish to emphasize one domain over others.

In selection criterion (C)(3), however, the Departments believe it is appropriate to add the suggested language relating to developing a comprehensive approach to addressing infant-early childhood mental health, because this selection criterion addresses the health, behavioral, and developmental needs of Children with High Needs, and the language will not be overly prescriptive or too specific in the context of the selection criterion. Similarly, the Departments believe it is appropriate to add the suggested language to paragraph (c) of Priority 4, which notes that professional development for Early Childhood Educators includes strategies addressing the needs of children experiencing social and emotional challenges. Accordingly, we are revising selection criterion (C)(3) and paragraph (c) of Priority 4.

Changes: We have added a new paragraph (e) to selection criterion (C)(3) to include developing a comprehensive approach to increasing the capacity of Early Learning and Development Programs to support and address infant-early childhood mental health, and paragraph (c) of Priority 4 to include professional development on addressing the needs of children experiencing social and emotional challenges.

Inclusion of Programs Under Parts B and C of the Individuals With Disabilities Education Act (IDEA)

Comment: Several commenters suggested that the RTT–ELC program should provide for greater inclusion of programs serving children under Part B, Section 619, and Part C of IDEA in the implementation of the grant. For example, they proposed that the definition of Program Standards reference programs serving infants and toddlers and their families, including programs under Part C of IDEA.

Discussion: The Departments support the commenters' suggestion that IDEA Part B section 619 and Part C programs should be integrated into grant activities. However, we do not believe anything in these priorities, requirements, definitions, and selection criteria prevents such integration. In fact, programs funded under Parts B and C of IDEA are referenced throughout the priorities, definitions, and selection criteria. Regarding the proposed change to the definition of Program Standards, this definition is not intended to identify the specific populations served under RTT–ELC. Rather, this definition applies to all of the children served under RTT–ELC and their families, which includes infants and toddlers, including children served under IDEA Part C. We have addressed more specific comments related to this issue in other parts of this notice.

Changes: None.

Comment: Several commenters noted their appreciation for the requirement that State agency coordinators from both Part B section 619 and Part C of IDEA be included on the State Advisory Council. They further recommended that the requirement to have memoranda of understanding (MOU) from each Participating State Agency (PSA) include requirements that all State partners, including the agency or agencies administering IDEA Parts B and C, be included in the implementation of grant activities and project leadership. In addition, the commenters recommended that we require each PSA to coordinate early learning efforts with the other State partners and the project leadership and to report to the Departments periodically on the implementation of all partnership efforts.

Discussion: To be eligible to apply for an RTT–ELC grant, a State must submit a binding MOU that describes each PSA's level of participation in the grant. The State agency or agencies administering Part B section 619 and Part C of IDEA must be included as a PSA. The MOU must include a preliminary scope of work that describes the portions of the grant the PSA will administer. Selection criterion (A)(3) describes how the applicant will be scored based on the extent to which the MOU includes terms and conditions that reflect a strong commitment to the State Plan, including terms and conditions designed to align and leverage the PSA's existing funding to support the State Plan, terms that require PSAs to implement all applicable portions of the State Plan, and a description of efforts to maximize the number of Early Learning and Development Programs that become Participating Programs.

Additionally, through the Departments' administration and monitoring of RTT–ELC grants, States are required to report regularly to the Departments on the status of their partnership efforts, as we consider this integral to the success of the program. We believe that these requirements and criteria, and the Departments' monitoring of grantees, address the concerns of the commenters. Further, we believe that it would be overly prescriptive to limit the flexibility of each State to determine the most productive role of each PSA.

Changes: None.

Comprehensive Assessment Systems

Comment: Several commenters suggested that the Departments place greater emphasis on how early learning assessments can inform instruction and track children's development across the birth to third grade continuum. These commenters stated that the use of assessment data in kindergarten has been overemphasized and that more emphasis should be placed on using early assessment before kindergarten. In

addition, these commenters recommended that there be stronger emphasis on sharing assessment data and results with families and on soliciting and using family input on children's development and needs.

Discussion: The definition of Comprehensive Assessment System states that it is a system of assessments ''that organizes information about the process and context of young children's learning and development in order to help Early Childhood Educators make informed instructional and programmatic decisions.'' The Departments believe that this definition, which is specific to programs serving children from birth to kindergarten entry, already places a strong emphasis on the use of assessments to measure children's development and inform instruction in the years before kindergarten.

Family engagement strategies are similarly emphasized throughout the priorities, requirements, definitions, and selection criteria. As an example, the definition of Program Standards now includes culturally and linguistically responsive strategies to engage families and strengthen their capacity to support children's learning and development. Selection criterion (C)(4) also refers to culturally and linguistically appropriate information and support of families of Children with High Needs and increasing the number and percentage of Early Childhood Educators trained and supported to implement family engagement strategies. However, the commenter is correct that the selection criterion does not explicitly encourage States to include a mechanism for soliciting and using family input in their assessment strategies. Accordingly, we are revising selection criterion (C)(2) to include training for Early Childhood Educators to effectively solicit and use family input on children's development and needs.

Changes: We have revised selection criterion (C)(2)(d) and added paragraph (C)(2)(e) to include soliciting and using family input on children's development and needs as part of training on Comprehensive Assessment Systems.

Comment: Several commenters recommended that the KEA be viewed as a midway point and critical link between States' Comprehensive Assessment Systems and K–12 assessment systems. These commenters recommended that the KEA be administered at the end of the year before kindergarten as well as in early kindergarten and, for that reason, recommended including KEA in our definition of Comprehensive Assessment System, which applies to assessments administered between birth through kindergarten entry.

Discussion: The Departments agree that the KEA should be viewed as a midway point and critical link between Comprehensive Assessment Systems and K–12 systems. We have defined a KEA as an assessment that is administered to children during the first few months of their admission into kindergarten and used to inform efforts to close the school readiness gap at kindergarten entry and inform instruction in the early elementary grades. While there are many valid reasons to administer assessments in the year before kindergarten entry, the Departments do not believe the KEA should be administered at the end of the year before kindergarten, because the KEA is meant to be a measure of the status of children's learning at kindergarten entry, not a measure of growth. Assessments should be used in preschool to inform instruction and a child's transition to kindergarten. However, the definition of Comprehensive Assessment System applies to the use of assessments in Early Learning and Development Programs for children from birth through kindergarten entry. Because the KEA is administered during the first few months of kindergarten, the KEA falls outside of this period. In addition, we want States to have the flexibility to address Focused Investment Area (C)(2), ''Supporting effective uses of Comprehensive Assessment Systems,'' even if the State does not choose to address Focused Investment Area (E)(1), which relates to developing and implementing a KEA. Therefore, we do not believe KEA should be included in the definition of a Comprehensive Assessment System.

Changes: None.

Other General Comments

Comment: One commenter recommended that we require significant involvement by local educational agencies (LEAs) in the development of the application and the implementation of the grant.

Discussion: The Departments seek to improve the quality of early learning and development by supporting State efforts to build strong systems that will provide increased access to high-quality programs for children who need them most. LEAs are not included in the list of entities required to participate in the implementation of the grant because the emphasis of the program is on developing and strengthening State systems of early learning and development. However, RTT–ELC allows each applicant the flexibility to involve LEAs and other entities in application planning and grant implementation in ways they deem appropriate. To require participation of LEAs would require that the Departments define which LEAs must be included and what type of participation must be established, and we believe this would be burdensome and overly restrictive for applicants.

Changes: None.

Comment: Some commenters expressed the concern that small, rural States have unique challenges in improving the quality of early learning and development opportunities and encouraged the Departments to provide reviewers with the flexibility to acknowledge States that propose innovative approaches to tackle these challenges and award points accordingly.

Discussion: According to the National Center for Education Statistics, the currently funded RTT–ELC States serve almost one-third of the Nation's children enrolled in public schools in rural areas (29 percent).[2] However, these data also indicate that we are not funding some of the States that have the highest percentages of children living in rural areas within a State.

To address this concern, we are adding a priority that will allow States to describe how they are addressing the unique needs of children living in rural areas. Applicants may address this priority by describing innovative approaches that are likely to close educational and opportunity gaps between Children with High Needs and their peers, provide increased access to high-quality Early Learning and Development Programs, and build stronger State systems of early learning and development in such areas. This priority will not only enable reviewers to acknowledge the unique needs and innovative strategies of States with rural populations, but it will further enable States receiving awards to expend grant funds on these efforts.

Finally, to address any perceived inequalities in the application process itself, the Departments will offer all States technical assistance on completing the application live via the Internet and through recorded sessions on our Web site.

Changes: We have added a priority to allow States to describe strategies to meet the unique needs of children in rural areas. We have chosen, in the notice inviting applications published

[2] U.S. Department of Education, National Center for Education Statistics, Common Core of Data, ''Public Elementary/Secondary School Universe Survey,'' 2010–11 (version 2a).

elsewhere in this issue of the **Federal Register**, to make this new priority a Competitive Preference Priority. For the sake of clarity, we have called it Priority 5 so it can be grouped with the other Competitive Preference Priorities in the notice inviting applications. What we originally proposed as Priority 5, Encouraging Private-Sector Support, is now renumbered as Priority 6.

Comment: One commenter stated that there was insufficient emphasis on program evaluation in the priorities, requirements, and selection criteria and that the Departments should allocate funds for cross-State evaluation of RTT–ELC grants.

Discussion: The Departments have allocated funds for cross-State evaluation activities; however, the amount of funds available for technical assistance and evaluation is limited to five percent of the annual appropriation by the program's authorizing legislation. The program requirements provide that grantees must comply with the requirements of any evaluation sponsored by ED or HHS of any of the State's activities carried out with the grant, including cross-State evaluation. Furthermore, the Departments encourage grantees, through technical assistance and other guidance, to work together in their evaluation efforts. We believe that these efforts will ensure sufficient evaluation and therefore make no changes in this area.

Changes: None.

Comment: One commenter suggested that the program prioritize racial and economic diversity in early learning environments.

Discussion: We agree with the commenter about the importance of racially and economically diverse early learning environments. However, we decline to shift the emphasis of the program away from increasing access to high-quality Early Learning and Development Programs for Children with High Needs. While we do not specifically address racially and economically diverse learning environments, the priorities, definitions, and selection criteria allow States to identify children who are from Low-Income families or otherwise in need of special assistance and support, under the definition of Children with High Needs. This gives States the flexibility to address racially and economically diverse early learning environments in a way that is appropriate to individual States' needs.

Changes: None.

Comment: One commenter suggested that the priorities and selection criteria should prioritize States with the largest numbers and percentages of Children with High Needs and reduce the emphasis on States that have made the most progress in early learning reform efforts.

Discussion: The Departments appreciate the concern raised by this commenter. However, the emphasis of this program on States that have made significant progress in early learning reform was carefully determined and permits us to fund States to serve as models for other States throughout the Nation. The commenter is suggesting a major change in the focus and scoring of this program. We decline to make a change of this scope, as we believe that by remaining consistent with the FY 2011 competition, the quality of applications will improve, as applicants will be able to learn from past applications, peer reviewer comments, and other aligned resources. Future early learning initiatives, such as the Preschool for All proposal, will emphasize funding States to serve all children from low- to moderate-income families.

Changes: None.

Comment: One commenter suggested that we streamline the data tables required by the selection criteria to reduce burden on applicants and to provide more meaningful, comparable data across States.

Discussion: The Departments have carefully considered whether to streamline data tables to reduce burden and provide more meaningful, comparable data. However, we have determined that the data requested in the tables are important to measure the different activities and populations addressed by this program. Furthermore, we believe it is important in this program to maintain consistency with the FY 2011 application in order to maximize applicants' ability to utilize past applications, peer reviewer comments, and other aligned resources. Additionally, we want to maximize our ability to compare grantee performance data across cohorts. For these reasons, we decline to streamline the data tables.

Changes: None.

Priority 1: Promoting School Readiness for Children With High Needs

Comment: One commenter suggested that we add language to Priority 1 that would require States to show how they will increase the capacity of Early Learning and Development Programs to support and address the social and emotional development of children from birth to age five.

Discussion: The Departments believe that supporting social and emotional development is already an important objective of this program. In these priorities, definitions, and selection criteria, including Priority 1, we have emphasized the importance of addressing all the Essential Domains of School Readiness, including social and emotional development. We believe that all the domains are essential and do not wish to emphasize one domain over others. Accordingly, we have made no change to this priority.

Changes: None.

Comment: One commenter asked that Priority 1 require States to describe how they will make strategic improvements in preventing childhood lead poisoning to reduce the number of Children with High Needs.

Discussion: Priority 1 addresses the comprehensive nature of the program and is not designed to identify specific learning, development, or health concerns. That said, we note that preventing child lead poisoning as well as other children's health concerns are embedded throughout the priorities and selection criteria, including in our definition of Essential Domains of School Readiness, which includes physical well-being, and our definition of Program Standards, which includes health promotion practices. Accordingly, the Departments decline to include a specific reference to lead poisoning prevention in Priority 1. There is no prohibition on applicants addressing specific health concerns, such as lead poisoning, in their applications as they deem appropriate.

Changes: None.

Priority 2: Including All Early Learning and Development Programs in the Tiered Quality Rating and Improvement System (TQRIS)

Comment: One commenter recommended that Priority 2 include improving readiness skills for children at risk of reading failure as a required element of the State Plan and that evidence-based literacy instruction should be addressed in the State's TQRIS. The commenter further recommended that States be allowed to use RTT–ELC funds to support developmentally appropriate comprehensive literacy programs and programs that provide differentiated instruction for Children with High Needs.

Discussion: Although the Departments recognize that improving reading readiness skills for children at risk of reading failure is important, Priority 2 focuses on increasing the number of children in programs that are licensed and inspected and participating in the State's TQRIS. However, a number of selection criteria address literacy skills for children at risk. For example, in

selection criterion (C)(1)(b), States are asked to describe their plan to put in place K–3 academic standards that address early literacy and mathematics. In addition, Priority 4 allows States to describe their High-Quality Plan to improve the overall quality, alignment, and continuity of teaching and learning to serve Children with High Needs through such activities as efforts designed to increase the percentage of children who are able to read and do mathematics at grade level by the end of the third grade. This would permit States to provide developmentally appropriate comprehensive literacy programs and programs that provide differentiated instruction. Thus, we do not believe any change is necessary.

Changes: None.

Comment: Several commenters expressed concerns that Priority 2 forces States to mandate the licensure and participation of private, faith-based early learning programs in the State's TQRIS. One noted that many States do not exempt private, faith-based providers from their licensure systems and suggested that the Departments clarify that any licensure and improvement systems be targeted towards only publicly funded early learning providers and indicate that all States are free to exempt private providers from such programs. Another commenter stated that Priority 2 punishes States that choose not to license or regulate faith-based providers. According to this commenter, some States exempt religious providers from licensure, yet the providers are still subject to some State regulation, and Priority 2 would require those programs to participate in the State's rating and improvement system.

Discussion: Priority 2 does not require that States license or regulate all Early Learning and Development Programs or require their participation in TQRIS. The priority is designed so that States that exempt faith-based providers from their licensing and inspection systems are not disadvantaged in any way in the scoring of their applications, and States selected for funding are not required to change their approach to faith-based providers. Specifically, Priority 2 indicates that programs exempted for reasons other than the number of children cared for, such as their faith-based status, may be excluded from the licensing and inspection system. Priority 2 asks that only licensed or State-regulated programs participate in TQRIS and does not require license-exempt programs (such as faith-based programs in some States) to participate.

However, in public input sessions conducted in 2011, for which a transcript was posted on the program Web site at *http://www2ed.gov/programs/racetothetop-earlylearningchalleng/resources-phase-1.html,* private providers and related organizations expressed the concern that private providers should not be excluded from RTT–ELC. To address that concern, the Departments have clarified in Frequently Asked Questions posted on the program Web site at *http://www2.ed.gov/programs/racetothetop-earlylearningchallenge/faq.html* that private providers are eligible to participate and to receive funds from a State on the same basis as other entities providing early learning services in the State. The Departments have also clarified in Frequently Asked Questions that a private program participating in RTT–ELC retains its independence, autonomy, right of expression, religious character, and authority over governance.

Changes: None.

Priority 3: Understanding the Status of Children's Learning and Development at Kindergarten Entry

Comment: Multiple commenters recommended defining KEA as an assessment that would monitor school readiness at the population level and: (1) Be based on aggregated results of assessments completed by kindergarten teachers; (2) cover all Essential Domains of School Readiness; (3) be administered between three and six months after the beginning of the school year to ensure that teachers have had time to familiarize themselves with their students; (4) be relatively easy to administer, requiring teacher training of no more than one hour and no more than 15 to 20 minutes per child to administer; (5) include student address data so that data can be reported at the census tract level; and (6) provide valid and reliable data. The commenters also suggested a specific instrument, the Early Development Instrument, as one assessment that meets these characteristics.

Discussion: The definition of KEA proposed in the NPP is sufficient for its purpose. It already covers all of the Essential Domains of School Readiness and requires that the KEA is valid and reliable for its intended purposes and for the target populations. The Departments do not want to require that the KEA be based on aggregated results of assessments completed by kindergarten teachers because the KEA is intended to inform efforts to address children's needs early in order to close the school readiness gap at kindergarten entry, inform instruction, and inform parents about their children's status at kindergarten entry and involve them in decisions about their children's education. However, this does not preclude a State from using data in the aggregate as well.

The Departments believe that it is important to administer the KEA during the first few months of children's admission into kindergarten. This allows the KEA to be administered in a period of time when the results could be used to inform efforts to address children's needs early in order to close the school readiness gap at kindergarten entry, inform instruction, and inform parents about their children's status at kindergarten entry and involve them in decisions about their children's education. In addition, an assessment administered between three and six months after the beginning of the school year would be more of a reflection of the child's learning and development during kindergarten, rather than at kindergarten entry. However, there is nothing to prevent the use of formative assessments during this period.

The Departments do not want to be prescriptive in defining KEA design elements, such as ease of administration, teacher training requirements, and length of time to administer. The Departments also do not want to require specific data elements, such as student address data, other than those included in the Essential Data Elements, but this does not preclude States from including additional elements. However, it is important that grantees comply with all applicable privacy laws for this type of data collection.

The Departments do not endorse, recommend, or require applicants to use specific data-gathering instruments (e.g., the Early Development Instrument). Rather, applicants have the flexibility to use the most appropriate data-gathering instruments for the implementation of their programs.

Changes: None.

Comment: One commenter asked that the Departments emphasize that results of a KEA should be used to assist in the design of services, instruction, and activities geared toward preschool and elementary-aged children, not for high-stakes purposes such as sanctions for children, employees, providers, or programs.

Discussion: The proposed definition of KEA states that the assessment should be used to inform efforts to close the school readiness gap at kindergarten entry and to inform instruction in the early elementary school grades. It also states that the assessment should not be used to prevent children's entry into kindergarten. However, it does not

explicitly address the use of the assessment for making high-stakes decisions. We have, therefore, added to the KEA definition that a KEA must not be used as a single measure for high-stakes decisions. High-stakes decisions may include, but are not limited to, dismissal of or rewards for staff and closure of programs.

Changes: We have revised the definition of KEA to provide that the KEA must not be used as a single measure for high-stakes decisions.

Priority 4: Creating Preschool Through Third Grade Approaches To Sustain Improved Early Learning Outcomes Through the Early Elementary Grades

Comment: Multiple commenters noted that they appreciated the proposed revisions to Priority 4. They added a recommendation that this priority be elevated to a competitive or absolute priority rather than an invitational priority as it was in FY 2011.

Discussion: The Departments appreciate the recommendation and have considered it in developing the notice inviting applications for the FY 2013 competition. Generally, we designate priority type in a notice inviting application. To do so in a notice of final priority binds the Departments to using the priority in the way specified in subsequent competitions. To preserve future flexibility to adjust priority designations, the Departments are not designating in this notice whether priorities are absolute, competitive preference, or invitational.

Changes: None.

Comment: One commenter suggested that we include in paragraph (c) of Priority 4 a requirement for professional development strategies that include high-quality digital resources.

Discussion: Although the Departments support the provision of professional development through high-quality digital resources, we believe adding this specific requirement would be too prescriptive and that applicants are in the best position to determine the appropriate mechanisms for providing professional development. These priorities, definitions, and selection criteria provide States the opportunity to present professional development through digital content, if they so choose, giving States and programs the flexibility to address their individual professional development needs.

Changes: None.

Comment: One commenter encouraged us to promote in Priority 4 comprehensive joint trainings of Early Childhood Educators, child care providers, and elementary educators, as well as other administrators and related personnel, and to involve families in that process.

Discussion: The Departments agree with the commenter regarding the value of joint trainings for Early Childhood Educators, elementary educators, educational leaders and specialists, and families. Priority 4 addresses the implementation of teacher preparation and professional development programs for educators, including administrators and related personnel, to improve the transition of children across the birth to third grade continuum. However, the Departments believe that the implementation of trainings and the determination of which individuals should participate in those trainings should be left to the discretion of applicants to suit their individual needs. Accordingly, we have made no change.

Changes: None.

Comment: One commenter asked that we eliminate the specific mention of Title I and Title II of the Elementary and Secondary Education Act of 1965, as amended (ESEA), and IDEA Parts B and C from the requirement in paragraph (g) of Priority 4 that applicants leverage other funds, so that LEAs are not put in the position of sacrificing other services and programs for Children with High Needs. The commenter supports a separate funding stream for new early childhood initiatives.

Discussion: We apologize for inadvertently providing two slightly different versions of Priority 4 in the NPP. In the description of changes to Priority 4, we included paragraph (g): ''Leveraging existing Federal, State, and local resources, including but not limited to funds received under Title I and Title II of ESEA, as amended, and IDEA.'' However, when we listed the proposed priorities in their entirety, Priority 4 had language at the beginning of the priority relating to leveraging resources, without naming specific funding sources, and paragraph (g) was removed. The Departments intended to take comment on the latter version, although we have considered and responded to all comments on this priority.

Although the Departments acknowledge the concern raised by the commenter about reducing funding for other programs serving Children with High Needs, the Departments are not requiring that other services be reduced or eliminated in order to fund this program. In fact, that would undermine one of the goals of this priority, which is to strengthen collaboration across systems. The final version of Priority 4 does require leveraging of funds, but it does not require any specific funding sources, nor does it require specific amounts or the reduction of funds from other programs serving Children with High Needs. Rather, States are asked to describe how they will sustain and build upon early learning outcomes by leveraging existing Federal, State, and local resources. States will have the flexibility to determine how resources are leveraged and from which sources.

Changes: None.

Comment: Several commenters recommended that Priority 4 be revised to include a reference to infants and toddlers in each of the paragraphs, to incorporate transition strategies beginning from birth.

Discussion: Our intention in writing this priority is to sustain and build upon improved child outcomes from birth to age five by focusing on the important transition from preschool to the early elementary grades. The Departments believe that continued alignment, continuity, and coordination of teaching and learning from preschool through the early elementary school years is critical to ensure that children develop the skills, knowledge, and dispositions toward learning they need to be successful in school and in life.

Throughout the RTT–ELC selection criteria, applicants have the opportunity to address transitions across the continuum of birth through kindergarten entry. Therefore, this priority extends the continuum of early learning services to third grade.

We have left the term ''preschool'' undefined to ensure that States have the flexibility to determine the age at which their strategies to improve alignment and continuity of teaching and learning begins. For these reasons, we have not added references to infants and toddlers in Priority 4. However, we have added language to clarify our intent that Priority 4 is meant to build upon States' High-Quality Plan to improve birth through age five early learning outcomes, and to sustain and extend improved early learning outcomes through the early elementary school years.

Changes: We have revised Priority 4 to add clarifying language that explains that this Priority is intended to build upon States' High-Quality Plan to improve birth through age five early learning outcomes, and to sustain and extend improved early learning outcomes through the early elementary school years.

Comment: Several commenters asked for clarification as to whether the professional development addressed in

Priority 4 applies to administrators as well as teachers.

Discussion: The Departments agree that the professional development addressed in Priority 4 should apply to administrators and related personnel as well as teachers.

Changes: We have replaced the term ''teachers'' with ''educators, administrators, and related personnel.''

Comment: One commenter suggested adding language to Priority 4 to emphasize building the capacity of families to address children's developmental and learning needs, including by engaging and informing parents and by helping families build protective factors. Specifically, the commenter recommended adding language to paragraph (b) relating to building parents' capacity to address children's needs; to paragraph (c) to include training on the importance of protective factors and effective parent engagement strategies; to paragraph (d) to include engaging and supporting families; and to paragraph (e) to include informing parents about data systems.

Discussion: The Departments agree that the proposed language is consistent with the overall purposes of the program and further clarifies our intentions. Building the capacity of families to support their children's learning and development is an important element of this program. Further, building protective factors is an important part of that family support. Protective factors are factors that increase the health and well-being of children and families and mitigate risk.[3] Research has found that successful interventions must both reduce risk factors and promote protective factors to ensure the well-being of children and families. Accordingly, we are revising paragraphs (b), (c), (d), and (e) of Priority 4.

Changes: We have revised paragraphs (b), (c), (d), and (e) of Priority 4 to add language relating to building parents' capacity to address children's needs, training on the importance of protective factors and effective parent engagement strategies, engaging and supporting families, and informing parents about data systems.

Comment: One commenter expressed support for the emphasis in Priority 4 on the importance of sustaining and building upon early learning outcomes from preschool through the early elementary school years. The commenter recommended that the activity described in paragraph (b), identifying and addressing health, behavioral, and developmental needs, be required.

Discussion: While the Departments agree as to the importance of addressing health, behavioral, and developmental needs, the activities listed in Priority 4 are optional to allow States the maximum flexibility to tailor their transition strategy to their needs. We decline to identify one activity as a requirement while leaving similarly important activities as optional.

Changes: None.

Priority 6: Encouraging Private-Sector Support

Comment: One commenter recommended that the Departments provide additional details and guidelines on the kinds of private-sector support envisioned by this priority.

Discussion: The Departments believe that there are numerous ways in which the private sector can provide financial and other resources to support the State and its Participating State Agencies or Participating Programs in the implementation of the State Plan, including contributions of funding, expertise, or resources, and collaborations with other States on leveraging and sharing private sector resources. This is an area that can best be determined by each applicant, and we encourage States to think about innovative and effective ways to partner with the private sector. Private-sector support should be described by applicants as whatever best meets their needs.

Changes: None.

Comment: None.

Discussion: As indicated previously, we have re-numbered the priority on encouraging private-sector support to Priority 6.

Changes: Priority 5, as proposed in the NPP, has been re-numbered as Priority 6.

Suggested New Priorities

Comment: One commenter suggested that a new priority be added that would support the expansion of quality early learning programs to poor, disadvantaged, or underserved children and communities, including rural and isolated communities.

Discussion: The priority suggested by this commenter is already addressed throughout the priorities and selection criteria, notably in Priority 1 and in selection criterion (B)(4), Promoting access to high-quality Early Learning and Development Programs for Children with High Needs. Also, the definition of Children with High Needs, which is used throughout the selection criteria and priorities, identifies many of the populations mentioned by the commenter, while also giving States the flexibility to identify other populations in need of additional support. Furthermore, as described earlier in this notice, we have added a priority that that would support States in meeting the unique needs of children residing in rural areas.

Changes: None.

Comment: One commenter suggested that a new priority be added to emphasize the importance of full-day kindergarten.

Discussion: While high-quality, full-day kindergarten may be an effective strategy to improve outcomes for children, particularly for Children with High Needs, we do not believe such a priority is appropriate for this program, given its focus on supporting coordinated early learning and development systems that promote increased access to high-quality early learning programs from birth to kindergarten entry.

Changes: None.

Eligibility, Application, and Program Requirements

Comment: One commenter requested that the Bureau of Indian Education (BIE) be eligible to apply for a grant under this program.

Discussion: The program authority for RTT–ELC in section 14006(a)(2) of the ARRA provides that States are the only eligible entities, and defines the term ''State'' to mean each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico. The Departments recognize the concern of the BIE and other non-eligible entities but have no authority to change the statutory definition of entities eligible to apply for this program.

Changes: None.

Comment: One commenter applauded the eligibility requirement that States have an active Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. Another commenter suggested that we ask States to identify specific practices that demonstrate alignment of efforts between the State's home visiting and early childhood programs.

Discussion: Asking States to provide the additional information suggested would not be appropriate for an eligibility requirement, as suggested by the commenter, because we use eligibility requirements only to determine whether an applicant may be considered for funding and typically do not evaluate descriptions or plans under such requirements. However, the information suggested can and should

[3] For information and resources about protective factors, see *https://www.childwelfare.gov/can/factors/protective.cfm.*

be provided under selection criterion (A)(3), Aligning and coordinating early learning and development across the State. Accordingly, we decline to make any changes.

Changes: None.

Comment: One commenter asked whether a non-profit organization is eligible to apply for the grant if it operates the MIECHV program instead of a State agency.

Discussion: Congress made only States eligible to apply for RTT–ELC grants. The MIECHV eligibility requirement should be interpreted to mean that a State may only apply if it has an active MIECHV program in the State, either through the State or through an eligible non-profit organization in compliance with the requirements of the MIECHV program. This will be further clarified in technical assistance provided to applicants.

Changes: None.

Comment: One commenter stated that the language of application requirement (e)(1) is unnecessarily restrictive because it asks that a State submit a budget that shows how it will use funds to increase the number and percentage of Early Learning and Development Programs participating in the State's TQRIS. The commenter suggested removing the language about TQRIS participation because home visiting programs would not necessarily participate in TQRIS.

Discussion: Application requirement (e)(1) requires a State to include a budget that details how the State will use grant funds to achieve targets for increasing the number and percentage of Early Learning and Development Programs participating in the State's TQRIS. The provision mentioned by the commenter would not require a home visiting program to participate in a State's TQRIS, as the commenter seems to believe. TQRIS programs in most States are limited to center or home-based early care and education settings. More importantly, this commenter's suggestion would change the purpose of this requirement from increasing TQRIS participation to simply increasing the number and percentage of early learning programs in a State. Increasing TQRIS participation is one of the primary purposes of this program.

Changes: None.

Comment: Several commenters noted their support for program requirement (a), which requires States to maintain a State Advisory Council (SAC). One commenter urged us to reconsider our decision to make this a program requirement rather than an eligibility requirement, which would require States to demonstrate that they maintain an ongoing SAC to be considered for funding.

Discussion: SAC funds will end this year at different times for different States. The Departments are, therefore, eliminating the eligibility requirement that States have an operational SAC to ensure that all States have the opportunity to apply regardless of whether they currently receive Federal funding to support the SAC. Rather, all States receiving a grant will be required to meet the SAC program requirement, without exception. This treats all States equally because a State that receives a grant will be able to use grant funds to maintain the SAC.

Changes: None.

Comment: Several commenters suggested that we revise the SAC program requirement to include representation from elementary schools to support alignment between early childhood and K–12 systems. Another commenter suggested that we require representation from the State child welfare agency.

Discussion: The SAC program requirement explicitly includes agency representatives who oversee child care work in the States. Under the SAC program requirement, States must include the State's Child Care and Development Fund administrator, State agency coordinators from both Part B section 619 and Part C of IDEA, and State agency representatives responsible for health and mental health. States may choose to include other members, including members from K–12 systems and the State child welfare agency. We also note that under Priority 4, States may demonstrate how they are supporting alignment between Early Learning and Development Programs and K–12 systems.

Changes: None.

Comment: One commenter requested that States be required to include tribal letters of support in their applications, and that tribal consultation in the development of the application be required.

Discussion: The application does not require letters of support or consultation from specific types of stakeholders, so it would not be appropriate to require only tribal letters of support or consultation. We believe that each State should be able to take their specific needs into account in obtaining letters of support or consultation. We do, however, support States consulting with tribal entities where tribal lands exist in the State. We also emphasize stakeholder engagement in numerous sections. For example, selection criterion (A)(3) asks applicants to provide evidence of meaningful stakeholder engagement in the development of the proposal and meaningful stakeholder support for the proposal, and tribes are specifically noted in this criterion. Therefore, we think that the language already addresses the commenters' suggestions and that no changes are necessary.

Changes: None.

Comment: Several commenters suggested specific requirements for the required MOUs that would enhance the involvement of State partners, including IDEA Part B section 619 and Part C programs, in the implementation of the grant. Specifically, the commenters suggested that MOUs be required to describe the ways in which: (1) Each State partner will coordinate efforts with all other partners to maximize Federal and State resources; (2) each State partner, including IDEA Parts B and C programs, will be included in the implementation of grant activities; (3) grant resources will be directed to include all State partners; (4) all partners will be involved in grant leadership and decision making; and (5) the project will evaluate and report to the Departments periodically on the implementation of all partnership efforts.

Discussion: To be eligible to apply for an RTT–ELC grant, a State must submit a binding MOU that describes each PSA's level of participation in the grant. The State agency administering IDEA Parts B and C must be included as a PSA. The MOU must include a preliminary scope of work that describes the portions of the grant the PSA will administer. Selection criterion (A)(3) describes how the applicant will be scored based on the extent to which the MOU includes terms and conditions that reflect a strong commitment to the State Plan, including terms and conditions designed to align and leverage the PSA's existing funding to support the State Plan; terms that require PSAs to implement all applicable portions of the State Plan; and a description of efforts to maximize the number of Early Learning and Development programs that become Participating Programs. We believe that these requirements and criteria address the commenters' concerns. We believe that to be more prescriptive in the manner suggested by the commenters would unnecessarily limit the flexibility of each State to determine the most productive role of each PSA.

Changes: None.

Proposed Definitions

Comment: One commenter suggested that it might be clearer and more

straightforward to use a general term such as ''federally recognized, evidence-based home visiting models'' rather than naming specific funding streams such as ''other programs that may deliver early learning and development services in a child's home, such as the MIECHV; Early Head Start; and Part C of IDEA.'' Similarly, this commenter suggested adding ''federally recognized, evidence-based home visiting models'' to the definition of Early Learning Intermediary Organization (ELIO).

Discussion: The Departments do not use the term ''federally recognized'' home visiting models, although HHS has identified some models as ''meeting standards for evidence of effectiveness.'' The change suggested by the commenter would be far more restrictive than the language of our proposed definition because it would limit the definition of home-based services to only those that are identified by HHS as evidence based. We intended this definition to include the wide variety of services that might be provided to children in the home and, therefore, decline to make the changes suggested.

Regarding the suggested addition to the definition of ELIO, we believe that the proposed language would be inconsistent with the meaning of the term, which refers to national, statewide, regional, or community-based organizations that represent networks of Early Learning and Development Programs.

Changes: None.

Comment: Several changes were suggested to the definition of Children with High Needs. One commenter suggested that the term ''English learner'' should be replaced with ''Dual Language Learner.'' Another commenter suggested that we add a reference to children who are lead poisoned to the definition, because children who are lead poisoned are not always categorized as children with disabilities. A third commenter suggested that the definition should be less broad and should provide for the consideration of factors such as parental education, age, and family structure when determining whether a child meets the definition.

Discussion: The Departments agree with the first commenter that dual language instruction should be supported. However, we believe it is important to maintain a consistent use of terminology across programs, and English learner is the term used in similar programs at ED, such as the Enhanced Assessment Grant (EAG) and Race to the Top—District programs.

Regarding the second comment, the Departments believe that the risks posed by lead poisoning can be adequately addressed by applicants in selection criterion (C)(3). Furthermore, the definition of Children with High Needs includes ''other children as identified by the State,'' so States can address additional needs as appropriate.

Regarding the third comment, the definition of Children with High Needs includes

> children from birth through kindergarten entry who are from Low-Income families or otherwise in need of special assistance and support, including children who have disabilities or developmental delays; who are English learners; who reside on ''Indian lands'' as that term is defined by section 8013(7) of ESEA; who are migrant, homeless, or in foster care; and other children identified by the State.

This definition allows States to identify other at-risk children and States may consider factors that include education, family structure, disability, language, and parental age. The Departments have deliberately kept this definition broad so that States have the flexibility to address a wide range of children's needs as appropriate for their populations. We therefore decline to limit the definition.

Changes: None.

Comment: One commenter suggested adding to the definitions of KEA, Program Standards, and Workforce Knowledge and Competency Frameworks language relating to family engagement and building children's protective factors that would enhance the capacity of families to support their children's learning and development. The commenter suggested adding language to the definition of KEA relating to informing parents about their children's learning development and involving them in decisions about their children's education. The commenter also suggested revising the definition of Program Standards to require ''culturally and linguistically responsive'' strategies that are used to help families build protective factors and build their capacity to support children's development and learning. Finally, the commenter suggested adding an additional paragraph to the definition of Workforce Knowledge and Competency Frameworks relating to knowledge of protective factors and effective approaches to building families' capacity to promote children's development and learning.

Discussion: The Departments support the goal of building the capacity of families to support their children's education. The suggested changes to the definitions are consistent with the goals of the program and help to further clarify the definitions and therefore we have made them. The Departments believe that research has demonstrated the importance of family capacity-building and protective factors, so it is appropriate to address those concerns in these priorities, definitions, and selection criteria.

Changes: We have added language to the definition of KEA relating to informing parents about their children's learning development and involving them in decisions about their children's education. We have revised the definition of Program Standards to specify that strategies for engaging families must be culturally and linguistically responsive and that these strategies would include helping families build protective factors and building families' capacity to support children's development and learning. We added a paragraph to the definition of Workforce Knowledge and Competency Frameworks relating to knowledge of protective factors and effective approaches to building families' capacity to promote children's development and learning.

Selection Criterion A: Successful State Systems

Comment: One commenter commended our proposal to require that a State ''achieve its ambitious yet achievable targets for increasing the number and percentage of Children with High Needs who are enrolled in Early Learning Programs that are in the top tiers of the State's TQRIS.'' The commenter recommended, however, that we revise the selection criteria to require that States, in addition to disaggregating their TQRIS data by socioeconomic status, also disaggregate the TQRIS data by race and ethnicity.

Discussion: We agree with the commenters about the importance of disaggregating data by race and ethnicity and have considered ways to request this data that would not be burdensome to States. We developed a request for data on participation of children by race and ethnicity that is consistent with the other types of data requested and that we believe will not be burdensome. The request does not break down ethnicity within different types of Early Learning and Development Programs, nor does it require a breakdown of race and ethnicity data by program ratings in the TQRIS. Rather, we are asking for data we believe that States will have readily available in their data systems.

Changes: We have revised selection criterion (A)(1) to provide for States to submit data on the participation of children by race and ethnicity in a data table.

Comment: Several commenters requested that the priorities,

requirements, definitions, and selection criteria reflect an integrative and collaborative approach among State and local education, health, and human services agencies. Another commenter suggested that we encourage States to review existing Federal grant opportunities and initiatives in their States, consider opportunities for building synergies to improve outcomes for Children with High Needs, and involve agencies implementing other Federal programs in implementation of the grant.

Discussion: We believe the proposed selection criteria address the commenters' concerns. Specifically, selection criterion (A)(3) scores applicants on their proposals for alignment and coordination of early learning and development across the State. Applicants must identify a governance structure that facilitates interagency coordination and builds upon existing early learning structures such as councils and commissions. Furthermore, the required PSAs come from agencies that administer a combination of education, child and maternal health, and human services programs. Finally, applicants must demonstrate commitment and participation of a broad group of stakeholders in the early learning community in selection criterion (A)(3)(c). In our experience working with the current 14 RTT–ELC grantees, these criteria and requirements have resulted in strong collaborative efforts across education, health, and human services agencies at the State level.

Changes: None.

Comment: One commenter inquired whether the Departments had a definition for ''significant amount'' as used in selection criterion (A)(4)(b)(3)(''demonstrates that a significant amount of funding will be devoted to the local implementation of the State Plan'').

Discussion: The term ''significant amount'' is not defined because the Departments believe that applicants need the flexibility to describe what constitutes significant in the context of their application and that determining what is a significant amount is a judgment that can be reasonably made by applicants and reviewers. The Departments will also address this in technical assistance provided to applicants and reviewers.

Changes: None.

Comment: One commenter recommended that applicants be required to submit an MOU signed by one or more statewide early learning non-profit organizations to demonstrate that the applicant is building strong relationships with non-profit organizations.

Discussion: As described in selection criterion (A)(3), States will receive points for demonstrating broad stakeholder support, but an MOU is not required. Given that MOUs are already required for all PSAs, we believe that to require an MOU for every relationship between State agencies and non-profit organizations is unnecessarily burdensome and restrictive. State agencies and non-profit organizations may prefer to use other formal or informal mechanisms to memorialize partnerships and support.

Changes: None.

Comment: Several commenters suggested additions to the list of potential stakeholders in selection criterion (A)(3)(c)(2). One commenter recommended that public television stations be added to the list. Another commenter recommended that ''State and local Strengthening Families Leadership Teams'' and ''administrators of State Title V MCH Block Grant Programs'' be added to the list.

Discussion: The Departments recognize the role of public television stations as partners in early learning initiatives. While such partnerships remain at the discretion of States, applicants are welcome to seek out such partnerships, and, in fact, some existing RTT–ELC grantees have done so. Because public television stations are entities that applicants might not consider reaching out to or partnering with, we believe they should be added to the list as an illustrative example. However, we think the other two suggestions are too specific for the context of this list, in that they reference specific programs and models. The use of ''such other stakeholders as'' is intended to allow for any and all other stakeholders as desired by the State.

Changes: We have revised selection criterion (A)(3)(c)(2) to include public television stations in the illustrative list of potential stakeholders.

Comment: Several commenters suggested that we require States to demonstrate whether or not they have cut reimbursement rates for providers in the Child Care Development Fund (CCDF) and describe their commitment to maintaining or increasing provider reimbursement rates in order to ensure sustainability of reform efforts.

Discussion: In its application, a State must demonstrate how it will improve the quality of Early Learning and Development Programs by integrating and aligning resources and policies across PSAs and by designing and implementing a common, statewide TQRIS. In demonstrating ''successful state Systems'' under selection criterion (A)(1), the State must provide evidence of past commitment to and investment in high-quality, accessible Early Learning and Development Programs, including documentation of the past five years of financial investments, as well as its existing legislation, policies, and practices in this area. Selection criterion (A)(1)(a) specifically requests information on the State's investment in early learning, including State contributions and match for CCDF. In addition, selection criterion (B)(2)(b) asks States to describe how they will implement effective policies and practices designed to help more families afford high-quality child care (e.g., maintaining or increasing subsidy reimbursement rates, or establishing differential or tiered reimbursement rates for higher quality providers).

While States will be evaluated on their prior commitments, including their contributions for CCDF, and their plans to align and leverage other sources of funding, it is not reasonable to demand that States commit to maintaining their current reimbursement rate for CCDF. Many factors go into that decision and it is not within the authority of this program to demand a specific level of commitment under another program. Furthermore, the proposed approach does not address whether rates are sufficient to provide access to high-quality care, which is difficult to measure. A requirement that rates be maintained or increased does not address a State's starting point and could potentially advantage a State that maintains low rates. Furthermore, payment rates are only one aspect of subsidy administration. States can also significantly impact the value of a subsidy and who receives it through their family co-payment and eligibility policies.

Changes: None.

Selection Criterion B: High-Quality, Accountable Programs

Comment: Several commenters recommended revising selection criterion (B)(2) to require States to set a goal of full participation in TQRIS for all licensed or regulated early learning programs in the State.

Discussion: Selection criterion (B)(2) asks States to describe how they will reach the goal of having all publicly funded Early Learning and Development Programs participate in TQRIS, including State-funded preschool programs, Early Head Start and Head Start programs, programs receiving CCDF funds, and programs funded under Parts B and C of IDEA and Title I of ESEA. In contrast, Priority 2 asks

States to describe their plans to have all licensed or State-regulated programs participate in their TQRIS, which is more ambitious than requiring participation of all publicly funded programs. The commenters' recommendation would change selection criterion (B)(2) to reflect this more ambitious goal. While we support the goal of having all State-licensed and regulated programs participate in TQRIS, we intended selection criterion (B)(2) to allow States more flexibility to determine ambitious but achievable goals that take into account the status of TQRIS in their State, while giving more ambitious States an opportunity to receive additional points in Priority 2. We believe that this balance provides the greatest flexibility for States while providing incentives to States to establish more ambitious goals for participation in TQRIS. Accordingly, we decline to change this selection criterion in the manner suggested.

Changes: None.

Comment: Several commenters suggested that the Departments make clear that States, in their validation studies as described in selection criterion (B)(5), should examine whether the tiers of TQRIS accurately reflect the differential levels of program quality before researching the relationship between program quality and child outcomes, in order to ensure that validation plans are meaningful and valid in the context of where States are in their development of TQRIS.

Discussion: We think the commenters' concerns are best addressed through technical assistance and guidance from the Departments once awards are made. States that receive grants are required under program requirement (d)(4) to submit their plans for validation to both Departments for review and feedback. This feedback ensures that a State is developing a validation plan that is appropriate for where the State is in its TQRIS development.

Changes: None.

Comment: One commenter asked that the Departments ensure that program standards used by TQRIS are well researched and evidence based and tie directly to the growth and development of children.

Discussion: Selection criterion (B)(1) asks States to demonstrate that their TQRIS have standards that are measurable, meaningfully differentiate program quality levels, and reflect high expectations of program excellence commensurate with national standards that lead to improved learning outcomes for children. This criterion is already consistent with what the commenter is requesting. Technical assistance will be provided to ensure that the validation plans for each State's TQRIS are of the highest quality.

Changes: None.

Comment: One commenter recommended adding language to selection criterion (B)(4) and (B)(5) to encourage States to build on Federal opportunities and draw on promising practices to help families build protective factors and that we emphasize child welfare-early learning partnerships to ensure the developmental needs of young children are met. Specifically, the commenter suggested adding a paragraph to selection criterion (B)(4) to measure the extent to which States have a plan to build early learning and child welfare partnerships to ensure that the developmental needs of young children are met, including coordinating with other federally funded opportunities that help families build protective factors. The commenter also recommended adding language to selection criterion (B)(5) to address whether changes in quality ratings are related to progress in building protective factors, engaging families, and building parent capacity.

Discussion: The Departments believe that the overall purpose of RTT–ELC already encourages States to build on Federal opportunities and promising practices to help families build protective factors. In selection criterion (B)(4), the suggested language is too specific for the context of the criterion, and to add one specific strategy for improving the quality of early learning programs without specifying others would be problematic because we do not intend to prioritize one specific strategy over other possible strategies. In selection criterion (B)(5), we do not believe the TQRIS validation process will allow for States to demonstrate a direct correlation between the suggested items (building protective factors, family engagement, and building parent capacity) and changes in quality ratings.

Changes: None.

Selection Criterion C: Promoting Early Learning and Development Outcomes for Children

Comment: One commenter suggested that a paragraph be added to selection criterion C to address the extent to which a State provides curricula and related content and materials aligned to State standards that are proven effective in improving early literacy and other skills by leveraging existing resources, engaging educators and families, and identifying the appropriate platforms for content, including high-tech digital platforms.

Discussion: Although the Departments support the ideas expressed in this recommendation, this program emphasizes State systems of early learning and development, rather than the development of curricula and the delivery of content. Because curriculum development is not an emphasis of this program, we believe flexibility in this area is best left to the discretion of States and local providers. For that reason, we decline to make the suggested change.

Changes: None.

Comment: One commenter recommended including a section that addresses training Early Childhood Educators in child development and implementation of research-based instructional tools, strategies, programs, and techniques to specifically address the needs of Children with High Needs through developmentally appropriate differentiated instruction.

Discussion: The Departments recognize that training for Early Childhood Educators of Children with High Needs should include training in child development and implementation of research-based instructional tools, strategies, programs, and techniques that include developmentally appropriate differentiated instruction. However, the Departments do not believe a unique section needs to be added to address this request as multiple priorities and selection criteria already address these areas. For example, Priority 4 provides for alignment of kindergarten-through-third-grade standards with States' Early Learning and Development Standards. Selection criteria (A)(2)(a), (B)(1)(a)(1), (B)(4)(2), and (D)(2)(a) and (b) each provide an opportunity for States to discuss how child development knowledge on early learning and development will be linked to training, professional development, and research-based knowledge supporting Children with High Needs.

Changes: None.

Comment: Several commenters asked that we require States to describe how they have enhanced or will enhance early learning standards for English learners to reflect current research on the importance of supporting a child's first language.

Discussion: Selection criterion (C)(1) asks States to describe how, and provide evidence that, its Early Learning and Development Standards are developmentally, culturally, and linguistically appropriate across each age group of infants, toddlers, and preschoolers, and that they cover all Essential Domains of School Readiness. The list of evidence required for

selection criterion (C)(1) requests documentation that standards are appropriate for English learners. Although the Departments recognize the importance of supporting a child's first language, we do not believe it is advisable to impose specific requirements on Early Learning and Development Standards relating to English learners that would restrict a State's flexibility in this area.

Changes: None.

Comment: One commenter recommended adding language to the selection criteria that would support family engagement and enhance families' capacity to support children's learning and development. In selection criterion (C)(1)(c), the suggested language would include evidence that Early Learning and Development Standards are shared with families along with appropriate strategies they can use at home to support children's learning and development. In selection criterion (C)(2), the suggested language would require States to work with Early Learning and Development Programs to select appropriate instruments and to identify approaches for soliciting information from parents and articulate guidelines for sharing data with parents and involving parents in educational decision making. In selection criterion (C)(3), the suggested language would involve helping parents to support children's physical, social, and emotional health and to promote healthy eating habits at home. In selection criterion (C)(4), the suggested language relates to helping families build protective factors and adds language about family resource centers, family support networks, and community-based child abuse prevention programs.

Discussion: In general, the addition of the proposed language to selection criterion (C)(1) through (4) is consistent with our intent and the purpose of the program, which includes building the capacity of families to support the early learning and development of Children with High Needs. We are revising the selection criterion accordingly.

Changes: The Departments have revised selection criterion (C)(1)(c) to provide for the applicants to address whether their high-quality Early Learning and Development Plans are shared with parents and families along with suggestions for appropriate strategies they can use at home to support their children's learning and development. We have added paragraph (e) to selection criterion (C)(2) to provide language relating to States' plans to work with programs to select assessment instruments and approaches that are appropriate for soliciting information from families and articulating guidelines for sharing data and involving families in educational decision making. We have revised selection criterion (C)(3) to ask States how they will build families' capacity to support children's physical, social, and emotional health and to promote healthy eating habits at home. We have revised selection criterion (C)(4) to include helping families build protective factors and add language about family resource centers, family support networks, and community-based child abuse prevention programs.

Comment: One commenter stated that selection criterion (C)(3), which relates to health promotion, should be required rather than an optional Focused Investment Area.

Discussion: In 2011, the Departments gave careful consideration to which sections of the selection criteria should be required and which should be optional. While we consider all portions of selection criteria C, D, and E critical to implementing successful early learning reforms, we also recognize that States might not be able to implement all of these areas of the program well. Because we have no basis to single out selection criterion (C)(3) as more important than the other parts of C, D, and E that are also optional, we have chosen to maintain the structure of the Core and Focused Investment Areas.

Changes: None.

Selection Criterion D: A Great Early Childhood Education Workforce

Comment: One commenter expressed concern that RTT–ELC should focus on early childhood program leaders in addition to teachers, and that individuals with leadership responsibilities should have in-service and pre-service requirements that include knowledge of child development and instruction and assessment practices that address the developmental needs of young children. According to the commenter, pre-service and in-service professional development should include knowledge of child development and learning, what is individually appropriate, and what is culturally important.

Discussion: Professional development for individuals with leadership responsibilities is already included throughout the selection criteria. In particular, selection criterion D, which addresses workforce development, applies to Early Childhood Educators, and the definition of Early Childhood Educators explicitly includes administrators, directors, supervisors, and other leaders, in addition to teachers. Furthermore, selection criterion (D)(1) asks States to describe their plan to develop a Workforce Knowledge and Competency Framework that is designed to promote children's learning and development and improve child outcomes, as well as a statewide progression of credentials and degrees aligned with this framework. The definition of a Workforce Knowledge and Competency Framework includes the concepts mentioned by this commenter.

Changes: None.

Comment: One commenter suggested that we add language to selection criterion (D)(1)(c) that would include public television stations with experience providing multiplatform programming and services as a specific professional development provider and that we add language to selection criterion (D)(2) that would require professional development opportunities to be accessible through high-quality multiplatform digital content and services.

Discussion: The Departments believe that these changes are too specific with regard to content delivery and that decisions regarding specific types of providers or content delivery are best left to applicants. That said, nothing in the requirements of this program would prevent grantees from focusing on these areas.

Changes: None.

Comment: One commenter recommended adding language to selection criterion (D)(2)(b) regarding training on differentiated instruction for diverse learners.

Discussion: Selection criterion (D)(2)(b) asks the applicant to describe policies and incentives to promote professional improvement and career advancement in the State's workforce. In selection criterion (D)(2), States are asked to describe a High-Quality Plan that targets Early Childhood Educators' effectiveness in working with Children with High Needs. The Departments recognize that one of many approaches Early Childhood Educators could use with Children with High Needs is differentiated instruction for diverse learners. However, the determination of specific educational strategies is typically made by Early Learning and Development Programs—not by the State.

Changes: None.

Selection Criterion E: Measuring Outcomes and Progress

Comment: One commenter encouraged the Departments to determine benchmark measures to reduce the reliance on assessment at

kindergarten entry and provide opportunities for mid-point correction between birth and age five. The commenter further recommended the Departments consider how to support more cross-State development of KEAs.

Discussion: This program supports Comprehensive Assessment Systems that provide many opportunities for formative assessment that can help inform ''mid-point correction'' strategies as determined by the State for children from birth through age five. The Departments believe it would be overly prescriptive to establish benchmark measures. The commenter's recommendation regarding cross-State development of KEAs is being addressed by ED's FY 2013 EAG program, which will support the development or enhancement of a KEA that is aligned with States' early learning and development standards and that covers all of the Essential Domains of School Readiness. This year's EAG program gives priority to early learning collaborative efforts among States in developing these assessments.

Changes: None.

Comment: One commenter suggested that selection criterion (E)(2)(d) be modified to include language on sharing information with parents and other stakeholders.

Discussion: The Departments agree with the purpose of the suggested modification.

Change: The suggested language has been added to selection criterion (E)(2)(d) to include sharing information on the State's early learning data system with parents and other community stakeholders.

Final Priorities: The Secretaries establish six priorities. The Departments may apply one or more of these priorities in any year in which a competition for program funds is held.

Priority 1: Promoting School Readiness for Children With High Needs

To meet this priority, the State's application must comprehensively and coherently address how the State will build a system that increases the quality of Early Learning and Development Programs for Children with High Needs so that they enter kindergarten ready to succeed.

The State's application must demonstrate how it will improve the quality of Early Learning and Development Programs by integrating and aligning resources and policies across Participating State Agencies and by designing and implementing a common, statewide Tiered Quality Rating and Improvement System. In addition, to achieve the necessary reforms, the State must make strategic improvements in those areas that will most significantly improve program quality and outcomes for Children with High Needs. Therefore, the State must address those criteria from within each of the Focused Investment Areas (sections (C) Promoting Early Learning and Development Outcomes for Children, (D) A Great Early Childhood Education Workforce, and (E) Measuring Outcomes and Progress) that it believes will best prepare its Children with High Needs for kindergarten success.

Priority 2: Including All Early Learning and Development Programs in the Tiered Quality Rating and Improvement System

Priority 2 is designed to increase the number of children from birth to kindergarten entry who are participating in programs that are governed by the State's licensing system and quality standards, with the goal that all licensed or State-regulated programs will participate. The State will meet this priority based on the extent to which the State has in place, or has a High-Quality Plan to implement no later than June 30th of the fourth year of the grant—

(a) A licensing and inspection system that covers all programs that are not otherwise regulated by the State and that regularly care for two or more unrelated children for a fee in a provider setting; provided that if the State exempts programs for reasons other than the number of children cared for, the State may exclude those entities and reviewers will determine whether an applicant has met this priority only on the basis of non-excluded entities; and

(b) A Tiered Quality Rating and Improvement System in which all licensed or State-regulated Early Learning and Development Programs participate.

Priority 3: Understanding the Status of Children's Learning and Development at Kindergarten Entry

To meet this priority, the State must, in its application, address selection criterion (E)(1) and earn a score of at least 70 percent of the maximum points available for that criterion.

Priority 4: Creating Preschool Through Third Grade Approaches To Sustain Improved Early Learning Outcomes Through the Early Elementary Grades

Priority 4 is designed to build upon the State's High-Quality Plan to improve birth through age five early learning outcomes, and to sustain and extend improved early learning outcomes through the early elementary school years, including by leveraging existing Federal, State, and local resources. The State will meet this priority based on the extent to which it describes a High-Quality Plan to improve the overall quality, alignment, and continuity of teaching and learning to serve children from preschool through third grade through such activities as—

(a) Enhancing the State's kindergarten-through-third-grade standards to align them with the State's Early Learning and Development Standards across all Essential Domains of School Readiness;

(b) Identifying and addressing the health, behavioral, and developmental needs of Children with High Needs from preschool through third grade, and building families' capacity to address these needs;

(c) Implementing teacher preparation and professional development programs and strategies that emphasize developmental science and the importance of protective factors, pedagogy, and the delivery of developmentally appropriate content, strategies for identifying and addressing the needs of children experiencing social and emotional challenges, and effective family engagement strategies for educators, administrators, and related personnel serving children from preschool through third grade;

(d) Implementing model systems of collaboration both within and between Early Learning and Development Programs and elementary schools to engage and support families and improve all transitions for children across the birth through third grade continuum;

(e) Building or enhancing data systems to monitor the status of children's learning and development from preschool through third grade to inform families and support student progress in meeting critical educational benchmarks in the early elementary grades; and

(f) Other efforts designed to increase the percentage of children who are able to read and do mathematics at grade level by the end of the third grade.

Priority 5: Addressing the Needs of Children in Rural Areas

The State will meet this priority based on the extent to which it describes:

(a) How it will implement approaches to address the unique needs (e.g., limited access to resources) of children in rural areas, including rural areas with small populations; and

(b) How these approaches are designed to close educational and

opportunity gaps for Children with High Needs, increase the number and percentage of Low-Income children who are enrolled in high-quality Early Learning and Development Programs; and enhance the State's integrated system of high-quality early learning programs and services.

Priority 6: Encouraging Private-Sector Support

The State will meet this priority based on the extent to which it describes how the private sector will provide financial and other resources to support the State and its Participating State Agencies or Participating Programs in the implementation of the State Plan.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Final Requirements

I. *Eligibility Requirements:* The Secretaries establish the following requirements a State must meet in order to be eligible to receive funds under this competition. We may apply one or more of these requirements in any year in which this program is in effect.

States must meet the following requirements:

(a) The State has not previously received an RTT–ELC grant.

(b) The Lead Agency must have executed with each Participating State Agency a memorandum of understanding (MOU) or other binding agreement that the State must attach to its application, describing the Participating State Agency's level of participation in the grant. At a minimum, the MOU or other binding agreement must include an assurance that the Participating State Agency agrees to use, to the extent applicable—

(1) A set of statewide Early Learning and Development Standards;

(2) A set of statewide Program Standards;

(3) A statewide Tiered Quality Rating and Improvement System; and

(4) A statewide Workforce Knowledge and Competency Framework and progression of credentials.

(c) There must be an active Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program in the State, either through the State under section 511(c) of Title V of the Social Security Act, as added by section 2951 of the Affordable Care Act of 2010 (Pub. L. 111–148), or through an eligible non-profit organization under section 511(h)(2)(B).

II. *Application Requirements:* The Secretaries establish the following application requirements for the application a State would submit for funding under this competition. We may apply one or more of these requirements in any year in which this program is in effect.

Each applicant must meet the following application requirements:

(a) The State's application must be signed by the Governor or an authorized representative; an authorized representative from the Lead Agency; and an authorized representative from each Participating State Agency.

(b) The State must submit a certification from the State Attorney General or an authorized representative that the State's description of, and statements and conclusions in its application concerning, State law, statute, and regulation are complete and accurate and constitute a reasonable interpretation of State law, statute, and regulation.

(c) The State must complete the budget spreadsheets that are provided in the application package and submit the completed spreadsheet as part of its application. These spreadsheets should be included on the CD or DVD that the State submits as its application.

(d) The State must submit preliminary scopes of work for each Participating State Agency as part of the executed MOU or other binding agreement. Each preliminary scope of work must describe the portions of the State's proposed plans that the Participating State Agency is agreeing to implement. If a State is awarded an RTT–ELC grant, the State will have up to 90 days to complete final scopes of work for each Participating State Agency.

(e) The State must include a budget that details how it will use grant funds awarded under this competition, and funds from other Federal, State, private, and local sources to achieve the outcomes of the State Plan (as described in selection criterion (A)(4)(a)), and how the State will use funds awarded under this program to—

(1) Achieve its ambitious yet achievable targets for increasing the number and percentage of Early Learning and Development Programs that are participating in the State's Tiered Quality Rating and Improvement System (as described in selection criterion (B)(2)(c)); and

(2) Achieve its ambitious yet achievable targets for increasing the number and percentage of Children with High Needs who are enrolled in Early Learning and Development Programs that are in the top tiers of the State's Tiered Quality Rating and Improvement System (as described in selection criterion (B)(4)(c)).

(f) The State must provide an overall summary for the State Plan and a rationale for why it has chosen to address the selected criteria in each Focused Investment Area, including—

- How the State's choices build on its progress to date in each Focused Investment Area (as outlined in Tables (A)(1)6–13 and the narrative under (A)(1)); and
- Why these selected criteria will best achieve the State's ambitious yet achievable goals for improving program quality, improving outcomes for Children with High Needs statewide, and closing the educational gaps between Children with High Needs and their peers.

(g) The State, within each Focused Investment Area, must select and address—

- Two or more selection criteria within Focused Investment Area (C) Promoting Early Learning and Development Outcomes for Children; and
- One or more selection criteria within Focused Investment Areas (D) A Great Early Childhood Education Workforce and (E) Measuring Outcomes and Progress.

(h) Where the State is submitting a High-Quality Plan, the State must include in its application a detailed plan that is feasible and includes, but need not be limited to—

(1) The key goals;

(2) The key activities to be undertaken; the rationale for the activities; and, if applicable, where in the State the activities will be initially implemented, and where and how they will be scaled up over time to

eventually achieve statewide implementation;

(3) A realistic timeline, including key milestones, for implementing each key activity;

(4) The party or parties responsible for implementing each activity and other key personnel assigned to each activity;

(5) Appropriate financial resources to support successful implementation of the plan;

(6) The information requested as supporting evidence, if any, together with any additional information the State believes will be helpful to peer reviewers in judging the credibility of the plan;

(7) The information requested or required in the performance measures, where applicable;

(8) How the State will address the needs of the different types of Early Learning and Development Programs, if applicable; and

(9) How the State will meet the unique needs of Children with High Needs.

III. *Program Requirements:* The Secretaries establish the following program requirements for States receiving funds under this competition. We may apply one or more of these requirements in any year in which this program is in effect.

(a) The State must have an operational State Advisory Council on Early Childhood Education and Care that meets the requirements described in section 642B(b) of the Head Start Act (42 U.S.C. 9837(b)). In addition, the State Advisory Council on Early Childhood Education and Care must include the State's Child Care and Development Fund (CCDF) administrator, State agency coordinators from both Part B section 619 and Part C of IDEA, and State agency representatives responsible for health and mental health.

(b) The State must continue to participate in the programs authorized under section 619 of Part B of IDEA and Part C of IDEA and in the CCDF program.

(c) States must continue to have an active MIECHV program (pursuant to section 511 of Title V of the Social Security Act, as added by section 2951 of the Affordable Care Act of 2010 (Pub. L. 111–148)) for the duration of the grant, whether operated by the State or by an eligible non-profit organization.

(d) The State is prohibited from spending funds from the grant on the direct delivery of health services.

(e) The State must participate in RTT–ELC grantee technical assistance activities facilitated by ED or HHS, individually or in collaboration with other State grantees in order to share effective program practices and solutions and collaboratively solve problems, and must set aside $400,000 from its grant funds for this purpose.

(f) The State must—

(1) Comply with the requirements of any evaluation sponsored by ED or HHS of any of the State's activities carried out with the grant;

(2) Comply with the requirements of any cross-State evaluation—as part of a consortium of States—of any of the State's proposed reforms, if that evaluation is coordinated or funded by ED or HHS, including by using common measures and data collection instruments and collecting data necessary to the evaluation;

(3) Together with its independent evaluator, if any, cooperate with any technical assistance regarding evaluations provided by ED or HHS. The purpose of this technical assistance will be to ensure that the validation of the State's Tiered Quality Rating and Improvement System and any other evaluations conducted by States or their independent evaluators, if any, are of the highest quality and to encourage commonality in approaches where such commonality is feasible and useful;

(4) Submit to ED and HHS for review and comment its design for the validation of its Tiered Quality Rating and Improvement System (as described in selection criterion (B)(5)) and any other evaluations of activities included in the State Plan, including any activities that are part of the State's Focused Investment Areas, as applicable; and

(5) Make widely available through formal (e.g., peer-reviewed journals) or informal (e.g., newsletters) mechanisms, and in print or electronically, the results of any evaluations it conducts of its funded activities.

(g) The State must have a longitudinal data system that includes the 12 elements described in section 6401(e)(2)(D) of the America COMPETES Act by the date required under the State Fiscal Stabilization Fund (SFSF) grant and in accordance with Indicator (b)(1) of its approved SFSF plan.

(h) The State must comply with the requirements of all applicable Federal, State, and local privacy laws, including the requirements of the Family Educational Rights and Privacy Act, the Health Insurance Portability Accountability Act, and the privacy requirements in IDEA, and their applicable regulations.

(i) The State must ensure that the grant activities are implemented in accordance with all applicable Federal, State, and local laws.

(j) The State must provide researchers with access, consistent with the requirements of all applicable Federal, State, and local privacy laws, to data from its Tiered Quality Rating and Improvement System and from the Statewide Longitudinal Data System and the State's coordinated early learning data system (if applicable) so that they can analyze the State's quality improvement efforts and answer key policy and practice questions.

(k) Unless otherwise protected as proprietary information by Federal or State law or a specific written agreement, the State must make any work (e.g., materials, tools, processes, systems) developed under its grant freely available to the public, including by posting the work on a Web site identified or sponsored by ED or HHS. Any Web sites developed under this grant must meet government or industry-recognized standards for accessibility (*www.section508.gov/*).

(l) Funds made available under an RTT–ELC grant must be used to supplement, not supplant, any Federal, State, or local funds that, in the absence of the funds awarded under this grant, would be available for increasing access to and improving the quality of Early Learning and Development Programs.

(m) For a State that is awarded an RTT–ELC grant, the State will have up to 90 days from the grant award notification date to complete final scopes of work for each Participating State Agency. These final scopes of work must contain detailed work plans that are consistent with their corresponding preliminary scopes of work and with the State's grant application, and must include the Participating State Agency's specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures for the portions of the State's proposed plans that the Participating State Agency is agreeing to implement.

IV. *Budget Requirements:* The Secretaries establish the following budget requirements for States receiving funds under this competition. We may apply these requirements in any year in which this program is in effect.

Category 1—Up to $75 million—Florida, New York, Texas.

Category 2—Up to $52.5 million—Arizona, Georgia, Michigan, Pennsylvania.

Category 3—Up to $45 million—Alabama, Indiana, Kentucky, Louisiana, Missouri, New Jersey, Oklahoma, Puerto Rico, South Carolina, Tennessee, Virginia.

Category 4—Up to $37.5 million—Alaska, Arkansas, Connecticut, District of Columbia, Hawaii, Idaho, Iowa, Kansas, Maine, Mississippi, Montana, Nebraska, New Hampshire, Nevada, North Dakota, South Dakota, Utah, Vermont, West Virginia, Wyoming.

The State must include in its budget the amount of funds it intends to distribute through memoranda of understanding (MOUs), interagency agreements, contracts, subgrants, or other mechanisms authorized by State procurement laws, to localities, Early Learning Intermediary Organizations, Participating Programs, or other partners.

The State must set aside $400,000 from its grant funds for the purpose of participating in RTT–ELC grantee technical assistance activities facilitated by ED or HHS.

Final Definitions: The Secretaries establish the following definitions for this program. We may apply one or more of these definitions in any year in which this program is in effect.

Children with High Needs means children from birth through kindergarten entry who are from Low-Income families or otherwise in need of special assistance and support, including children who have disabilities or developmental delays; who are English learners; who reside on ''Indian lands'' as that term is defined by section 8013(7) of the Elementary and Secondary Education Act of 1965, as amended (ESEA); who are migrant, homeless, or in foster care; and other children as identified by the State.

Common Education Data Standards (CEDS) means voluntary, common standards for a key set of education data elements (e.g., demographics, program participation, transition, course information) at the early learning, K–12, and postsecondary levels developed through a national collaborative effort being led by the National Center for Education Statistics. CEDS focus on standard definitions, code sets, and technical specifications of a subset of key data elements and are designed to increase data interoperability, portability, and comparability across Early Learning and Development Programs and agencies, States, local educational agencies, and postsecondary institutions.

Comprehensive Assessment System means a coordinated and comprehensive system of multiple assessments, each of which is valid and reliable for its specified purpose and for the population with which it will be used, that organizes information about the process and context of young children's learning and development in order to help Early Childhood Educators make informed instructional and programmatic decisions and that conforms to the recommendations of the National Research Council reports on early childhood.

A Comprehensive Assessment System includes, at a minimum—

(a) Screening Measures;

(b) Formative Assessments;

(c) Measures of Environmental Quality; and

(d) Measures of the Quality of Adult-Child Interactions.

Data System Oversight Requirements means policies for ensuring the quality, privacy, and integrity of data contained in a data system, including—

(a) A data governance policy that identifies the elements that are collected and maintained; provides for training on internal controls to system users; establishes who will have access to the data in the system and how the data may be used; sets appropriate internal controls to restrict access to only authorized users; sets criteria for determining the legitimacy of data requests; establishes processes that verify the accuracy, completeness, and age of the data elements maintained in the system; sets procedures for determining the sensitivity of each inventoried element and the risk of harm if those data were improperly disclosed; and establishes procedures for disclosure review and auditing; and

(b) A transparency policy that informs the public, including families, Early Childhood Educators, and programs, of the existence of data systems that house personally identifiable information, explains what data elements are included in such a system, enables parental consent to disclose personally identifiable information as appropriate, and describes allowable and potential uses of the data.

Early Childhood Educator means any professional working in an Early Learning and Development Program, including but not limited to center-based and family child care providers; infant and toddler specialists; early intervention specialists and early childhood special educators; home visitors; related services providers; administrators such as directors, supervisors, and other early learning and development leaders; Head Start teachers; Early Head Start teachers; preschool and other teachers; teacher assistants; family service staff; and health coordinators.

Early Learning and Development Program means any (a) State-licensed or State-regulated program or provider, regardless of setting or funding source, that provides early care and education for children from birth to kindergarten entry, including, but not limited to, any program operated by a child care center or in a family child care home; (b) preschool program funded by the Federal Government or State or local educational agencies (including any IDEA-funded program); (c) Early Head Start and Head Start program; and (d) a non-relative child care provider who is not otherwise regulated by the State and who regularly cares for two or more unrelated children for a fee in a provider setting. A State should include in this definition other programs that may deliver early learning and development services in a child's home, such as the MIECHV; Early Head Start; and Part C of IDEA.[4]

Early Learning and Development Standards means a set of expectations, guidelines, or developmental milestones that—

(a) Describe what all children from birth to kindergarten entry should know and be able to do and their disposition toward learning;

(b) Are appropriate for each age group (e.g., infants, toddlers, and preschoolers); for English learners; and for children with disabilities or developmental delays;

(c) Cover all Essential Domains of School Readiness; and

(d) Are universally designed and developmentally, culturally, and linguistically appropriate.

Early Learning Intermediary Organization means a national, statewide, regional, or community-based organization that represents one or more networks of Early Learning and Development Programs in the State and that has influence or authority over them. Such Early Learning Intermediary Organizations include, but are not limited to, Child Care Resource and Referral Agencies; State Head Start Associations; Family Child Care Associations; State affiliates of the National Association for the Education of Young Children; State affiliates of the Council for Exceptional Children's Division of Early Childhood; statewide or regional union affiliates that represent Early Childhood Educators; affiliates of the National Migrant and Seasonal Head Start Association; the National Tribal, American Indian, and Alaskan Native Head Start Association; and the National Indian Child Care Association.

[4] *Note:* Such home-based programs and services will most likely not participate in the State's Tiered Quality Rating and Improvement System unless the State has developed a set of tiered Program Standards specifically for home-based programs and services.

Essential Data Elements means the critical child, program, and workforce data elements of a coordinated early learning data system, including—

(a) A unique statewide child identifier or another highly accurate, proven method to link data on that child, including Kindergarten Entry Assessment data, to and from the Statewide Longitudinal Data System and the coordinated early learning data system (if applicable);

(b) A unique statewide Early Childhood Educator identifier;

(c) A unique program site identifier;

(d) Child and family demographic information, including indicators identifying the criteria that States use to determine whether a child is a Child with High Needs;

(e) Early Childhood Educator demographic information, including data on educational attainment and State credential or licenses held, as well as professional development information;

(f) Program-level data on the program's structure, quality, child suspension and expulsion rates, staff retention, staff compensation, work environment, and all applicable data reported as part of the State's Tiered Quality Rating and Improvement System; and

(g) Child-level program participation and attendance data.

Essential Domains of School Readiness means the domains of language and literacy development, cognition and general knowledge (including early mathematics and early scientific development), approaches toward learning, physical well-being and motor development (including adaptive skills), and social and emotional development.

Formative Assessment (also known as a classroom-based or ongoing assessment) means assessment questions, tools, and processes—

(a) That are—

(1) Specifically designed to monitor children's progress in meeting the Early Learning and Development Standards;

(2) Valid and reliable for their intended purposes and their target populations; and

(3) Linked directly to the curriculum; and

(b) The results of which are used to guide and improve instructional practices.

High-Quality Plan means any plan developed by the State to address a selection criterion or priority in this notice that is feasible and has a high probability of successful implementation and at a minimum includes—

(a) The key goals;

(b) The key activities to be undertaken; the rationale for the activities; and, if applicable, where in the State the activities will be initially implemented, and where and how they will be scaled up over time to eventually achieve statewide implementation;

(c) A realistic timeline, including key milestones, for implementing each key activity;

(d) The party or parties responsible for implementing each activity and other key personnel assigned to each activity;

(e) Appropriate financial resources to support successful implementation of the plan;

(f) The information requested as supporting evidence, if any, together with any additional information the State believes will be helpful to peer reviewers in judging the credibility of the plan;

(g) The information requested in the performance measures, where applicable;

(h) How the State will address the needs of the different types of Early Learning and Development Programs, if applicable; and

(i) How the State will meet the needs of Children with High Needs.

Kindergarten Entry Assessment means an assessment that—

(a) Is administered to children during the first few months of their admission into kindergarten;

(b) Covers all Essential Domains of School Readiness;

(c) Is used in conformance with the recommendations of the National Research Council [5] reports on early childhood; and

(d) Is valid and reliable for its intended purposes and for the target populations and aligned to the Early Learning and Development Standards.

Results of the assessment should be used to inform efforts to close the school readiness gap at kindergarten entry, to inform instruction in the early elementary school grades, and to inform parents about their children's status and involve them in decisions about their children's education. This assessment must not be used to prevent children's entry into kindergarten or as a single measure for high-stakes decisions.

[5] National Research Council. (2008). *Early Childhood Assessment: Why, What, and How.* Committee on Developmental Outcomes and Assessments for Young Children, C.E. Snow and S.B. Van Hemel, Editors. Board on Children, Youth, and Families, Board on Testing and Assessment, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press. *www.nap.edu/catalog.php?record_id=12446.*

Lead Agency means the State-level agency designated by the Governor for the administration of the RTT–ELC grant; this agency is the fiscal agent for the grant. The Lead Agency must be one of the Participating State Agencies.

Low-Income means having an income of up to 200 percent of the Federal poverty rate.

Measures of Environmental Quality means valid and reliable indicators of the overall quality of the early learning environment.

Measures of the Quality of Adult-Child Interactions means the measures obtained through valid and reliable processes for observing how teachers and caregivers interact with children, where such processes are designed to promote child learning and to identify strengths of and areas for improvement for early learning professionals.

Participating Program means an Early Learning and Development Program that elects to carry out activities described in the State Plan.

Participating State Agency means a State agency that administers public funds related to early learning and development and is participating in the State Plan. The following State agencies are required Participating State Agencies: the agencies that administer or supervise the administration of CCDF, the section 619 of Part B of IDEA and Part C of IDEA programs, State-funded preschool, home visiting, Title I of ESEA, the Head Start State Collaboration Grant, and the Title V Maternal and Child Health Services Block Grant, the State's Child Care Licensing Agency, and the State educational agency. Other State agencies, such as the agencies that administer or supervise the administration of Child Welfare, Mental Health, Temporary Assistance for Needy Families (TANF), Community-Based Child Abuse Prevention, the Child and Adult Care Food Program, and the Adult Education and Family Literacy Act, may be Participating State Agencies if they elect to participate in the State Plan as well as the State Advisory Council on Early Childhood Education and Care.

Program Standards means the standards that serve as the basis for a Tiered Quality Rating and Improvement System and define differentiated levels of quality for Early Learning and Development Programs. Program Standards are expressed, at a minimum, by the extent to which—

(a) Early Learning and Development Standards are implemented through evidence-based activities, interventions, or curricula that are appropriate for each age group of infants, toddlers, and preschoolers;

(b) Comprehensive Assessment Systems are used routinely and appropriately to improve instruction and enhance program quality by providing robust and coherent evidence of—

(1) Children's learning and development outcomes; and

(2) Program performance;

(c) A qualified workforce improves young children's health, social, emotional, and educational outcomes;

(d) Culturally and linguistically responsive strategies are successfully used to engage families, help them build protective factors, and strengthen their capacity to support their children's development and learning. These strategies may include, but are not limited to, parent access to the program, ongoing two-way communication with families, parent education in child development, outreach to fathers and other family members, training and support for families as children move to preschool and kindergarten, social networks of support, intergenerational activities, linkages with community supports and adult and family literacy programs, parent involvement in decision making, and parent leadership development;

(e) Health promotion practices include health and safety requirements; developmental, behavioral, and sensory screening, referral, and follow up; and the promotion of physical activity, healthy eating habits, oral health and behavioral health, and health literacy among parents; and

(f) Effective data practices include gathering Essential Data Elements and entering them into the State's Statewide Longitudinal Data System or other early learning data system, using these data to guide instruction and program improvement, and making this information readily available to families.

Screening Measures means age and developmentally appropriate, valid, and reliable instruments that are used to identify children who may need follow-up services to address developmental, learning, or health needs in, at a minimum, the areas of physical health, behavioral health, oral health, child development, vision, and hearing.

State means any of the 50 States, the District of Columbia, and Puerto Rico.

State Plan means the plan submitted as part of the State's RTT–ELC application.

Statewide Longitudinal Data System means the State's longitudinal education data system that collects and maintains detailed, high-quality, student- and staff-level data that are linked across entities and that over time provide a complete academic and performance history for each student. The Statewide Longitudinal Data System is typically housed within the State educational agency but includes or can be connected to early childhood, postsecondary, and labor data.

Tiered Quality Rating and Improvement System means the system through which the State uses a set of progressively higher Program Standards to evaluate the quality of an Early Learning and Development Program and to support program improvement. A Tiered Quality Rating and Improvement System consists of four components: (a) Tiered Program Standards with multiple rating categories that clearly and meaningfully differentiate program quality levels; (b) monitoring to evaluate program quality based on the Program Standards; (c) supports to help programs meet progressively higher standards (e.g., through training, technical assistance, financial support); and (d) program quality ratings that are publically available; and includes a process for validating the system.

Workforce Knowledge and Competency Framework means a set of expectations that describes what Early Childhood Educators (including those working with children with disabilities and English learners) should know and be able to do. The Workforce Knowledge and Competency Framework, at a minimum, (a) Is evidence based; (b) incorporates knowledge and application of the State's Early Learning and Development Standards, the Comprehensive Assessment Systems, child development, health, and culturally and linguistically appropriate strategies for working with families; (c) includes knowledge of early mathematics and literacy development and effective instructional practices to support mathematics and literacy development in young children; (d) incorporates effective use of data to guide instruction and program improvement; (e) includes effective behavior management strategies that promote positive social and emotional development and reduce challenging behaviors; (f) incorporates feedback from experts at the State's postsecondary institutions and other early learning and development experts and Early Childhood Educators; and (g) includes knowledge of protective factors and effective approaches to partnering with families and building families' knowledge, skills, and capacity to promote children's health and development.

Final Selection Criteria: The Secretaries establish the following selection criteria for evaluating an application under this program. We may apply one or more of these criteria in any year in which this program is in effect. The Secretaries may use:

- One or more of the selection criteria established in this notice of final priorities, requirements, definitions, and selection criteria;
- Any of the selection criteria in 34 CFR 75.210;
- Criteria based on the statutory requirements for the RTT–ECL program in accordance with 34 CFR 75.209; or
- Any combination of these when establishing selection criteria for any RTT–ELC competition.

The Secretaries may further define each criterion by selecting specific factors for it. The Secretaries may select these factors from any selection criterion in the list below. In the notice inviting applications published elsewhere in this issue of the **Federal Register,** we announce the specific selection criteria that apply to a competition and the maximum possible points assigned to each criterion.

Core Areas—Sections (A) (Successful State Systems) and (B) (High-Quality, Accountable Programs)

States must address in their application all of the selection criteria in the Core Areas—Sections (A) (Successful State Systems) and (B) (High-Quality, Accountable Programs).

A. Successful State Systems

(A)(1) Demonstrating Past Commitment to Early Learning and Development

The extent to which the State has demonstrated past commitment to and investment in high-quality, accessible Early Learning and Development Programs and services for Children with High Needs, as evidenced by the State's—

(a) Financial investment, from five years ago to the present, in Early Learning and Development Programs, including the amount of these investments in relation to the size of the State's population of Children with High Needs during this time period;

(b) Increasing, from the previous five years to the present, the number of Children with High Needs participating in Early Learning and Development Programs;

(c) Existing early learning and development legislation, policies, or practices; and

(d) Current status in key areas that form the building blocks for a high-quality early learning and development system, including Early Learning and Development Standards, Comprehensive Assessment Systems,

health promotion practices, family engagement strategies, the development of Early Childhood Educators, Kindergarten Entry Assessments, and effective data practices.

Evidence for (A)(1):

- The number and percentage of children from Low-Income families in the State, by age.
- The number and percentage of Children with High Needs from special populations in the State.
- The number of Children with High Needs in the State who are enrolled in Early Learning and Development Programs, by age, race, and ethnicity.
- Data currently available, if any, on the status of children at kindergarten entry (across Essential Domains of School Readiness, if available), including data on the readiness gap between Children with High Needs and their peers.
- Data currently available, if any, on program quality across different types of Early Learning and Development Programs.
- The number of Children with High Needs participating in each type of Early Learning and Development Program for each of the previous five years to the present.
- The number of Children with High Needs participating in each type of Early Learning and Development Program for each of the previous five years to the present.
- The current status of the State's Early Learning and Development Standards, for each of the Essential Domains of School Readiness, by age group of infants, toddlers, and preschoolers.
- The elements of a Comprehensive Assessment System currently required within the State by different types of Early Learning and Development Programs or systems.
- The elements of high-quality health promotion practices currently required within the State by different types of Early Learning and Development Programs or systems.
- The elements of a high-quality family engagement strategy currently required within the State by different types of Early Learning and Development Programs or systems.
- All early learning and development workforce credentials currently available in the State, including whether credentials are aligned with a State Workforce Knowledge and Competency Framework and the number and percentage of Early Childhood Educators who have each type of credential.
- The current status of postsecondary institutions and other professional development providers in the State that issue credentials or degrees to Early Childhood Educators.
- The current status of the State's Kindergarten Entry Assessment.
- All early learning and development data systems currently used in the State.

Performance Measures for (A)(1):

- None required.

(A)(2) Articulating the State's Rationale for Its Early Learning and Development Reform Agenda and Goals

The extent to which the State clearly articulates a comprehensive early learning and development reform agenda that is ambitious yet achievable, builds on the State's progress to date (as demonstrated in selection criterion (A)(1)), is likely to result in improved school readiness for Children with High Needs, and includes—

(a) Ambitious yet achievable goals for improving program quality, improving outcomes for Children with High Needs statewide, and closing the educational gaps between Children with High Needs and their peers;

(b) An overall summary of the State Plan that clearly articulates how the High-Quality Plans proposed under each selection criterion, when taken together, constitute an effective reform agenda that establishes a clear and credible path toward achieving these goals; and

(c) A specific rationale that justifies the State's choice to address the selected criteria in each Focused Investment Area (C), (D), and (E), including why these selected criteria will best achieve these goals.

Evidence for (A)(2):

- The State's goals for improving program quality statewide over the period of this grant.
- The State's goals for improving child outcomes statewide over the period of this grant.
- The State's goals for closing the readiness gap between Children with High Needs and their peers at kindergarten entry.
- Identification of the two or more selection criteria that the State has chosen to address in Focused Investment Area (C).
- Identification of the one or more selection criteria that the State has chosen to address in Focused Investment Area (D).
- Identification of the one or more selection criteria that the State has chosen to address in Focused Investment Area (E).
- For each Focused Investment Area (C), (D), and (E), a description of the State's rationale for choosing to address the selected criteria in that Focused Investment Area, including how the State's choices build on its progress to date in each Focused Investment Area (as outlined in the narrative under (A)(1) in the application) and why these selected criteria will best achieve the State's ambitious yet achievable goals for improving program quality, improving outcomes for Children with High Needs statewide, and closing the educational gap between Children with High Needs and their peers.

Performance Measures for (A)(2):

- None required.

(A)(3) Aligning and Coordinating Early Learning and Development Across the State

The extent to which the State has established, or has a High-Quality Plan to establish, strong participation in and commitment to the State Plan by Participating State Agencies and other early learning and development stakeholders by—

(a) Demonstrating how the Participating State Agencies and other partners, if any, will identify a governance structure for working together that will facilitate interagency coordination, streamline decision making, effectively allocate resources, and create long-term sustainability, and describing—

(1) The organizational structure for managing the grant and how it builds upon existing interagency governance structures such as children's cabinets, councils, and commissions, if any already exist and are effective;

(2) The governance-related roles and responsibilities of the Lead Agency, the State Advisory Council on Early Childhood Education and Care, each Participating State Agency, and the State's Interagency Coordinating Council for Part C of IDEA, and other partners, if any;

(3) The method and process for making different types of decisions (e.g., policy, operational) and resolving disputes; and

(4) The plan for when and how the State will involve representatives from Participating Programs, Early Childhood Educators or their representatives, parents and families, including parents and families of Children with High Needs, and other key stakeholders in the planning and implementation of the activities carried out under the grant;

(b) Demonstrating that the Participating State Agencies are strongly committed to the State Plan, to the governance structure of the grant, and to effective implementation of the State Plan, by including in the MOUs or other binding agreements between the State and each Participating State Agency—

(1) Terms and conditions that reflect a strong commitment to the State Plan by each Participating State Agency, including terms and conditions designed to align and leverage the Participating State Agencies' existing funding to support the State Plan;

(2) ''Scope-of-work'' descriptions that require each Participating State Agency to implement all applicable portions of the State Plan and a description of efforts to maximize the number of Early Learning and Development Programs that become Participating Programs; and

(3) A signature from an authorized representative of each Participating State Agency; and

(c) Demonstrating commitment to the State Plan from a broad group of stakeholders that will assist the State in reaching the ambitious yet achievable goals outlined in response to selection criterion (A)(2)(a), including by obtaining—

(1) Detailed and persuasive letters of intent or support from Early Learning Intermediary Organizations, and, if applicable, local early learning councils; and

(2) Letters of intent or support from such other stakeholders as Early Childhood Educators or their representatives; the State's legislators; local community leaders; State or local school boards; representatives of private and faith-based early learning programs; other State and local leaders (e.g., business, community, tribal, civil rights, education association leaders); adult education and family literacy State and local leaders; family and community organizations; representatives from the disability community, the English learner community, and entities representing other Children with High Needs (e.g., parent councils, nonprofit organizations, local foundations, tribal organizations, and community-based organizations); libraries and children's museums; health providers; public television stations; and postsecondary institutions.

Evidence for (A)(3)(a) and (b):

- For (A)(3)(a)(1): An organizational chart that shows how the grant will be governed and managed.
- Governance-related roles and responsibilities.
- A copy of all fully executed MOUs or other binding agreements that cover each Participating State Agency. (MOUs or other binding agreements should be referenced in the narrative but must be included in the Appendix to the application).

Evidence for (A)(3)(c)(1):

- A list of every Early Learning Intermediary Organization and local early learning council (if applicable) in the State that indicates which organizations and councils have submitted letters of intent or support.
- A copy of every letter of intent or support from Early Learning Intermediary Organizations and local early learning councils.

Evidence for (A)(3)(c)(2):

- A copy of every letter of intent or support from other stakeholders.

Performance Measures for (A)(3):

- None required.

(A)(4) Developing a Budget To Implement and Sustain the Work of This Grant

The extent to which the State Plan—

(a) Demonstrates how the State will use existing funds that support early learning and development from Federal, State, private, and local sources (e.g., CCDF; Title I and II of ESEA; IDEA; Striving Readers Comprehensive Literacy Program; State preschool; Head Start Collaboration funding; MIECHV program; Title V MCH Block Grant; TANF; Medicaid; child welfare services under Title IV (B) and (E) of the Social Security Act; Statewide Longitudinal Data System; foundation; other private funding sources) for activities and services that help achieve the outcomes in the State Plan, including how the quality set-asides in CCDF will be used;

(b) Describes, in both the budget tables and budget narratives, how the State will effectively and efficiently use funding from this grant to achieve the outcomes in the State Plan, in a manner that—

(1) Is adequate to support the activities described in the State Plan;

(2) Includes costs that are reasonable and necessary in relation to the objectives, design, and significance of the activities described in the State Plan and the number of children to be served; and

(3) Details the amount of funds budgeted for Participating State Agencies, localities, Early Learning Intermediary Organizations, Participating Programs, or other partners, and the specific activities to be implemented with these funds consistent with the State Plan, and demonstrates that a significant amount of funding will be devoted to the local implementation of the State Plan; and

(c) Demonstrates that it can be sustained after the grant period ends to ensure that the number and percentage of Children with High Needs served by Early Learning and Development Programs in the State will be maintained or expanded.

Evidence for (A)(4)(a):

- The existing funds to be used to achieve the outcomes in the State Plan.
- Description of how these existing funds will be used for activities and services that help achieve the outcomes in the State Plan.

Evidence for (A)(4)(b):

- The State's budget.
- The narratives that accompany and explain the budget and describe how it connects to the State Plan.

Performance Measures for (A)(4):

- None required.

B. High-Quality, Accountable Programs

(B)(1) Developing and Adopting a Common, Statewide Tiered Quality Rating and Improvement System

The extent to which the State and its Participating State Agencies have developed and adopted, or have a High-Quality Plan to develop and adopt, a Tiered Quality Rating and Improvement System that—

(a) Is based on a statewide set of tiered Program Standards that include—

(1) Early Learning and Development Standards;

(2) A Comprehensive Assessment System;

(3) Early Childhood Educator qualifications;

(4) Family engagement strategies;

(5) Health promotion practices; and

(6) Effective data practices;

(b) Is clear and has standards that are measurable, meaningfully differentiate program quality levels, and reflect high expectations of program excellence commensurate with nationally recognized standards that lead to improved learning outcomes for children; and

(c) Is linked to the State licensing system for Early Learning and Development Programs.

Evidence for (B)(1):

- Each set of existing Program Standards currently used in the State and the elements that are included in those Program Standards (Early Learning and Development Standards, Comprehensive Assessment Systems, Qualified Workforce, Family Engagement, Health Promotion, Effective Data Practices, and Other).
- To the extent the State has developed and adopted a Tiered Quality Rating and Improvement System based on a common set of tiered Program Standards that meet the elements in selection criterion (B)(1)(a), submit—
  - ○ A copy of the tiered Program Standards;
  - ○ Documentation that the Program Standards address all areas outlined in the definition of Program Standards, demonstrate high expectations of program excellence commensurate with nationally recognized standards, and are

linked to the States licensing system; and

○ Documentation of how the tiers meaningfully differentiate levels of quality.

Performance Measures for (B)(1):

• None required.

(B)(2) Promoting Participation in the State's Tiered Quality Rating and Improvement System

The extent to which the State has maximized, or has a High-Quality Plan to maximize, program participation in the State's Tiered Quality Rating and Improvement System by—

(a) Implementing effective policies and practices to reach the goal of having all publicly funded Early Learning and Development Programs participate in such a system, including programs in each of the following categories—

(1) State-funded preschool programs;

(2) Early Head Start and Head Start programs;

(3) Early Learning and Development Programs funded under section 619 of Part B of IDEA and Part C of IDEA;

(4) Early Learning and Development Programs funded under Title I of ESEA; and

(5) Early Learning and Development Programs receiving funds from the State's CCDF program;

(b) Implementing effective policies and practices designed to help more families afford high-quality child care and maintain the supply of high-quality child care in areas with high concentrations of Children with High Needs (e.g., maintaining or increasing subsidy reimbursement rates, taking actions to ensure affordable co-payments, providing incentives to high-quality providers to participate in the subsidy program); and

(c) Setting ambitious yet achievable targets for the numbers and percentages of Early Learning and Development Programs that will participate in the Tiered Quality Rating and Improvement System by type of Early Learning and Development Program (as listed in (B)(2)(a)(1) through (5) above).

Evidence for (B)(2):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(2)(c):

General goals to be provided at time of application, including baseline data and annual targets:

• Number and percentage of Early Learning and Development Programs participating in the statewide Tiered Quality Rating and Improvement System, by type of Early Learning and Development Program.

(B)(3) Rating and Monitoring Early Learning and Development Programs

The extent to which the State and its Participating State Agencies have developed and implemented, or have a High-Quality Plan to develop and implement, a system for rating and monitoring the quality of Early Learning and Development Programs participating in the Tiered Quality Rating and Improvement System by—

(a) Using a valid and reliable tool for monitoring such programs, having trained monitors whose ratings have an acceptable level of inter-rater reliability, and monitoring and rating the Early Learning and Development Programs with appropriate frequency; and

(b) Providing quality rating and licensing information to parents with children enrolled in Early Learning and Development Programs (e.g., displaying quality rating information at the program site) and making program quality rating data, information, and licensing history (including any health and safety violations) publicly available in formats that are written in plain language, and are easy to understand and use for decision making by families selecting Early Learning and Development Programs and families whose children are enrolled in such programs.

Evidence for (B)(3):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(3):

• None required.

(B)(4) Promoting Access to High-Quality Early Learning and Development Programs for Children With High Needs

The extent to which the State and its Participating State Agencies have developed and implemented, or have a High-Quality Plan to develop and implement, a system for improving the quality of the Early Learning and Development Programs participating in the Tiered Quality Rating and Improvement System by—

(a) Developing and implementing policies and practices that provide support and incentives for Early Learning and Development Programs to continuously improve (e.g., through training, technical assistance, financial rewards or incentives, higher subsidy reimbursement rates, compensation);

(b) Providing supports to help working families who have Children with High Needs access high-quality Early Learning and Development Programs that meet those needs (e.g., providing full-day, full-year programs; transportation; meals; family support services); and

(c) Setting ambitious yet achievable targets for increasing—

(1) The number of Early Learning and Development Programs in the top tiers of the Tiered Quality Rating and Improvement System; and

(2) The number and percentage of Children with High Needs who are enrolled in Early Learning and Development Programs that are in the top tiers of the Tiered Quality Rating and Improvement System.

Evidence for (B)(4):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(4)(c):

General goals to be provided at time of application, including baseline data and annual targets:

• Number of Early Learning and Development Programs in the top tiers of the Tiered Quality Rating and Improvement System, by type of Early Learning and Development Program.

• Number and Percentage of Children with High Needs who are enrolled in Early Learning and Development Programs that are in the top tiers of the Tiered Quality Rating and Improvement System, by type of Early Learning and Development Program.

(B)(5) Validating the Effectiveness of State Tiered Quality Rating and Improvement Systems

The extent to which the State has a High-Quality Plan to design and implement evaluations—working with an independent evaluator and, when warranted, as part of a cross-State evaluation consortium—of the relationship between the ratings generated by the State's Tiered Quality Rating and Improvement System and the learning outcomes of children served by the State's Early Learning and Development Programs by—

(a) Validating, using research-based measures, as described in the State Plan (which also describes the criteria that the State used or will use to determine those measures), that the tiers in the State's Tiered Quality Rating and Improvement System accurately reflect differential levels of program quality; and

(b) Assessing, using appropriate research designs and measures of progress (as identified in the State Plan), the extent to which changes in quality ratings are related to progress in children's learning, development, and school readiness.

Evidence for (B)(5):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(5):

• None required.

Focused Investment Areas—Sections (C), (D), and (E)

Each State must address in its application—

(1) Two or more of the selection criteria in Focused Investment Area (C);

(2) One or more of the selection criteria in Focused Investment Area (D); and

(3) One or more of the selection criteria in Focused Investment Area (E).

C. Promoting Early Learning and Development Outcomes for Children

The applicant must address at least two of the selection criteria within Focused Investment Area (C), which are as follows:

(C)(1) Developing and Using Statewide, High-Quality Early Learning and Development Standards

The extent to which the State has a High-Quality Plan to put in place high-quality Early Learning and Development Standards that are used statewide by Early Learning and Development Programs and that—

(a) Includes evidence that the Early Learning and Development Standards are developmentally, culturally, and linguistically appropriate across each age group of infants, toddlers, and preschoolers, and that they cover all Essential Domains of School Readiness;

(b) Includes evidence that the Early Learning and Development Standards are aligned with the State's K–3 academic standards in, at a minimum, early literacy and mathematics;

(c) Includes evidence that the Early Learning and Development Standards are incorporated in Program Standards, curricula and activities, Comprehensive Assessment Systems, the State's Workforce Knowledge and Competency Framework, and professional development activities; and that they are shared with parents and families along with suggestions for appropriate strategies they can use at home to support their children's learning and development; and

(d) Includes evidence that the State has supports in place to promote understanding of and commitment to the Early Learning and Development Standards across Early Learning and Development Programs.

Evidence for (C)(1)(a) and (b):

• To the extent the State has implemented Early Learning and Development Standards that meet the elements in selection criteria (C)(1)(a) and (b), submit—

○ Proof of use by all types of Early Learning and Development Programs in the State;

○ The State's Early Learning and Development Standards for:

—Infants and toddlers

—Preschoolers

○ Documentation that the standards are developmentally, linguistically, and culturally appropriate for all children, including children with disabilities and developmental delays and English learners;

○ Documentation that the standards address all Essential Domains of School Readiness and that they are of high quality; and

○ Documentation of the alignment between the State's Early Learning and Development Standards and the State's K–3 standards.

Performance Measures for (C)(1):

• None required.

(C)(2) Supporting Effective Uses of Comprehensive Assessment Systems

The extent to which the State has a High-Quality Plan to support the effective implementation of developmentally appropriate Comprehensive Assessment Systems by—

(a) Working with Early Learning and Development Programs to select assessment instruments and approaches that are appropriate for the target populations and purposes;

(b) Working with Early Learning and Development Programs to strengthen Early Childhood Educators' understanding of the purposes and uses of each type of assessment included in the Comprehensive Assessment Systems;

(c) Articulating an approach for aligning and integrating assessments and sharing assessment results, as appropriate, in order to avoid duplication of assessments and to coordinate services for Children with High Needs who are served by multiple Early Learning and Development Programs;

(d) Training Early Childhood Educators to appropriately administer assessments and interpret and use assessment data in order to inform and improve instruction, programs, and services, and to effectively solicit and use family input on children's development and needs; and

(e) Articulating guidelines and procedures for sharing assessment data and results with parents, involving them in decisions about their children's care and education, and helping them identify concrete actions they can take to address developmental issues identified through the assessment process.

Evidence for (C)(2):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (C)(2):

• None required.

(C)(3) Identifying and Addressing the Health, Behavioral, and Developmental Needs of Children with High Needs To Improve School Readiness

The extent to which the State has a High-Quality Plan to identify and address the health, behavioral, and developmental needs of Children with High Needs by—

(a) Establishing a progression of standards for ensuring children's health and safety; ensuring that health and behavioral screening and follow-up occur; promoting children's physical, social, and emotional development across the levels of its Program Standards; and involving families as partners and building parents' capacity to promote their children's physical, social, and emotional health;

(b) Increasing the number of Early Childhood Educators who are trained and supported on an ongoing basis in meeting the health standards;

(c) Promoting healthy eating habits, improving nutrition, expanding physical activity, and providing information and guidance to families to promote healthy habits at home;

(d) Leveraging existing resources to meet ambitious yet achievable annual targets to increase the number of Children with High Needs who—

(1) Are screened using Screening Measures that align with the Medicaid Early Periodic Screening, Diagnostic and Treatment benefit (see section 1905(r)(5) of the Social Security Act) or the well-baby and well-child services available through the Children's Health Insurance Program (42 CFR 457.520), and that, as appropriate, are consistent with the Child Find provisions in IDEA (see sections 612(a)(3) and 635(a)(5) of IDEA);

(2) Are referred for services based on the results of those screenings and, where appropriate, received follow-up; and

(3) Participate in ongoing health care as part of a schedule of well-child care, including the number of children who are up to date in a schedule of well-child care; and

(e) Developing a comprehensive approach to increase the capacity and improve the overall quality of Early Learning and Development Programs to support and address the social and emotional development (including infant-early childhood mental health) of children from birth to age five.

Evidence for (C)(3)(a):

• To the extent the State has established a progression of health standards across the levels of Program Standards that meet the elements in selection criterion (C)(3)(a), submit—

○ The progression of health standards used in the Program Standards and the State's plans for improvement over time, including documentation demonstrating that this progression of standards appropriately addresses health and safety standards; developmental, behavioral, and sensory screening, referral, and follow-up; health promotion including healthy eating habits, improved nutrition, and increased physical activity; oral health; social and emotional development; family involvement and capacity-building; and health literacy among parents and children.

Evidence for (C)(3)(b):

• To the extent the State has existing and projected numbers and percentages of Early Childhood Educators who receive training and support in meeting the health standards, the State must submit documentation of these data. If the State does not have these data, the State must outline its plan for deriving them.

Evidence for (C)(3)(c):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Evidence for (C)(3)(d):

• Documentation of the State's existing and future resources that are or will be used to address the health, behavioral, and developmental needs of Children with High Needs. At a minimum, documentation must address the screening and referral of and follow-up for all Children with High Needs, and how families will be engaged in the process; how the State will promote the participation of Children with High Needs in ongoing health care as part of a schedule of well-child care; how the State will promote healthy eating habits and improved nutrition as well as increased physical activity for Children with High Needs; and how the State will promote health literacy for children and parents.

Performance Measures for (C)(3)(d):

General goals to be provided at time of application, including baseline data and annual targets:

• Number of Children with High Needs screened.

• Number of Children with High Needs referred for services and who received follow-up/treatment.

• Number of Children with High Needs who participate in ongoing health care as part of a schedule of well-child care.

• Of these participating Children with High Needs, the number or percentage of children who are up-to-date in receiving services as part of a schedule of well-child care.

Evidence for (C)(3)(e):

• Any supporting evidence the State believes will be helpful to peer reviewers.

(C)(4) Engaging and Supporting Families

The extent to which the State has a High-Quality Plan to provide culturally and linguistically appropriate information and support to families of Children with High Needs in order to promote school readiness for their children by—

(a) Establishing a progression of culturally and linguistically appropriate standards for family engagement across the levels of its Program Standards, including activities that enhance the capacity of families to support their children's education and development and help families build protective factors;

(b) Increasing the number and percentage of Early Childhood Educators trained and supported on an ongoing basis to implement the family engagement strategies included in the Program Standards; and

(c) Promoting family support and engagement statewide, including by leveraging other existing resources, such as home visiting programs, family resource centers, family support networks, and other family-serving agencies and organizations, and through outreach to family, friend, and neighbor caregivers.

Evidence for (C)(4)(a):

• To the extent the State has established a progression of family engagement standards across the levels of Program Standards that meet the elements in selection criterion (C)(4)(a), submit—

○ The progression of culturally and linguistically appropriate family engagement standards used in the Program Standards that includes strategies successfully used to engage families in supporting their children's development and learning. A State's family engagement standards must address, but need not be limited to: parent access to the program, ongoing two-way communication with families, parent education in child development, outreach to fathers and other family members, training and support for families as children move to preschool and kindergarten, social networks of support, intergenerational activities, linkages with community supports and adult and family literacy programs, parent involvement in decision making, and parent leadership development; and

○ Documentation that this progression of standards includes activities that enhance the capacity of families to support their children's education and development.

Evidence for (C)(4)(b):

• To the extent the State has existing and projected numbers and percentages of Early Childhood Educators who receive training and support on the family engagement strategies included in the Program Standards, the State must submit documentation of these data. If the State does not have these data, the State must outline its plan for deriving them.

Evidence for (C)(4)(c):

• Documentation of the State's existing resources that are or will be used to promote family support and engagement statewide, including through home visiting programs and other family-serving agencies and the identification of new resources that will be used to promote family support and engagement statewide.

Performance Measures for (C)(4)

• None required.

D. A Great Early Childhood Education Workforce

The applicant must address at least one of the selection criteria within Focused Investment Area (D), which are as follows:

(D)(1) Developing a Workforce Knowledge and Competency Framework and a Progression of Credentials

The extent to which the State has a High-Quality Plan to—

(a) Develop a common, statewide Workforce Knowledge and Competency Framework designed to promote children's learning and development and improve child outcomes;

(b) Develop a common, statewide progression of credentials and degrees aligned with the Workforce Knowledge and Competency Framework; and

(c) Engage postsecondary institutions and other professional development providers in aligning professional development opportunities with the State's Workforce Knowledge and Competency Framework.

Evidence for (D)(1):

• To the extent the State has developed a common, statewide Workforce Knowledge and Competency Framework that meets the elements in selection criterion (D)(1), submit:

○ The Workforce Knowledge and Competency Framework;

○ Documentation that the State's Workforce Knowledge and Competency

Framework addresses the elements outlined in the definition of Workforce Knowledge and Competency Framework in the *Final Definitions* section of this notice and is designed to promote children's learning and development and improve outcomes.

Performance Measures for (D)(1)

- None required.

(D)(2) Supporting Early Childhood Educators in Improving Their Knowledge, Skills, and Abilities

The extent to which the State has a High-Quality Plan to improve the effectiveness and retention of Early Childhood Educators who work with Children with High Needs, with the goal of improving child outcomes by—

(a) Providing and expanding access to effective professional development opportunities that—

(1) Are aligned with the State's Workforce Knowledge and Competency Framework;

(2) Tightly link training with professional development approaches, such as coaching and mentoring; and

(3) Are supported by strong evidence (e.g., available evaluations, developmental theory, or data or information) as to why these policies and incentives will be effective in improving outcomes for Children with High Needs;

(b) Implementing effective policies and incentives (e.g., scholarships, compensation and wage supplements, tiered reimbursement rates, other financial incentives, management opportunities) to promote professional improvement and career advancement along an articulated career pathway that—

(1) Are aligned with the State's Workforce Knowledge and Competency Framework;

(2) Tightly link training with professional development approaches, such as coaching and mentoring; and

(3) Are supported by strong evidence (e.g., available evaluations, developmental theory, or data or information) as to why these policies and incentives will be effective in improving outcomes for Children with High Needs;

(c) Publicly reporting aggregated data on Early Childhood Educator development, advancement, and retention; and

(d) Setting ambitious yet achievable targets for—

(1) Increasing the number of postsecondary institutions and professional development providers with programs that are aligned to the Workforce Knowledge and Competency Framework and the number of Early Childhood Educators who receive credentials from postsecondary institutions and professional development providers with programs that are aligned to the Workforce Knowledge and Competency Framework; and

(2) Increasing the number and percentage of Early Childhood Educators who are progressing to higher levels of credentials that align with the Workforce Knowledge and Competency Framework.

Evidence for (D)(2):

- Evidence to support why the proposed professional development opportunities, policies, and incentives will be effective in improving outcomes for Children with High Needs (e.g., available evaluations, developmental theory, or data or information about the population of Children with High Needs in the State).

Performance Measures for (D)(2)(d):

General goals to be provided at time of application, including baseline data and annual targets:

- (D)(2)(d)(1): Number of postsecondary institutions and professional development providers with programs that are aligned to the State's Workforce Knowledge and Competency Framework, and the number of Early Childhood Educators receiving credentials from those aligned postsecondary institutions or professional development providers.
- (D)(2)(d)(2): Number and percentage of Early Childhood Educators who are progressing to higher levels of credentials that align with the State's Workforce Knowledge and Competency Framework.

E. Measuring Outcomes and Progress

The applicant must address at least one of the selection criteria within Focused Investment Area (E), which are as follows:

(E)(1) Understanding the Status of Children's Learning and Development at Kindergarten Entry

The extent to which the State has a High-Quality Plan to implement, independently or as part of a cross-State consortium, a common, statewide Kindergarten Entry Assessment that informs instruction and services in the early elementary grades and that—

(a) Is aligned with the State's Early Learning and Development Standards and covers all Essential Domains of School Readiness;

(b) Is valid, reliable, and appropriate for the target population and for the purpose for which it will be used, including for English learners and children with disabilities;

(c) Is administered beginning no later than the start of the school year ending during the fourth year of the grant to children entering a public school kindergarten; States may propose a phased implementation plan that forms the basis for broader statewide implementation;

(d) Is reported to the Statewide Longitudinal Data System, and to the early learning data system, if it is separate from the Statewide Longitudinal Data System, as permitted under and consistent with the requirements of Federal, State, and local privacy laws; and

(e) Is funded, in significant part, with Federal or State resources other than those available under this grant (e.g., with funds available under section 6111 or 6112 of ESEA).

Evidence for (E)(1):

- Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (E)(1):

- None required.

(E)(2) Building or Enhancing an Early Learning Data System To Improve Instruction, Practices, Services, and Policies

The extent to which the State has a High-Quality Plan to enhance the State's existing Statewide Longitudinal Data System or to build or enhance a separate, coordinated, early learning data system that aligns and is interoperable with the Statewide Longitudinal Data System, and that either data system—

(a) Has all of the Essential Data Elements;

(b) Enables uniform data collection and easy entry of the Essential Data Elements by Participating State Agencies and Participating Programs;

(c) Facilitates the exchange of data among Participating State Agencies by using standard data structures, data formats, and data definitions such as Common Education Data Standards to ensure interoperability among the various levels and types of data;

(d) Generates information that is timely, relevant, accessible, and easy for Early Learning and Development Programs and Early Childhood Educators to use for continuous improvement and decision making and to share with parents and other community stakeholders; and

(e) Meets the Data System Oversight Requirements and complies with the requirements of Federal, State, and local privacy laws.

Evidence for (E)(2):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (E)(2):

• None required.

This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does *not* solicit applications. In any year in which we choose to use one or more of these priorities, requirements, definitions, and selection criteria, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Secretaries must determine whether this regulatory action is ''significant'' and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an ''economically significant'' rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or local programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This final regulatory action will have an annual effect on the economy of more than $100 million because the Departments anticipate that the grants awarded will exceed that amount. Therefore, this final action is ''economically significant'' and subject to review by OMB under section 3(f)(1) of Executive Order 12866. Notwithstanding this determination, we have assessed the potential costs and benefits, both quantitative and qualitative, of this final regulatory action and have determined that the benefits justify the costs.

The Departments have also reviewed this final regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency ''to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.'' The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include ''identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.''

We are issuing these final priorities, requirements, definitions, and selection criteria only on a reasoned determination that their benefits justify their costs. In choosing among alternative regulatory approaches, we selected those approaches that maximize net benefits.

Based on the analysis that follows, the Departments believe this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this final regulatory action does not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In this regulatory impact analysis we discuss the need for regulatory action, the potential costs and benefits, net budget impacts, assumptions, limitations, and data sources, as well as regulatory alternatives we considered.

Need for Federal Regulatory Action

These priorities, requirements, definitions, and selection criteria are needed to implement the RTT–ELC award process in the manner that the Departments believe will best enable the program to achieve its objective—to create the conditions for effective reform in early learning systems in States.

Summary of Potential Costs and Benefits

The Secretaries believe that these final priorities, requirements, definitions, and selection criteria do not impose significant costs on eligible States. States that applied for a grant under the FY 2011 RTT–ELC competition reported that they found the application process to be useful in organizing their early childhood planning efforts because the priorities, requirements, definitions, and selection criteria provided them with direction and structure for developing a High-Quality Plan for a State Early Learning and Development Program. Several unfunded States then used their prepared application as their State's strategic early learning plan. In addition, the final priorities, requirements, definitions, and selection criteria, in particular those related to maintaining conditions of reform required under the FY 2011 RTT–ELC competition, require continuation of existing commitments and investments rather than the imposition of additional burdens and costs for applicant States. The Departments believe, therefore, that those States that previously applied but did not receive funding will incur minimal costs in developing an application.

In addition, because the Departments are maintaining the priorities, requirements, definitions, and selection criteria of the FY 2011 competition, States that did not previously apply can draw upon the posted applications and reviewer comments from the FY 2011 competition. These resources will minimize burden for all applicants. The Departments believe therefore that the benefits of developing an application for this competition outweigh the costs.

We believe that States will significantly benefit from the application process because it will require them to build strong relationships between State agencies and early learning non-profit organizations and consider how to use Federal, State, and local funding streams to best support early learning. A further benefit is that the final priorities, requirements, definitions, and selection criteria are expected to result in the

selection of high-quality grantees that are most likely to successfully implement RTT–ELC grants in the manner that the Departments believe will best enable the program to achieve its objective of creating the conditions for effective reform in State early learning systems.

The final priorities, requirements, definitions, and selection criteria clarify the scope of activities the Secretaries expect to support with program funds. The pool of eligible applicants is limited to State applicants that have not previously received an RTT–ELC grant. Potential applicants need to consider carefully the effort that will be required to prepare a strong application, their capacity to implement projects successfully, and their chances of submitting a successful application.

Program participation is voluntary. The Secretaries believe that the costs imposed on applicants by these final priorities, requirements, definitions, and selection criteria are limited to paperwork burden related to preparing an application and that the benefits of implementing these proposals outweigh any costs incurred by applicants. The costs of carrying out activities associated with the application will be paid for with program funds. Thus, the costs of implementation will not be a burden for eligible applicants, including small entities.

Regulatory Alternatives Considered

An alternative to promulgating these priorities, requirements, definitions, and selection criteria would be to use FY 2013 Race to the Top funds to make awards to the remaining highest-scoring unfunded applications from the FY 2011 RTT–ELC competition. However, the Departments have determined that funding applications from the FY 2011 competition would result in funding applications that are likely outdated and of only moderate quality, having received fewer than 75 percent of the total points available in the FY 2011 competition. The Departments have determined that $280 million is a sufficient amount to hold a high-quality competition and that holding a new competition will result in higher-quality applications than those submitted in FY 2011, due to progress made in early learning systems during the last two years.

The Departments also could have decided to make significant changes to the priorities, requirements, definitions, and selection criteria from the FY 2011 competition. However, we have determined that making significant changes would be unduly burdensome on applicants who will rely on their FY 2011 efforts to prepare an updated application and that maintaining substantially the same priorities, requirements, definitions, and selection criteria will better enable the Departments to conduct an evaluation of the performance of grantees under the RTT–ELC program overall.

Accounting Statement

As required by OMB Circular A–4 (available at *www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a004/a-4.pdf*), in the following table we have prepared an accounting statement showing the classification of the expenditures associated with the provisions of this regulatory action. This table provides our best estimate of the changes in annual monetized transfers as a result of this regulatory action. Expenditures are classified as transfers from the Federal Government to States.

ACCOUNTING STATEMENT CLASSIFICATION OF ESTIMATED EXPENDITURES

Category	Transfers
Annualized Monetized Transfers	$280,000,000.
From Whom To Whom?	From Federal Government to States.

Waiver of Congressional Review Act: These requirements have been determined to be a major rule for purposes of the Congressional Review Act (CRA) (5 U.S.C. 801, et seq.). Generally, under the CRA, a major rule takes effect 60 days after the date on which the rule is published in the **Federal Register**. Section 808(2) of the CRA, however, provides that any rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Federal agency promulgating the rule determines.

These final priorities, requirements, definitions, and selection criteria are needed to implement the RTT–ELC program, authorized under Sections 14005 and 14006, Division A, of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111–5), as amended by section 1832(b) of Division B of Public Law 112–10, the Department of Defense and Full-Year Continuing Appropriations Act, 2011, and the Department of Education Appropriations Act, 2012, which was signed into law on December 23, 2011. The Departments must award funds under this authority to qualified applicants by December 31, 2013, or the funds will lapse. Even on an expedited timeline, it is impracticable for the Departments to adhere to a 60-day delayed effective date for the final priorities, requirements, definitions, and selection criteria and make grant awards to qualified applicants by the December 31, 2013 deadline. When the 60-day delayed effective date is added to the time the Departments will need to receive applications (approximately 45 days), review the applications (approximately 21 days), and finally approve applications (approximately 28 days), the Departments will not be able to award funds authorized under the Department of Education Appropriations Act, 2012 to applicants by December 31, 2013. The Departments have therefore determined that, pursuant to section 808(2) of the CRA, the 60-day delay in the effective date generally required for congressional review is impracticable, contrary to the public interest, and waived for good cause.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal**

Register. Free Internet access to the official edition of the **Federal Register** is available via the Federal Digital System at *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of these Departments published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of these Departments published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by these Departments.

Dated: August 26, 2013.

Deborah S. Delisle,

Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education.

George H. Sheldon,

Acting Assistant Secretary for Children and Families, U.S. Department of Health and Human Services.

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Part IV

Department of Education

Department of Health and Human Services

Applications for New Awards; Race to the Top—Early Learning Challenge; Notice

DEPARTMENT OF EDUCATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Applications for New Awards; Race to the Top—Early Learning Challenge

AGENCY: Department of Education and Department of Health and Human Services.

ACTION: Notice.

Overview Information:

Race to the Top—Early Learning Challenge (RTT–ELC)

Notice inviting applications for new awards for fiscal year (FY) 2013.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.412A.

DATES: *Applications Available:* August 30, 2013.

Deadline for Notice of Intent to Apply: September 30, 2013.

Note: Submission of a notice of intent to apply is optional.

Date of Technical Assistance Planning Workshop: September 10, 2013. **Note:** Please refer to the Department of Education's RTT–ELC Web site (*http://www2.ed.gov/programs/racetothetop-earlylearningchallenge/index.html*) for meeting details.

Deadline for Transmittal of Applications: October 16, 2013.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of the Race to the Top—Early Learning Challenge (RTT–ELC) program is to improve the quality of early learning and development and close the educational gaps for Children with High Needs.[1] This program focuses on improving early learning and development for young children by supporting States' efforts to increase the number of low-income and disadvantaged children in each age group of infants, toddlers, and preschoolers who are enrolled in high-quality Early Learning and Development Programs. The program also supports States' efforts to design and implement an integrated system of high-quality Early Learning and Development Programs and services.

SUPPLEMENTARY INFORMATION:

The Statutory Context and Program Overview:

Race to the Top—Early Learning Challenge

A critical focus of the U.S. Department of Education (ED) and the U.S. Department of Health and Human Services (HHS) (collectively, the ''Departments'') is supporting America's youngest learners and helping ensure that children, especially Children with High Needs, enter kindergarten ready to succeed in school and in life. A robust body of research demonstrates that high-quality Early Learning and Development Programs can improve young children's health, social-emotional, and cognitive outcomes; enhance school readiness; and help close the educational gaps that exist between Children with High Needs and their peers at the time they enter kindergarten.

To address these gaps, the Departments have identified, as high priorities, strengthening the quality of existing Early Learning and Development Programs and increasing access to high-quality Early Learning and Development Programs for all children, especially for Children with High Needs.

On May 25, 2011, Secretaries Arne Duncan and Kathleen Sebelius announced the RTT–ELC, a new $500 million State-level grant competition authorized under the American Recovery and Reinvestment Act of 2009 (ARRA), as amended. Through the RTT–ELC program, the Departments seek to help close the educational gaps between Children with High Needs and their peers by supporting State efforts to build strong systems of early learning and development that provide increased access to high-quality programs for the children who need them most.

The RTT–ELC program represents an unprecedented opportunity for States to focus deeply on their early learning and development systems for children from birth through age five. Fourteen States have thus far received RTT–ELC grants and are able to build a more unified approach to supporting young children and their families—an approach that increases access to high-quality Early Learning and Development Programs and helps ensure that children enter kindergarten with the skills, knowledge, and dispositions toward learning they need to be successful in school and in life.

In this notice, we announce the specific priorities, requirements, definitions, and selection criteria that the Departments will use in the FY 2013 RTT–ELC competition. The priorities, requirements, definitions, and selection criteria in this notice are in large part identical to those in the FY 2011 notice inviting applications (see 76 FR 53564).

The FY 2013 RTT–ELC competition is organized around five key reform areas representing the foundation of an effective early learning and development reform agenda focused on school readiness and ongoing educational success. These areas provide a framework for the competition's priorities, requirements, definitions, and selection criteria, and are as follows:

(A) Successful State Systems;

(B) High-Quality, Accountable Programs;

(C) Promoting Early Learning and Development Outcomes for Children;

(D) A Great Early Childhood Education Workforce; and

(E) Measuring Outcomes and Progress.

The first two of these reform areas, (A) and (B), are core areas of focus for this program (''Core Areas''), and applicants are required to respond to all selection criteria under these Core Areas. The reform areas in (C), (D), and (E) are areas where applicants will direct targeted attention to specific activities that are relevant to their States' context (''Focused Investment Areas''). Applicants are required to address each Focused Investment Area but not each of the selection criteria under them.

Priorities: These priorities are from the notice of final priorities, requirements, definitions, and selection criteria for this program, published elsewhere in this issue of the **Federal Register**.

Absolute Priority: For FY 2013 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Priority 1: Promoting School Readiness for Children with High Needs.

To meet this priority, the State's application must comprehensively and coherently address how the State will build a system that increases the quality of Early Learning and Development Programs for Children with High Needs so that they enter kindergarten ready to succeed.

The State's application must demonstrate how it will improve the quality of Early Learning and Development Programs by integrating and aligning resources and policies across Participating State Agencies and by designing and implementing a common, statewide Tiered Quality Rating and Improvement System. In addition, to achieve the necessary

[1] Defined terms are used throughout the notice and are indicated by capitalization.

reforms, the State must make strategic improvements in those areas that will most significantly improve program quality and outcomes for Children with High Needs. Therefore, the State must address those criteria from within each of the Focused Investment Areas (sections (C) Promoting Early Learning and Development Outcomes for Children, (D) A Great Early Childhood Education Workforce, and (E) Measuring Outcomes and Progress) that it believes will best prepare its Children with High Needs for kindergarten success.

Competitive Preference Priorities: For FY 2013 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 10 points to an application depending on how well the application meets Priority 2; we award up to an additional 10 points to an application depending on how well the application meets Priority 4; we award an additional 10 points (all or none) to an application that meets Priority 3; and we will award up to an additional 5 points depending on how well the application meets Priority 5. The maximum score for all of the competitive preference priorities is 35 points.

Applicants that choose to address Priority 2, Priority 4, and Priority 5 must provide a narrative in the space provided in the application, and applicants that choose to address Priority 3 must do so by writing to selection criterion (E)(1).

These priorities are:

Priority 2: Including All Early Learning and Development Programs in the Tiered Quality Rating and Improvement System.

Priority 2 is designed to increase the number of children from birth to kindergarten entry who are participating in programs that are governed by the State's licensing system and quality standards, with the goal that all licensed or State-regulated programs will participate. The State will meet this priority based on the extent to which the State has in place, or has a High-Quality Plan to implement no later than June 30th of the fourth year of the grant—

(a) A licensing and inspection system that covers all programs that are not otherwise regulated by the State and that regularly care for two or more unrelated children for a fee in a provider setting; provided that if the State exempts programs for reasons other than the number of children cared for, the State may exclude those entities and reviewers will determine whether an applicant has met this priority only on the basis of non-excluded entities; and

(b) A Tiered Quality Rating and Improvement System in which all licensed or State-regulated Early Learning and Development Programs participate.

Priority 3: Understanding the Status of Children's Learning and Development at Kindergarten Entry.

To meet this priority, the State must, in its application, address selection criterion (E)(1) and earn a score of at least 70 percent of the maximum points available for that criterion.

Note: A State will earn all 10 competitive preference priority points if a majority of reviewers determines that the State has met the competitive preference priority. A State earns zero points if a majority of reviewers determines that the applicant has not met the competitive preference priority.

Priority 4: Creating Preschool through Third Grade Approaches to Sustain Improved Early Learning Outcomes through the Early Elementary Grades.

Priority 4 is designed to build upon the State's High-Quality Plan to improve birth through age five early learning outcomes, and to sustain and extend improved early learning outcomes through the early elementary school years, including by leveraging existing Federal, State, and local resources. The State will meet this priority based on the extent to which it describes a High-Quality Plan to improve the overall quality, alignment, and continuity of teaching and learning to serve children from preschool through third grade through such activities as—

(a) Enhancing the State's kindergarten-through-third-grade standards to align them with the State's Early Learning and Development Standards across all Essential Domains of School Readiness;

(b) Identifying and addressing the health, behavioral, and developmental needs of Children with High Needs from preschool through third grade, and building families' capacity to address these needs;

(c) Implementing teacher preparation and professional development programs and strategies that emphasize developmental science and the importance of protective factors, pedagogy, and the delivery of developmentally appropriate content, strategies for identifying and addressing the needs of children experiencing social and emotional challenges, and effective family engagement strategies for educators, administrators, and related personnel serving children from preschool through third grade;

(d) Implementing model systems of collaboration both within and between Early Learning and Development Programs and elementary schools to engage and support families and improve all transitions for children across the birth through third grade continuum;

(e) Building or enhancing data systems to monitor the status of children's learning and development from preschool through third grade to inform families and support student progress in meeting critical educational benchmarks in the early elementary grades; and

(f) Other efforts designed to increase the percentage of children who are able to read and do mathematics at grade level by the end of the third grade.

Priority 5: Addressing the Needs of Children in Rural Areas.

The State will meet this priority based on the extent to which it describes:

(a) How it will implement approaches to address the unique needs (e.g., limited access to resources) of children in rural areas, including rural areas with small populations; and

(b) How these approaches are designed to close educational and opportunity gaps for Children with High Needs, increase the number and percentage of Low-Income children who are enrolled in high-quality Early Learning and Development Programs; and enhance the State's integrated system of high-quality early learning programs and services.

Invitational Priority: For FY 2013 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an invitational priority. Under 34 CFR 75.105(c)(1) we do not give an application that meets this invitational priority a competitive or absolute preference over other applications.

This priority is:

Priority 6: Encouraging Private-Sector Support.

The State will meet this priority based on the extent to which it describes how the private sector will provide financial and other resources to support the State and its Participating State Agencies or Participating Programs in the implementation of the State Plan.

Application Requirements: Each application must meet the following application requirements:

(a) The State's application must be signed by the Governor or an authorized representative; an authorized representative from the Lead Agency; and an authorized representative from each Participating State Agency.

(b) The State must submit a certification from the State Attorney General or an authorized representative that the State's description of, and statements and conclusions in its application concerning, State law, statute, and regulation are complete and accurate and constitute a reasonable interpretation of State law, statute, and regulation.

(c) The State must complete the budget spreadsheets that are provided in the application package and submit the completed spreadsheet as part of its application. These spreadsheets should be included on the CD or DVD that the State submits as its application.

(d) The State must submit preliminary scopes of work for each Participating State Agency as part of the executed memorandum of understanding (MOU) or other binding agreement. Each preliminary scope of work must describe the portions of the State's proposed plans that the Participating State Agency is agreeing to implement. If a State is awarded an RTT–ELC grant, the State will have up to 90 days to complete final scopes of work for each Participating State Agency.

(e) The State must include a budget that details how it will use grant funds awarded under this competition, and funds from other Federal, State, private, and local sources to achieve the outcomes of the State Plan (as described in selection criterion (A)(4)(a)), and how the State will use funds awarded under this program to—

(1) Achieve its ambitious yet achievable targets for increasing the number and percentage of Early Learning and Development Programs that are participating in the State's Tiered Quality Rating and Improvement System (as described in selection criterion (B)(2)(c)); and

(2) Achieve its ambitious yet achievable targets for increasing the number and percentage of Children with High Needs who are enrolled in Early Learning and Development Programs that are in the top tiers of the State's Tiered Quality Rating and Improvement System (as described in selection criterion (B)(4)(c)).

(f) The State must provide an overall summary for the State Plan and a rationale for why it has chosen to address the selected criteria in each Focused Investment Area, including—

- How the State's choices build on its progress to date in each Focused Investment Area (as outlined in Tables (A)(1)6–13 and the narrative under (A)(1)); and
- Why these selected criteria will best achieve the State's ambitious yet achievable goals for improving program quality, improving outcomes for Children with High Needs statewide, and closing the educational gaps between Children with High Needs and their peers.

(g) The State, within each Focused Investment Area, must select and address—

- Two or more selection criteria within Focused Investment Area (C) Promoting Early Learning and Development Outcomes for Children; and
- One or more selection criteria within Focused Investment Areas (D) A Great Early Childhood Education Workforce and (E) Measuring Outcomes and Progress.

(h) Where the State is submitting a High-Quality Plan, the State must include in its application a detailed plan that is feasible and includes, but need not be limited to—

(1) The key goals;

(2) The key activities to be undertaken; the rationale for the activities; and, if applicable, where in the State the activities will be initially implemented, and where and how they will be scaled up over time to eventually achieve statewide implementation;

(3) A realistic timeline, including key milestones, for implementing each key activity;

(4) The party or parties responsible for implementing each activity and other key personnel assigned to each activity;

(5) Appropriate financial resources to support successful implementation of the plan;

(6) The information requested as supporting evidence, if any, together with any additional information the State believes will be helpful to peer reviewers in judging the credibility of the plan;

(7) The information requested or required in the performance measures, where applicable;

(8) How the State will address the needs of the different types of Early Learning and Development Programs, if applicable; and

(9) How the State will meet the unique needs of Children with High Needs.

Program Requirements: If a State is awarded an RTT–ELC grant, it must meet the following requirements:

(a) The State must have an operational State Advisory Council on Early Childhood Education and Care that meets the requirements described in section 642B(b) of the Head Start Act (42 U.S.C. 9837(b)). In addition, the State Advisory Council on Early Childhood Education and Care must include the State's Child Care and Development Fund (CCDF) administrator, State agency coordinators from both Part B section 619 and Part C of the Individuals with Disabilities Education Act (IDEA), and State agency representatives responsible for health and mental health.

(b) The State must continue to participate in the programs authorized under section 619 of Part B of IDEA and Part C of IDEA and in the CCDF program.

(c) States must continue to have an active Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program (pursuant to section 511 of Title V of the Social Security Act, as added by section 2951 of the Affordable Care Act of 2010 (Pub. L. 111–148)) for the duration of the grant, whether operated by the State or by an eligible non-profit organization.

(d) The State is prohibited from spending funds from the grant on the direct delivery of health services.

(e) The State must participate in RTT–ELC grantee technical assistance activities facilitated by ED or HHS, individually or in collaboration with other State grantees in order to share effective program practices and solutions and collaboratively solve problems, and must set aside $400,000 from its grant funds for this purpose.

(f) The State must—

(1) Comply with the requirements of any evaluation sponsored by ED or HHS of any of the State's activities carried out with the grant;

(2) Comply with the requirements of any cross-State evaluation—as part of a consortium of States—of any of the State's proposed reforms, if that evaluation is coordinated or funded by ED or HHS, including by using common measures and data collection instruments and collecting data necessary to the evaluation;

(3) Together with its independent evaluator, if any, cooperate with any technical assistance regarding evaluations provided by ED or HHS. The purpose of this technical assistance will be to ensure that the validation of the State's Tiered Quality Rating and Improvement System and any other evaluations conducted by States or their independent evaluators, if any, are of the highest quality and to encourage commonality in approaches where such commonality is feasible and useful;

(4) Submit to ED and HHS for review and comment its design for the validation of its Tiered Quality Rating and Improvement System (as described in selection criterion (B)(5)) and any other evaluations of activities included in the State Plan, including any activities that are part of the State's

Focused Investment Areas, as applicable; and

(5) Make widely available through formal (e.g., peer-reviewed journals) or informal (e.g., newsletters) mechanisms, and in print or electronically, the results of any evaluations it conducts of its funded activities.

(g) The State must have a longitudinal data system that includes the 12 elements described in section 6401(e)(2)(D) of the America COMPETES Act by the date required under the State Fiscal Stabilization Fund (SFSF) grant and in accordance with Indicator (b)(1) of its approved SFSF plan.

(h) The State must comply with the requirements of all applicable Federal, State, and local privacy laws, including the requirements of the Family Educational Rights and Privacy Act, the Health Insurance Portability Accountability Act, and the privacy requirements in IDEA, and their applicable regulations.

(i) The State must ensure that the grant activities are implemented in accordance with all applicable Federal, State, and local laws.

(j) The State must provide researchers with access, consistent with the requirements of all applicable Federal, State, and local privacy laws, to data from its Tiered Quality Rating and Improvement System and from the Statewide Longitudinal Data System and the State's coordinated early learning data system (if applicable) so that they can analyze the State's quality improvement efforts and answer key policy and practice questions.

(k) Unless otherwise protected as proprietary information by Federal or State law or a specific written agreement, the State must make any work (e.g., materials, tools, processes, systems) developed under its grant freely available to the public, including by posting the work on a Web site identified or sponsored by ED or HHS. Any Web sites developed under this grant must meet government or industry-recognized standards for accessibility (*www.section508.gov/*).

(l) Funds made available under an RTT–ELC grant must be used to supplement, not supplant, any Federal, State, or local funds that, in the absence of the funds awarded under this grant, would be available for increasing access to and improving the quality of Early Learning and Development Programs.

(m) For a State that is awarded an RTT–ELC grant, the State will have up to 90 days from the grant award notification date to complete final scopes of work for each Participating State Agency. These final scopes of work must contain detailed work plans that are consistent with their corresponding preliminary scopes of work and with the State's grant application, and must include the Participating State Agency's specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures for the portions of the State's proposed plans that the Participating State Agency is agreeing to implement.

Program Definitions:

Children with High Needs means children from birth through kindergarten entry who are from Low-Income families or otherwise in need of special assistance and support, including children who have disabilities or developmental delays; who are English learners; who reside on ''Indian lands'' as that term is defined by section 8013(7) of the Elementary and Secondary Education Act of 1965, as amended (ESEA); who are migrant, homeless, or in foster care; and other children as identified by the State.

Common Education Data Standards (CEDS) means voluntary, common standards for a key set of education data elements (e.g., demographics, program participation, transition, course information) at the early learning, K–12, and postsecondary levels developed through a national collaborative effort being led by the National Center for Education Statistics. CEDS focus on standard definitions, code sets, and technical specifications of a subset of key data elements and are designed to increase data interoperability, portability, and comparability across Early Learning and Development Programs and agencies, States, local educational agencies, and postsecondary institutions.

Comprehensive Assessment System means a coordinated and comprehensive system of multiple assessments, each of which is valid and reliable for its specified purpose and for the population with which it will be used, that organizes information about the process and context of young children's learning and development in order to help Early Childhood Educators make informed instructional and programmatic decisions and that conforms to the recommendations of the National Research Council reports on early childhood.

A Comprehensive Assessment System includes, at a minimum—

(a) Screening Measures;

(b) Formative Assessments;

(c) Measures of Environmental Quality; and

(d) Measures of the Quality of Adult-Child Interactions.

Data System Oversight Requirements means policies for ensuring the quality, privacy, and integrity of data contained in a data system, including—

(a) A data governance policy that identifies the elements that are collected and maintained; provides for training on internal controls to system users; establishes who will have access to the data in the system and how the data may be used; sets appropriate internal controls to restrict access to only authorized users; sets criteria for determining the legitimacy of data requests; establishes processes that verify the accuracy, completeness, and age of the data elements maintained in the system; sets procedures for determining the sensitivity of each inventoried element and the risk of harm if those data were improperly disclosed; and establishes procedures for disclosure review and auditing; and

(b) A transparency policy that informs the public, including families, Early Childhood Educators, and programs, of the existence of data systems that house personally identifiable information, explains what data elements are included in such a system, enables parental consent to disclose personally identifiable information as appropriate, and describes allowable and potential uses of the data.

Early Childhood Educator means any professional working in an Early Learning and Development Program, including but not limited to center-based and family child care providers; infant and toddler specialists; early intervention specialists and early childhood special educators; home visitors; related services providers; administrators such as directors, supervisors, and other early learning and development leaders; Head Start teachers; Early Head Start teachers; preschool and other teachers; teacher assistants; family service staff; and health coordinators.

Early Learning and Development Program means any (a) State-licensed or State-regulated program or provider, regardless of setting or funding source, that provides early care and education for children from birth to kindergarten entry, including, but not limited to, any program operated by a child care center or in a family child care home; (b) preschool program funded by the Federal Government or State or local educational agencies (including any IDEA-funded program); (c) Early Head Start and Head Start program; and (d) a non-relative child care provider who is not otherwise regulated by the State and who regularly cares for two or more unrelated children for a fee in a provider setting. A State should include

in this definition other programs that may deliver early learning and development services in a child's home, such as the MIECHV; Early Head Start; and Part C of IDEA.[2]

Early Learning and Development Standards means a set of expectations, guidelines, or developmental milestones that—

(a) Describe what all children from birth to kindergarten entry should know and be able to do and their disposition toward learning;

(b) Are appropriate for each age group (e.g., infants, toddlers, and preschoolers); for English learners; and for children with disabilities or developmental delays;

(c) Cover all Essential Domains of School Readiness; and

(d) Are universally designed and developmentally, culturally, and linguistically appropriate.

Early Learning Intermediary Organization means a national, statewide, regional, or community-based organization that represents one or more networks of Early Learning and Development Programs in the State and that has influence or authority over them. Such Early Learning Intermediary Organizations include, but are not limited to, Child Care Resource and Referral Agencies; State Head Start Associations; Family Child Care Associations; State affiliates of the National Association for the Education of Young Children; State affiliates of the Council for Exceptional Children's Division of Early Childhood; statewide or regional union affiliates that represent Early Childhood Educators; affiliates of the National Migrant and Seasonal Head Start Association; the National Tribal, American Indian, and Alaskan Native Head Start Association; and the National Indian Child Care Association.

Essential Data Elements means the critical child, program, and workforce data elements of a coordinated early learning data system, including—

(a) A unique statewide child identifier or another highly accurate, proven method to link data on that child, including Kindergarten Entry Assessment data, to and from the Statewide Longitudinal Data System and the coordinated early learning data system (if applicable);

(b) A unique statewide Early Childhood Educator identifier;

(c) A unique program site identifier;

(d) Child and family demographic information, including indicators identifying the criteria that States use to determine whether a child is a Child with High Needs;

(e) Early Childhood Educator demographic information, including data on educational attainment and State credential or licenses held, as well as professional development information;

(f) Program-level data on the program's structure, quality, child suspension and expulsion rates, staff retention, staff compensation, work environment, and all applicable data reported as part of the State's Tiered Quality Rating and Improvement System; and

(g) Child-level program participation and attendance data.

Essential Domains of School Readiness means the domains of language and literacy development, cognition and general knowledge (including early mathematics and early scientific development), approaches toward learning, physical well-being and motor development (including adaptive skills), and social and emotional development.

Formative Assessment (also known as a classroom-based or ongoing assessment) means assessment questions, tools, and processes—

(a) That are—

(1) Specifically designed to monitor children's progress in meeting the Early Learning and Development Standards;

(2) Valid and reliable for their intended purposes and their target populations; and

(3) Linked directly to the curriculum; and

(b) The results of which are used to guide and improve instructional practices.

High-Quality Plan means any plan developed by the State to address a selection criterion or priority in this notice that is feasible and has a high probability of successful implementation and at a minimum includes—

(a) The key goals;

(b) The key activities to be undertaken; the rationale for the activities; and, if applicable, where in the State the activities will be initially implemented, and where and how they will be scaled up over time to eventually achieve statewide implementation;

(c) A realistic timeline, including key milestones, for implementing each key activity;

(d) The party or parties responsible for implementing each activity and other key personnel assigned to each activity;

(e) Appropriate financial resources to support successful implementation of the plan;

(f) The information requested as supporting evidence, if any, together with any additional information the State believes will be helpful to peer reviewers in judging the credibility of the plan;

(g) The information requested in the performance measures, where applicable;

(h) How the State will address the needs of the different types of Early Learning and Development Programs, if applicable; and

(i) How the State will meet the needs of Children with High Needs.

Kindergarten Entry Assessment means an assessment that—

(a) Is administered to children during the first few months of their admission into kindergarten;

(b) Covers all Essential Domains of School Readiness;

(c) Is used in conformance with the recommendations of the National Research Council[3] reports on early childhood; and

(d) Is valid and reliable for its intended purposes and for the target populations and aligned to the Early Learning and Development Standards.

Results of the assessment should be used to inform efforts to close the school readiness gap at kindergarten entry, to inform instruction in the early elementary school grades, and to inform parents about their children's status and involve them in decisions about their children's education. This assessment must not be used to prevent children's entry into kindergarten or as a single measure for high-stakes decisions.

Lead Agency means the State-level agency designated by the Governor for the administration of the RTT–ELC grant; this agency is the fiscal agent for the grant. The Lead Agency must be one of the Participating State Agencies.

Low-Income means having an income of up to 200 percent of the Federal poverty rate.

Measures of Environmental Quality means valid and reliable indicators of the overall quality of the early learning environment.

[2] *Note:* Such home-based programs and services will most likely not participate in the State's Tiered Quality Rating and Improvement System unless the State has developed a set of tiered Program Standards specifically for home-based programs and services.

[3] National Research Council. (2008). *Early Childhood Assessment: Why, What, and How.* Committee on Developmental Outcomes and Assessments for Young Children, C.E. Snow and S.B. Van Hemel, Editors. Board on Children, Youth, and Families, Board on Testing and Assessment, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press. *www.nap.edu/catalog.php?record_id=12446.*

Measures of the Quality of Adult-Child Interactions means the measures obtained through valid and reliable processes for observing how teachers and caregivers interact with children, where such processes are designed to promote child learning and to identify strengths of and areas for improvement for early learning professionals.

Participating Program means an Early Learning and Development Program that elects to carry out activities described in the State Plan.

Participating State Agency means a State agency that administers public funds related to early learning and development and is participating in the State Plan. The following State agencies are required Participating State Agencies: The agencies that administer or supervise the administration of CCDF, the section 619 of Part B of IDEA and Part C of IDEA programs, State-funded preschool, home visiting, Title I of ESEA, the Head Start State Collaboration Grant, and the Title V Maternal and Child Health Services Block Grant, the State's Child Care Licensing Agency, and the State educational agency. Other State agencies, such as the agencies that administer or supervise the administration of Child Welfare, Mental Health, Temporary Assistance for Needy Families (TANF), Community-Based Child Abuse Prevention, the Child and Adult Care Food Program, and the Adult Education and Family Literacy Act, may be Participating State Agencies if they elect to participate in the State Plan as well as the State Advisory Council on Early Childhood Education and Care.

Program Standards means the standards that serve as the basis for a Tiered Quality Rating and Improvement System and define differentiated levels of quality for Early Learning and Development Programs. Program Standards are expressed, at a minimum, by the extent to which—

(a) Early Learning and Development Standards are implemented through evidence-based activities, interventions, or curricula that are appropriate for each age group of infants, toddlers, and preschoolers;

(b) Comprehensive Assessment Systems are used routinely and appropriately to improve instruction and enhance program quality by providing robust and coherent evidence of—

(1) Children's learning and development outcomes; and

(2) Program performance;

(c) A qualified workforce improves young children's health, social, emotional, and educational outcomes;

(d) Culturally and linguistically responsive strategies are successfully used to engage families, help them build protective factors, and strengthen their capacity to support their children's development and learning. These strategies may include, but are not limited to, parent access to the program, ongoing two-way communication with families, parent education in child development, outreach to fathers and other family members, training and support for families as children move to preschool and kindergarten, social networks of support, intergenerational activities, linkages with community supports and adult and family literacy programs, parent involvement in decision making, and parent leadership development;

(e) Health promotion practices include health and safety requirements; developmental, behavioral, and sensory screening, referral, and follow up; and the promotion of physical activity, healthy eating habits, oral health and behavioral health, and health literacy among parents; and

(f) Effective data practices include gathering Essential Data Elements and entering them into the State's Statewide Longitudinal Data System or other early learning data system, using these data to guide instruction and program improvement, and making this information readily available to families.

Screening Measures means age and developmentally appropriate, valid, and reliable instruments that are used to identify children who may need follow-up services to address developmental, learning, or health needs in, at a minimum, the areas of physical health, behavioral health, oral health, child development, vision, and hearing.

State means any of the 50 States, the District of Columbia, and Puerto Rico.

State Plan means the plan submitted as part of the State's RTT–ELC application.

Statewide Longitudinal Data System means the State's longitudinal education data system that collects and maintains detailed, high-quality, student- and staff-level data that are linked across entities and that over time provide a complete academic and performance history for each student. The Statewide Longitudinal Data System is typically housed within the State educational agency but includes or can be connected to early childhood, postsecondary, and labor data.

Tiered Quality Rating and Improvement System means the system through which the State uses a set of progressively higher Program Standards to evaluate the quality of an Early Learning and Development Program and to support program improvement. A Tiered Quality Rating and Improvement System consists of four components: (a) Tiered Program Standards with multiple rating categories that clearly and meaningfully differentiate program quality levels; (b) monitoring to evaluate program quality based on the Program Standards; (c) supports to help programs meet progressively higher standards (e.g., through training, technical assistance, financial support); and (d) program quality ratings that are publically available; and includes a process for validating the system.

Workforce Knowledge and Competency Framework means a set of expectations that describes what Early Childhood Educators (including those working with children with disabilities and English learners) should know and be able to do. The Workforce Knowledge and Competency Framework, at a minimum, (a) Is evidence based; (b) incorporates knowledge and application of the State's Early Learning and Development Standards, the Comprehensive Assessment Systems, child development, health, and culturally and linguistically appropriate strategies for working with families; (c) includes knowledge of early mathematics and literacy development and effective instructional practices to support mathematics and literacy development in young children; (d) incorporates effective use of data to guide instruction and program improvement; (e) includes effective behavior management strategies that promote positive social and emotional development and reduce challenging behaviors; (f) incorporates feedback from experts at the State's postsecondary institutions and other early learning and development experts and Early Childhood Educators; and (g) includes knowledge of protective factors and effective approaches to partnering with families and building families' knowledge, skills, and capacity to promote children's health and development.

Program Authority: Sections 14005 and 14006, of the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub. L. 111–5), as amended by section 1832(b) of Division B of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Pub. L. 112–10), and the Department of Education Appropriations Act, 2012 (Title III of Division F of Pub. L. 112–74, the Consolidated Appropriations Act, 2012).

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82,

84, 86, 97, 98, and 99. (b) The Education Department suspension and debarment regulations in 2 CFR part 3485. (c) The notice of final priorities, requirements, definitions, and selection criteria for this program, published elsewhere in this issue of the **Federal Register**.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: $280 million.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2014 from the list of unfunded applicants from this competition.

The Department of Education may use any unused funds from the FY 2013 Race to the Top—District program in the FY 2013 RTT–ELC competition. The FY 2013 Race to the Top—District competition will be announced in a separate notice published in the **Federal Register**. Conversely, the Department of Education may use any unused FY 2013 funds from the RTT–ELC competition in the FY 2013 Race to the Top—District competition.

Estimated Range of Awards: $37.5 million–$75 million.

Budget Requirements: To support States in planning their budgets, the Departments have developed the following budget caps for each State. We will not consider for funding an application from a State that proposes a budget that exceeds the applicable cap set for that State. The Departments developed the following categories by ranking every State according to its share of the national population of children ages birth through five-years-old from Low-Income families and identifying the natural breaks in the rank order. Then, based on population, budget caps were developed for each category.[4]

Category 1—Up to $75 million—Florida, New York, Texas.

Category 2—Up to $52.5 million—Arizona, Georgia, Michigan, Pennsylvania.

Category 3—Up to $45 million—Alabama, Indiana, Kentucky, Louisiana, Missouri, New Jersey, Oklahoma, Puerto Rico, South Carolina, Tennessee, Virginia.

Category 4—Up to $37.5 million—Alaska, Arkansas, Connecticut, District of Columbia, Hawaii, Idaho, Iowa, Kansas, Maine, Mississippi, Montana, Nebraska, New Hampshire, Nevada, North Dakota, South Dakota, Utah, Vermont, West Virginia, Wyoming.

[4] Source: U.S. Department of Commerce, Census Bureau, 2011. American Community Survey (ACS) 1-year Public Use Microdata Sample (PUMS) data.

The State must include in its budget the amount of funds it intends to distribute through MOUs, interagency agreements, contracts, subgrants, or other mechanisms authorized by State procurement laws to localities, Early Learning Intermediary Organizations, Participating Programs, or other partners.

The State must set aside $400,000 from its grant funds for the purpose of participating in RTT-ELC grantee technical assistance activities facilitated by ED or HHS.

Estimated Number of Awards: From three to eight awards.

Note: The Departments are not bound by any estimates in this notice.

Project Period: Up to 48 months.

III. Eligibility Requirements

States must meet the following requirements:

(a) The State has not previously received an RTT–ELC grant.

(b) The Lead Agency must have executed with each Participating State Agency a memorandum of understanding or other binding agreement that the State must attach to its application, describing the Participating State Agency's level of participation in the grant. At a minimum, the MOU or other binding agreement must include an assurance that the Participating State Agency agrees to use, to the extent applicable—

(1) A set of statewide Early Learning and Development Standards;

(2) A set of statewide Program Standards;

(3) A statewide Tiered Quality Rating and Improvement System; and

(4) A statewide Workforce Knowledge and Competency Framework and progression of credentials.

(c) There must be an active MIECHV program in the State, either through the State under section 511(c) of Title V of the Social Security Act, as added by section 2951 of the Affordable Care Act of 2010 (Pub. L. 111–148), or through an eligible non-profit organization under section 511(h)(2)(B).

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

3. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements, as described in program requirement (l).

IV. Application and Submission Information

1. *Address to Request Application Package:* You can obtain an application package via the Internet or from the Departments. To obtain a copy via the Internet, use the following address: *www.ed.gov/programs/racetothetop-earlylearningchallenge.* To obtain a copy from the Departments, write, fax, call, or email: Miriam Lund, U.S. Department of Education, 400 Maryland Avenue SW., Room 3e330, Washington, DC 20202–6200. Telephone: (202) 401–2871. FAX: (202) 260–8969. Email: *RTT-ELC.P3.Competition@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the program contact person listed under *Accessible Format* in section VIII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Deadline for Notice of Intent to Apply: September 30, 2013.

We will be able to develop a more efficient process for reviewing grant applications if we know the approximate number of applicants that intend to apply for funding under this competition. Therefore, the Departments strongly encourage each potential applicant to notify us of the applicant's intent to submit an application for funding by emailing Miriam Lund at *RTT-ELC.P3.Competition@ed.gov.* This short email message should provide (1) The name of the State applying, (2) the contact person (name, phone number, and email), and (3) all competitive preference priorities the applicant intends to address. Applicants that do not submit an ''Intent to Apply'' email may still apply for funding.

Page Limit: The application narrative is where the applicant addresses the selection criteria that reviewers will use to evaluate applications. We recommend that the applicant limit its narrative responses to no more than 150 pages and limit its appendices to no more than 150 pages. We strongly request that applicants follow the recommended page limits. The following standards are recommended:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Each page is numbered.
- Line spacing is set to 1.5 spacing, and the font used is 12 point Times New Roman.

3. *Submission Dates and Times:*

Applications Available: August 30, 2013.

Deadline for Notice of Intent to Apply: September 30, 2013.

Date of Technical Assistance Planning Workshop: September 10, 2013.

To assist States in preparing the application and to respond to questions, ED and HHS intend to host a Technical Assistance Planning Workshop with potential applicants on September 10, 2013, to review the priorities, requirements, and selection criteria for this competition. To minimize travel burdens associated with this workshop and to maximize the number of potential applicants who can participate, the Departments will also broadcast this workshop live at *edstream.ed.gov.* The purpose of the workshop will be to allow teams of participants responsible for developing applications to review with Federal program staff the priorities, requirements, and selection criteria for this competition and to ask questions about the RTT–ELC competition. We strongly encourage all interested State applicants to participate in the workshop, either in Washington, DC. For those who cannot attend the workshop in person, a video recording of the workshop will be available on the RTT–ELC Web site at *www.ed.gov/programs/racetothetop-earlylearningchallenge.* The Departments may host additional conference calls, workshops, or Webinars to answer applicant questions and will be posting Frequently Asked Questions and responses on the RTT–ELC Web site. The Departments will make available all registration information and additional details for the September 10, 2013, workshop and any other technical assistance events on the RTT–ELC Web site at *www.ed.gov/programs/racetothetop-earlylearningchallenge.*

Deadline for Transmittal of Applications: October 16, 2013.

Applications for grants under this competition must be submitted in electronic format on a CD or DVD, by mail or hand delivery. For information (including dates and times) about how to submit your application by mail or hand delivery, please refer to section IV (7) *Other Submission Requirements* of this notice. We will not consider an application that does not comply with the deadline requirements.

We will provide Congress with the names of the States that have submitted applications, and we will post the names of these States on ED's Web site. We will also post all applications submitted. Therefore, please ensure that your application does not include personally identifiable information, proprietary information, or other non-public information.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Departments provide an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. However, under 34 CFR 79.8(a), we waive intergovernmental review in order to make awards by the end of the period of availability of these funds, December 31, 2013.

5. *Funding Restrictions:* We specify unallowable costs in section (b) of *Program Requirements* in this notice. We reference additional regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:* To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry (CCR)), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Departments and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one business day.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow 2–5 weeks for your TIN to become active.

The SAM registration process may take seven or more business days to complete. If you are currently registered with the SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days to complete. Information about SAM is available at *SAM.gov.*

7. *Other Submission Requirements:* Applicants for a grant under this competition must submit: (1) An electronic copy of the application; and (2) signed originals of certain sections of the application. Applicants must submit their application in electronic format on a CD or DVD, with CD–ROM or DVD–ROM preferred. We strongly recommend that the applicant submit three CDs or DVDs. Each of these three CDs or DVDs should include the following four files:

(1) A single file that contains the body of the application narrative, including required budget tables, that has been converted into a searchable .PDF document. Note that a .PDF created from a scanned document is not searchable;

(2) A single file in a .PDF format that contains all application appendices;

(3) A single file in a .PDF format that contains all of the required signature pages. The signature pages may be scanned and turned into a PDF. Applicants should also include all signed MOUs or other binding agreements for each Participating State Agency in the application; and

(4) A single, separate file of the completed electronic budget spreadsheets (e.g., .XLS or .XLSX formats) that includes the required budget tables and budget justifications (the spreadsheets will be used by the Departments for budget reviews).

Each of these items must be clearly labeled with the applicant's name, city, state, and any other relevant identifying information. Applicants also must not password-protect these files. Additionally, please ensure that: (1) All three CDs or DVDs contain the same four files; (2) the files are not corrupted; and (3) all files print correctly. The Departments are not responsible for reviewing any information that is not able to be opened or printed from your application package.

In addition to the electronic files, applicants must submit signed originals of section IV of the application and one copy of that signed original. The Departments will not review any paper submissions of the application narrative and appendices. All applications must be submitted by mail or hand delivery. Whether you submit an application by

mail or hand delivery, you must indicate on the envelope the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application. The instructions for each delivery method are provided below. The Departments must receive the application by 4:30:00 p.m., Washington, DC time, on October 16, 2013. If we receive an application after the application deadline, we will not consider that application.

a. *Submission of Applications by Mail:*

If you submit your application by mail (through the U.S. Postal Service or a commercial carrier), we must receive your three CDs or DVDs containing the four application files and the signed original of section IV on or before the application deadline date and time. Therefore to avoid delays, we strongly recommend sending the application via overnight mail. Mail the application to the Departments at the following address: U.S. Department of Education, Application Control Center, Attention: CFDA Number 84.412A, LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202–4260.

If we receive an application after the application deadline, we will not consider that application.

b. *Submission of Applications by Hand Delivery:*

If you submit your application by hand delivery, you (or a courier service) must deliver the three CDs or DVDs containing the four application files and the signed originals of section IV on or before the application deadline date and time, to the Departments at the following address: U.S. Department of Education, Application Control Center, Attention: CFDA Number 84.412A, 550 12th Street SW., Room 7041, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC, time, except Saturdays, Sundays, and Federal holidays. In accordance with EDGAR § 75.216(b) and (c), an application will not be evaluated for funding if the applicant does not comply with all of the procedural rules that govern the submission of the application or the application does not contain the information required under the program.

Note for Mail or Hand Delivery of Applications: When you mail or hand deliver your application to the Departments—

(1) You must indicate on the envelope the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are in the notice of final priorities, requirements, definitions, and selection criteria for this program, published elsewhere in this issue of the **Federal Register**. We will use the following selection criteria to evaluate applications submitted under the RTT–ELC competition. The maximum score for all the selection criteria and competitive preference priorities is 315 points. The maximum score for each selection criterion is indicated in parentheses. The reviewers will utilize the scoring rubric located in Appendix A of this notice when evaluating the following selection criteria:

Core Areas—Sections (A) (Successful State Systems) and (B) (High-Quality, Accountable Programs)

States must address in their application all of the selection criteria in the Core Areas—Sections (A) (Successful State Systems) and (B) (High-Quality, Accountable Programs).

A. Successful State Systems

(A)(1) Demonstrating past commitment to early learning and development. (20 points)

The extent to which the State has demonstrated past commitment to and investment in high-quality, accessible Early Learning and Development Programs and services for Children with High Needs, as evidenced by the State's—

(a) Financial investment, from five years ago to the present, in Early Learning and Development Programs, including the amount of these investments in relation to the size of the State's population of Children with High Needs during this time period;

(b) Increasing, from the previous five years to the present, the number of Children with High Needs participating in Early Learning and Development Programs;

(c) Existing early learning and development legislation, policies, or practices; and

(d) Current status in key areas that form the building blocks for a high-quality early learning and development system, including Early Learning and Development Standards, Comprehensive Assessment Systems, health promotion practices, family engagement strategies, the development of Early Childhood Educators, Kindergarten Entry Assessments, and effective data practices.

Evidence for (A)(1):

- The number and percentage of children from Low-Income families in the State, by age.
- The number and percentage of Children with High Needs from special populations in the State.
- The number of Children with High Needs in the State who are enrolled in Early Learning and Development Programs, by age, race, and ethnicity.
- Data currently available, if any, on the status of children at kindergarten entry (across Essential Domains of School Readiness, if available), including data on the readiness gap between Children with High Needs and their peers.
- Data currently available, if any, on program quality across different types of Early Learning and Development Programs.
- The number of Children with High Needs participating in each type of Early Learning and Development Program for each of the previous five years to the present.
- The number of Children with High Needs participating in each type of Early Learning and Development Program for each of the previous five years to the present.
- The current status of the State's Early Learning and Development Standards, for each of the Essential Domains of School Readiness, by age group of infants, toddlers, and preschoolers.
- The elements of a Comprehensive Assessment System currently required within the State by different types of Early Learning and Development Programs or systems.
- The elements of high-quality health promotion practices currently required within the State by different types of Early Learning and Development Programs or systems.
- The elements of a high-quality family engagement strategy currently required within the State by different types of Early Learning and Development Programs or systems.
- All early learning and development workforce credentials currently available in the State, including whether credentials are aligned with a State Workforce Knowledge and Competency Framework and the number and percentage of Early Childhood

Educators who have each type of credential.

• The current status of postsecondary institutions and other professional development providers in the State that issue credentials or degrees to Early Childhood Educators.

• The current status of the State's Kindergarten Entry Assessment.

• All early learning and development data systems currently used in the State.

Performance Measures for (A)(1):

• None required.

(A)(2) Articulating the State's rationale for its early learning and development reform agenda and goals. (20 points)

The extent to which the State clearly articulates a comprehensive early learning and development reform agenda that is ambitious yet achievable, builds on the State's progress to date (as demonstrated in selection criterion (A)(1)), is likely to result in improved school readiness for Children with High Needs, and includes—

(a) Ambitious yet achievable goals for improving program quality, improving outcomes for Children with High Needs statewide, and closing the educational gaps between Children with High Needs and their peers;

(b) An overall summary of the State Plan that clearly articulates how the High-Quality Plans proposed under each selection criterion, when taken together, constitute an effective reform agenda that establishes a clear and credible path toward achieving these goals; and

(c) A specific rationale that justifies the State's choice to address the selected criteria in each Focused Investment Area (C), (D), and (E), including why these selected criteria will best achieve these goals.

Evidence for (A)(2):

• The State's goals for improving program quality statewide over the period of this grant.

• The State's goals for improving child outcomes statewide over the period of this grant.

• The State's goals for closing the readiness gap between Children with High Needs and their peers at kindergarten entry.

• Identification of the two or more selection criteria that the State has chosen to address in Focused Investment Area (C).

• Identification of the one or more selection criteria that the State has chosen to address in Focused Investment Area (D).

• Identification of the one or more selection criteria that the State has chosen to address in Focused Investment Area (E).

• For each Focused Investment Area (C), (D), and (E), a description of the State's rationale for choosing to address the selected criteria in that Focused Investment Area, including how the State's choices build on its progress to date in each Focused Investment Area (as outlined in the narrative under (A)(1) in the application) and why these selected criteria will best achieve the State's ambitious yet achievable goals for improving program quality, improving outcomes for Children with High Needs statewide, and closing the educational gap between Children with High Needs and their peers.

Performance Measures for (A)(2):

• None required.

(A)(3) Aligning and coordinating early learning and development across the State. (10 points)

The extent to which the State has established, or has a High-Quality Plan to establish, strong participation in and commitment to the State Plan by Participating State Agencies and other early learning and development stakeholders by—

(a) Demonstrating how the Participating State Agencies and other partners, if any, will identify a governance structure for working together that will facilitate interagency coordination, streamline decision making, effectively allocate resources, and create long-term sustainability, and describing—

(1) The organizational structure for managing the grant and how it builds upon existing interagency governance structures such as children's cabinets, councils, and commissions, if any already exist and are effective;

(2) The governance-related roles and responsibilities of the Lead Agency, the State Advisory Council on Early Childhood Education and Care, each Participating State Agency, and the State's Interagency Coordinating Council for Part C of IDEA, and other partners, if any;

(3) The method and process for making different types of decisions (e.g., policy, operational) and resolving disputes; and

(4) The plan for when and how the State will involve representatives from Participating Programs, Early Childhood Educators or their representatives, parents and families, including parents and families of Children with High Needs, and other key stakeholders in the planning and implementation of the activities carried out under the grant;

(b) Demonstrating that the Participating State Agencies are strongly committed to the State Plan, to the governance structure of the grant, and to effective implementation of the State Plan, by including in the MOUs or other binding agreements between the State and each Participating State Agency—

(1) Terms and conditions that reflect a strong commitment to the State Plan by each Participating State Agency, including terms and conditions designed to align and leverage the Participating State Agencies' existing funding to support the State Plan;

(2) ''Scope-of-work'' descriptions that require each Participating State Agency to implement all applicable portions of the State Plan and a description of efforts to maximize the number of Early Learning and Development Programs that become Participating Programs; and

(3) A signature from an authorized representative of each Participating State Agency; and

(c) Demonstrating commitment to the State Plan from a broad group of stakeholders that will assist the State in reaching the ambitious yet achievable goals outlined in response to selection criterion (A)(2)(a), including by obtaining—

(1) Detailed and persuasive letters of intent or support from Early Learning Intermediary Organizations, and, if applicable, local early learning councils; and

(2) Letters of intent or support from such other stakeholders as Early Childhood Educators or their representatives; the State's legislators; local community leaders; State or local school boards; representatives of private and faith-based early learning programs; other State and local leaders (e.g., business, community, tribal, civil rights, education association leaders); adult education and family literacy State and local leaders; family and community organizations; representatives from the disability community, the English learner community, and entities representing other Children with High Needs (e.g., parent councils, nonprofit organizations, local foundations, tribal organizations, and community-based organizations); libraries and children's museums; health providers; public television stations; and postsecondary institutions.

Evidence for (A)(3)(a) and (b):

• For (A)(3)(a)(1): An organizational chart that shows how the grant will be governed and managed.

• Governance-related roles and responsibilities.

• A copy of all fully executed MOUs or other binding agreements that cover each Participating State Agency. (MOUs or other binding agreements should be referenced in the narrative but must be included in the Appendix to the application).

Evidence for (A)(3)(c)(1):

• A list of every Early Learning Intermediary Organization and local early learning council (if applicable) in the State that indicates which organizations and councils have submitted letters of intent or support.

• A copy of every letter of intent or support from Early Learning Intermediary Organizations and local early learning councils.

Evidence for (A)(3)(c)(2):

• A copy of every letter of intent or support from other stakeholders.

Performance Measures for (A)(3):

• None required.

(A)(4) Developing a budget to implement and sustain the work of this grant. (15 points)

The extent to which the State Plan—

(a) Demonstrates how the State will use existing funds that support early learning and development from Federal, State, private, and local sources (e.g., CCDF; Title I and II of ESEA; IDEA; Striving Readers Comprehensive Literacy Program; State preschool; Head Start Collaboration funding; MIECHV program; Title V MCH Block Grant; TANF; Medicaid; child welfare services under Title IV (B) and (E) of the Social Security Act; Statewide Longitudinal Data System; foundation; other private funding sources) for activities and services that help achieve the outcomes in the State Plan, including how the quality set-asides in CCDF will be used;

(b) Describes, in both the budget tables and budget narratives, how the State will effectively and efficiently use funding from this grant to achieve the outcomes in the State Plan, in a manner that—

(1) Is adequate to support the activities described in the State Plan;

(2) Includes costs that are reasonable and necessary in relation to the objectives, design, and significance of the activities described in the State Plan and the number of children to be served; and

(3) Details the amount of funds budgeted for Participating State Agencies, localities, Early Learning Intermediary Organizations, Participating Programs, or other partners, and the specific activities to be implemented with these funds consistent with the State Plan, and demonstrates that a significant amount of funding will be devoted to the local implementation of the State Plan; and

(c) Demonstrates that it can be sustained after the grant period ends to ensure that the number and percentage of Children with High Needs served by Early Learning and Development Programs in the State will be maintained or expanded.

Evidence for (A)(4)(a):

• The existing funds to be used to achieve the outcomes in the State Plan.

• Description of how these existing funds will be used for activities and services that help achieve the outcomes in the State Plan.

Evidence for (A)(4)(b):

• The State's budget.

• The narratives that accompany and explain the budget and describe how it connects to the State Plan.

Performance Measures for (A)(4):

• None required.

B. High-Quality, Accountable Programs

(B)(1) Developing and adopting a common, statewide Tiered Quality Rating and Improvement System. (10 points)

The extent to which the State and its Participating State Agencies have developed and adopted, or have a High-Quality Plan to develop and adopt, a Tiered Quality Rating and Improvement System that—

(a) Is based on a statewide set of tiered Program Standards that include—

(1) Early Learning and Development Standards;

(2) A Comprehensive Assessment System;

(3) Early Childhood Educator qualifications;

(4) Family engagement strategies;

(5) Health promotion practices; and

(6) Effective data practices;

(b) Is clear and has standards that are measurable, meaningfully differentiate program quality levels, and reflect high expectations of program excellence commensurate with nationally recognized standards that lead to improved learning outcomes for children; and

(c) Is linked to the State licensing system for Early Learning and Development Programs.

Evidence for (B)(1):

• Each set of existing Program Standards currently used in the State and the elements that are included in those Program Standards (Early Learning and Development Standards, Comprehensive Assessment Systems, Qualified Workforce, Family Engagement, Health Promotion, Effective Data Practices, and Other).

• To the extent the State has developed and adopted a Tiered Quality Rating and Improvement System based on a common set of tiered Program Standards that meet the elements in selection criterion (B)(1)(a), submit—

○ A copy of the tiered Program Standards;

○ Documentation that the Program Standards address all areas outlined in the definition of Program Standards, demonstrate high expectations of program excellence commensurate with nationally recognized standards, and are linked to the States licensing system; and

○ Documentation of how the tiers meaningfully differentiate levels of quality.

Performance Measures for (B)(1):

• None required.

(B)(2) Promoting participation in the State's Tiered Quality Rating and Improvement System. (15 points)

The extent to which the State has maximized, or has a High-Quality Plan to maximize, program participation in the State's Tiered Quality Rating and Improvement System by—

(a) Implementing effective policies and practices to reach the goal of having all publicly funded Early Learning and Development Programs participate in such a system, including programs in each of the following categories—

(1) State-funded preschool programs;

(2) Early Head Start and Head Start programs;

(3) Early Learning and Development Programs funded under section 619 of Part B of IDEA and Part C of IDEA;

(4) Early Learning and Development Programs funded under Title I of ESEA; and

(5) Early Learning and Development Programs receiving funds from the State's CCDF program;

(b) Implementing effective policies and practices designed to help more families afford high-quality child care and maintain the supply of high-quality child care in areas with high concentrations of Children with High Needs (e.g., maintaining or increasing subsidy reimbursement rates, taking actions to ensure affordable co-payments, providing incentives to high-quality providers to participate in the subsidy program); and

(c) Setting ambitious yet achievable targets for the numbers and percentages of Early Learning and Development Programs that will participate in the Tiered Quality Rating and Improvement System by type of Early Learning and Development Program (as listed in (B)(2)(a)(1) through (5) above).

Evidence for (B)(2):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(2)(c):

General goals to be provided at time of application, including baseline data and annual targets:

• Number and percentage of Early Learning and Development Programs participating in the statewide Tiered Quality Rating and Improvement System, by type of Early Learning and Development Program.

(B)(3) Rating and monitoring Early Learning and Development Programs. (15 points)

The extent to which the State and its Participating State Agencies have developed and implemented, or have a High-Quality Plan to develop and implement, a system for rating and monitoring the quality of Early Learning and Development Programs participating in the Tiered Quality Rating and Improvement System by—

(a) Using a valid and reliable tool for monitoring such programs, having trained monitors whose ratings have an acceptable level of inter-rater reliability, and monitoring and rating the Early Learning and Development Programs with appropriate frequency; and

(b) Providing quality rating and licensing information to parents with children enrolled in Early Learning and Development Programs (e.g., displaying quality rating information at the program site) and making program quality rating data, information, and licensing history (including any health and safety violations) publicly available in formats that are written in plain language, and are easy to understand and use for decision making by families selecting Early Learning and Development Programs and families whose children are enrolled in such programs.

Evidence for (B)(3):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(3):

• None required.

(B)(4) Promoting access to high-quality Early Learning and Development Programs for Children with High Needs. (20 points)

The extent to which the State and its Participating State Agencies have developed and implemented, or have a High-Quality Plan to develop and implement, a system for improving the quality of the Early Learning and Development Programs participating in the Tiered Quality Rating and Improvement System by—

(a) Developing and implementing policies and practices that provide support and incentives for Early Learning and Development Programs to continuously improve (e.g., through training, technical assistance, financial rewards or incentives, higher subsidy reimbursement rates, compensation);

(b) Providing supports to help working families who have Children with High Needs access high-quality Early Learning and Development Programs that meet those needs (e.g., providing full-day, full-year programs; transportation; meals; family support services); and

(c) Setting ambitious yet achievable targets for increasing—

(1) The number of Early Learning and Development Programs in the top tiers of the Tiered Quality Rating and Improvement System; and

(2) The number and percentage of Children with High Needs who are enrolled in Early Learning and Development Programs that are in the top tiers of the Tiered Quality Rating and Improvement System.

Evidence for (B)(4):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(4)(c):

General goals to be provided at time of application, including baseline data and annual targets:

• Number of Early Learning and Development Programs in the top tiers of the Tiered Quality Rating and Improvement System, by type of Early Learning and Development Program.

• Number and Percentage of Children with High Needs who are enrolled in Early Learning and Development Programs that are in the top tiers of the Tiered Quality Rating and Improvement System, by type of Early Learning and Development Program.

(B)(5) Validating the effectiveness of State Tiered Quality Rating and Improvement Systems. (15 points)

The extent to which the State has a High-Quality Plan to design and implement evaluations—working with an independent evaluator and, when warranted, as part of a cross-State evaluation consortium—of the relationship between the ratings generated by the State's Tiered Quality Rating and Improvement System and the learning outcomes of children served by the State's Early Learning and Development Programs by—

(a) Validating, using research-based measures, as described in the State Plan (which also describes the criteria that the State used or will use to determine those measures), that the tiers in the State's Tiered Quality Rating and Improvement System accurately reflect differential levels of program quality; and

(b) Assessing, using appropriate research designs and measures of progress (as identified in the State Plan), the extent to which changes in quality ratings are related to progress in children's learning, development, and school readiness.

Evidence for (B)(5):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (B)(5):

• None required.

Focused Investment Areas—Sections (C), (D), and (E)

Each State must address in its application—

(1) Two or more of the selection criteria in Focused Investment Area (C);

(2) One or more of the selection criteria in Focused Investment Area (D); and

(3) One or more of the selection criteria in Focused Investment Area (E).

C. Promoting Early Learning and Development Outcomes for Children

The total available points that an applicant may receive for selection criteria (C)(1) through (C)(4) is 60. The 60 points will be divided by the number of selection criteria that the applicant chooses to address so that each selection criterion is worth the same number of points. For example, if the applicant chooses to address all four selection criteria under this Focused Investment Area, each criterion will be worth up to 15 points. If the applicant chooses to address two selection criteria, each criterion will be worth up to 30 points.

The applicant must address at least two of the selection criteria within Focused Investment Area (C), which are as follows:

(C)(1) Developing and using statewide, high-quality Early Learning and Development Standards.

The extent to which the State has a High-Quality Plan to put in place high-quality Early Learning and Development Standards that are used statewide by Early Learning and Development Programs and that—

(a) Includes evidence that the Early Learning and Development Standards are developmentally, culturally, and linguistically appropriate across each age group of infants, toddlers, and preschoolers, and that they cover all Essential Domains of School Readiness;

(b) Includes evidence that the Early Learning and Development Standards are aligned with the State's K–3 academic standards in, at a minimum, early literacy and mathematics;

(c) Includes evidence that the Early Learning and Development Standards are incorporated in Program Standards, curricula and activities, Comprehensive Assessment Systems, the State's Workforce Knowledge and Competency Framework, and professional development activities; and that they are shared with parents and families along with suggestions for appropriate strategies they can use at home to support their children's learning and development; and

(d) Includes evidence that the State has supports in place to promote understanding of and commitment to the Early Learning and Development Standards across Early Learning and Development Programs.

Evidence for (C)(1)(a) and (b):

• To the extent the State has implemented Early Learning and Development Standards that meet the elements in selection criteria (C)(1)(a) and (b), submit—

○ Proof of use by all types of Early Learning and Development Programs in the State;

○ The State's Early Learning and Development Standards for:

—Infants and toddlers

—Preschoolers

○ Documentation that the standards are developmentally, linguistically, and culturally appropriate for all children, including children with disabilities and developmental delays and English learners;

○ Documentation that the standards address all Essential Domains of School Readiness and that they are of high quality; and

○ Documentation of the alignment between the State's Early Learning and Development Standards and the State's K–3 standards.

Performance Measures for (C)(1):

• None required.

(C)(2) Supporting effective uses of Comprehensive Assessment Systems.

The extent to which the State has a High-Quality Plan to support the effective implementation of developmentally appropriate Comprehensive Assessment Systems by—

(a) Working with Early Learning and Development Programs to select assessment instruments and approaches that are appropriate for the target populations and purposes;

(b) Working with Early Learning and Development Programs to strengthen Early Childhood Educators' understanding of the purposes and uses of each type of assessment included in the Comprehensive Assessment Systems;

(c) Articulating an approach for aligning and integrating assessments and sharing assessment results, as appropriate, in order to avoid duplication of assessments and to coordinate services for Children with High Needs who are served by multiple Early Learning and Development Programs;

(d) Training Early Childhood Educators to appropriately administer assessments and interpret and use assessment data in order to inform and improve instruction, programs, and services, and to effectively solicit and use family input on children's development and needs; and

(e) Articulating guidelines and procedures for sharing assessment data and results with parents, involving them in decisions about their children's care and education, and helping them identify concrete actions they can take to address developmental issues identified through the assessment process.

Evidence for (C)(2):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (C)(2):

• None required.

(C)(3) Identifying and addressing the health, behavioral, and developmental needs of Children with High Needs to improve school readiness.

The extent to which the State has a High-Quality Plan to identify and address the health, behavioral, and developmental needs of Children with High Needs by—

(a) Establishing a progression of standards for ensuring children's health and safety; ensuring that health and behavioral screening and follow-up occur; promoting children's physical, social, and emotional development across the levels of its Program Standards; and involving families as partners and building parents' capacity to promote their children's physical, social, and emotional health;

(b) Increasing the number of Early Childhood Educators who are trained and supported on an ongoing basis in meeting the health standards;

(c) Promoting healthy eating habits, improving nutrition, expanding physical activity, and providing information and guidance to families to promote healthy habits at home;

(d) Leveraging existing resources to meet ambitious yet achievable annual targets to increase the number of Children with High Needs who—

(1) Are screened using Screening Measures that align with the Medicaid Early Periodic Screening, Diagnostic and Treatment benefit (see section 1905(r)(5) of the Social Security Act) or the well-baby and well-child services available through the Children's Health Insurance Program (42 CFR 457.520), and that, as appropriate, are consistent with the Child Find provisions in IDEA (see sections 612(a)(3) and 635(a)(5) of IDEA);

(2) Are referred for services based on the results of those screenings and, where appropriate, received follow-up; and

(3) Participate in ongoing health care as part of a schedule of well-child care, including the number of children who are up to date in a schedule of well-child care; and

(e) Developing a comprehensive approach to increase the capacity and improve the overall quality of Early Learning and Development Programs to support and address the social and emotional development (including infant-early childhood mental health) of children from birth to age five.

Evidence for (C)(3)(a):

• To the extent the State has established a progression of health standards across the levels of Program Standards that meet the elements in selection criterion (C)(3)(a), submit—

○ The progression of health standards used in the Program Standards and the State's plans for improvement over time, including documentation demonstrating that this progression of standards appropriately addresses health and safety standards; developmental, behavioral, and sensory screening, referral, and follow-up; health promotion including healthy eating habits, improved nutrition, and increased physical activity; oral health; social and emotional development; family involvement and capacity-building; and health literacy among parents and children.

Evidence for (C)(3)(b):

• To the extent the State has existing and projected numbers and percentages of Early Childhood Educators who receive training and support in meeting the health standards, the State must submit documentation of these data. If the State does not have these data, the State must outline its plan for deriving them.

Evidence for (C)(3)(c):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Evidence for (C)(3)(d):

• Documentation of the State's existing and future resources that are or will be used to address the health, behavioral, and developmental needs of Children with High Needs. At a minimum, documentation must address the screening and referral of and follow-up for all Children with High Needs, and how families will be engaged in the process; how the State will promote the participation of Children with High Needs in ongoing health care as part of a schedule of well-child care; how the State will promote healthy eating habits and improved nutrition as well as increased physical activity for Children with High Needs; and how the State will promote health literacy for children and parents.

Performance Measures for (C)(3)(d):

General goals to be provided at time of application, including baseline data and annual targets:

- Number of Children with High Needs screened.
- Number of Children with High Needs referred for services and who received follow-up/treatment.
- Number of Children with High Needs who participate in ongoing health care as part of a schedule of well-child care.
- Of these participating Children with High Needs, the number or percentage of children who are up-to-date in receiving services as part of a schedule of well-child care.

Evidence for (C)(3)(e):

- Any supporting evidence the State believes will be helpful to peer reviewers.

(C)(4) Engaging and supporting families.

The extent to which the State has a High-Quality Plan to provide culturally and linguistically appropriate information and support to families of Children with High Needs in order to promote school readiness for their children by—

(a) Establishing a progression of culturally and linguistically appropriate standards for family engagement across the levels of its Program Standards, including activities that enhance the capacity of families to support their children's education and development and help families build protective factors;

(b) Increasing the number and percentage of Early Childhood Educators trained and supported on an ongoing basis to implement the family engagement strategies included in the Program Standards; and

(c) Promoting family support and engagement statewide, including by leveraging other existing resources, such as home visiting programs, family resource centers, family support networks, and other family-serving agencies and organizations, and through outreach to family, friend, and neighbor caregivers.

Evidence for (C)(4)(a):

- To the extent the State has established a progression of family engagement standards across the levels of Program Standards that meet the elements in selection criterion (C)(4)(a), submit—
  - The progression of culturally and linguistically appropriate family engagement standards used in the Program Standards that includes strategies successfully used to engage families in supporting their children's development and learning. A State's family engagement standards must address, but need not be limited to: Parent access to the program, ongoing two-way communication with families, parent education in child development, outreach to fathers and other family members, training and support for families as children move to preschool and kindergarten, social networks of support, intergenerational activities, linkages with community supports and adult and family literacy programs, parent involvement in decision making, and parent leadership development; and
  - Documentation that this progression of standards includes activities that enhance the capacity of families to support their children's education and development.

Evidence for (C)(4)(b):

- To the extent the State has existing and projected numbers and percentages of Early Childhood Educators who receive training and support on the family engagement strategies included in the Program Standards, the State must submit documentation of these data. If the State does not have these data, the State must outline its plan for deriving them.

Evidence for (C)(4)(c):

- Documentation of the State's existing resources that are or will be used to promote family support and engagement statewide, including through home visiting programs and other family-serving agencies and the identification of new resources that will be used to promote family support and engagement statewide.

Performance Measures for (C)(4)

- None required.

D. A Great Early Childhood Education Workforce

The total available points that a State may receive for selection criteria (D)(1) and (D)(2) is 40. The 40 points will be divided by the number of selection criteria that the applicant chooses to address so that each selection criterion is worth the same number of points. For example, if the applicant chooses to address both selection criteria under this Focused Investment Area, each criterion will be worth up to 20 points. If the applicant chooses to address one selection criterion, the criterion will be worth up to 40 points.

The applicant must address at least one of the selection criteria within Focused Investment Area (D), which are as follows:

(D)(1) Developing a Workforce Knowledge and Competency Framework and a progression of credentials.

The extent to which the State has a High-Quality Plan to—

(a) Develop a common, statewide Workforce Knowledge and Competency Framework designed to promote children's learning and development and improve child outcomes;

(b) Develop a common, statewide progression of credentials and degrees aligned with the Workforce Knowledge and Competency Framework; and

(c) Engage postsecondary institutions and other professional development providers in aligning professional development opportunities with the State's Workforce Knowledge and Competency Framework.

Evidence for (D)(1):

- To the extent the State has developed a common, statewide Workforce Knowledge and Competency Framework that meets the elements in selection criterion (D)(1), submit:
  - The Workforce Knowledge and Competency Framework;
  - Documentation that the State's Workforce Knowledge and Competency Framework addresses the elements outlined in the definition of Workforce Knowledge and Competency Framework in the *Program Definitions* section of this notice and is designed to promote children's learning and development and improve outcomes.

Performance Measures for (D)(1)

- None required.

(D)(2) Supporting Early Childhood Educators in improving their knowledge, skills, and abilities.

The extent to which the State has a High-Quality Plan to improve the effectiveness and retention of Early Childhood Educators who work with Children with High Needs, with the goal of improving child outcomes by—

(a) Providing and expanding access to effective professional development opportunities that—

(1) Are aligned with the State's Workforce Knowledge and Competency Framework;

(2) Tightly link training with professional development approaches, such as coaching and mentoring; and

(3) Are supported by strong evidence (e.g., available evaluations, developmental theory, or data or information) as to why these policies and incentives will be effective in improving outcomes for Children with High Needs;

(b) Implementing effective policies and incentives (e.g., scholarships, compensation and wage supplements, tiered reimbursement rates, other financial incentives, management opportunities) to promote professional improvement and career advancement along an articulated career pathway that—

(1) Are aligned with the State's Workforce Knowledge and Competency Framework;

(2) Tightly link training with professional development approaches, such as coaching and mentoring; and

(3) Are supported by strong evidence (e.g., available evaluations, developmental theory, or data or information) as to why these policies and incentives will be effective in improving outcomes for Children with High Needs;

(c) Publicly reporting aggregated data on Early Childhood Educator development, advancement, and retention; and

(d) Setting ambitious yet achievable targets for—

(1) Increasing the number of postsecondary institutions and professional development providers with programs that are aligned to the Workforce Knowledge and Competency Framework and the number of Early Childhood Educators who receive credentials from postsecondary institutions and professional development providers with programs that are aligned to the Workforce Knowledge and Competency Framework; and

(2) Increasing the number and percentage of Early Childhood Educators who are progressing to higher levels of credentials that align with the Workforce Knowledge and Competency Framework.

Evidence for (D)(2):

• Evidence to support why the proposed professional development opportunities, policies, and incentives will be effective in improving outcomes for Children with High Needs (e.g., available evaluations, developmental theory, or data or information about the population of Children with High Needs in the State).

Performance Measures for (D)(2)(d):

General goals to be provided at time of application, including baseline data and annual targets:

• (D)(2)(d)(1): Number of postsecondary institutions and professional development providers with programs that are aligned to the State's Workforce Knowledge and Competency Framework, and the number of Early Childhood Educators receiving credentials from those aligned postsecondary institutions or professional development providers.

• (D)(2)(d)(2): Number and percentage of Early Childhood Educators who are progressing to higher levels of credentials that align with the State's Workforce Knowledge and Competency Framework.

E. Measuring Outcomes and Progress

The total available points an applicant may receive for selection criteria (E)(1) and (E)(2) is 40. The 40 points will be divided by the number of selection criteria that the applicant chooses to address so that each selection criterion is worth the same number of points. For example, if the applicant chooses to address both selection criteria under this Focused Investment Area, each criterion will be worth up to 20 points. If the applicant chooses to address one selection criterion, the criterion will be worth up to 40 points.

The applicant must address at least one of the selection criteria within Focused Investment Area (E), which are as follows:

(E)(1) Understanding the status of children's learning and development at kindergarten entry.

The extent to which the State has a High-Quality Plan to implement, independently or as part of a cross-State consortium, a common, statewide Kindergarten Entry Assessment that informs instruction and services in the early elementary grades and that—

(a) Is aligned with the State's Early Learning and Development Standards and covers all Essential Domains of School Readiness;

(b) Is valid, reliable, and appropriate for the target population and for the purpose for which it will be used, including for English learners and children with disabilities;

(c) Is administered beginning no later than the start of the school year ending during the fourth year of the grant to children entering a public school kindergarten; States may propose a phased implementation plan that forms the basis for broader statewide implementation;

(d) Is reported to the Statewide Longitudinal Data System, and to the early learning data system, if it is separate from the Statewide Longitudinal Data System, as permitted under and consistent with the requirements of Federal, State, and local privacy laws; and

(e) Is funded, in significant part, with Federal or State resources other than those available under this grant (e.g., with funds available under section 6111 or 6112 of ESEA).

Evidence for (E)(1):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (E)(1):

• None required.

(E)(2) Building or enhancing an early learning data system to improve instruction, practices, services, and policies.

The extent to which the State has a High-Quality Plan to enhance the State's existing Statewide Longitudinal Data System or to build or enhance a separate, coordinated, early learning data system that aligns and is interoperable with the Statewide Longitudinal Data System, and that either data system—

(a) Has all of the Essential Data Elements;

(b) Enables uniform data collection and easy entry of the Essential Data Elements by Participating State Agencies and Participating Programs;

(c) Facilitates the exchange of data among Participating State Agencies by using standard data structures, data formats, and data definitions such as Common Education Data Standards to ensure interoperability among the various levels and types of data;

(d) Generates information that is timely, relevant, accessible, and easy for Early Learning and Development Programs and Early Childhood Educators to use for continuous improvement and decision making and to share with parents and other community stakeholders; and

(e) Meets the Data System Oversight Requirements and complies with the requirements of Federal, State, and local privacy laws.

Evidence for (E)(2):

• Any supporting evidence the State believes will be helpful to peer reviewers.

Performance Measures for (E)(2):

• None required.

2. *Review and Selection Process:*

The Departments will screen applications that are received by the deadline listed in this notice and will determine which States are eligible based on whether they have met the eligibility requirements in paragraphs (1)(a), (1)(b), and (1)(c) of section III (*Eligibility Information*) of this notice; the Departments will not consider further those applicants deemed ineligible under eligibility requirements in paragraphs (1)(a), (1)(b), and (1)(c) of that section.

The Departments intend to use a peer review process with panels of three reviewers per application. Review panels will be created based on the number of applications received.

After the review process is complete, the selection of grantees will take into account, consistent with 34 CFR 75.217, the rank order of applications; each applicant's status with respect to the Absolute Priority and the eligibility requirements (1)(a), (1)(b), and (1)(c) of section III (*Eligibility Information*) of this notice; and any other relevant information. In addition, we remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary of Education

may consider, under 34 CFR 75.217(d)(3), the applicant's past performance in carrying out a previous reward, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions, as well as the applicant's prior record in submitting timely and adequate performance reports. All applicants will receive their reviewers' comments and scores.

In addition, in making a competitive grant award, various assurances are required from grantees, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

In addition to considering other relevant factors (see 34 CFR 75.217(d)(3)), the selection of grantees may consider the need to ensure that high-quality early learning and development systems are developed in States addressing the needs of children in rural areas. Awards may be granted to high-quality applications out of rank order to meet this need.

We will post all submitted applications (both successful and unsuccessful) on ED's Web site, together with the final scores each application received. We will post each reviewer's final scores and comments on reviewed applications, with the names of reviewers redacted.

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary of Education may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, ED will notify the State.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:*

(a) Any State that applies for a grant under this competition must ensure that it has in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should it receive funding under the competition. This does not apply if the State has an exception under 2 CFR 170.110(b).

(b) A State receiving funds under an RTT–ELC grant must submit an annual report that must include, in addition to the standard elements, a description of the State's progress to date on its goals, timelines, and budgets, as well as actual performance compared to the annual targets the State established in its application with respect to each performance measure. Further, a State receiving funds under this program is accountable for meeting the goals, timelines, budget, and annual targets established in the application; adhering to an annual fund drawdown schedule that is tied to meeting these goals, timelines, budget, and annual targets; and fulfilling and maintaining all other conditions for the conduct of the project. The Departments will monitor a State's progress in meeting the State's goals, timelines, budget, and annual targets and in fulfilling other applicable requirements. In addition, we may collect additional data as part of a State's annual reporting requirements.

To support a collaborative process with the State, we may require that applicants who are selected to receive an award enter into a written performance or cooperative agreement. If we determine that a State is not meeting its goals, timelines, budget, or annual targets or is not fulfilling other applicable requirements, we will take appropriate action, which could include establishing a collaborative process or taking enforcement measures with respect to this grant, such as placing the State in high-risk status, putting the State on reimbursement payment status, or delaying or withholding funds.

4. *Evidence and Performance Measures:* Evidence and performance measures for this notice follow directly after each selection criteria.

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Miriam Lund, U.S. Department of Education, 400 Maryland Ave., SW., room 3E330, Washington, DC 20202–6200. Telephone: 202–401–2871 or by email: *RTT-ELC.P3.Competition@ed.gov.*

If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of these Departments published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of these Departments published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by these Departments.

Dated: August 26, 2013.

Deborah S. Delisle,

Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education.

George H. Sheldon,

Acting Assistant Secretary for Children and Families, U.S. Department of Health and Human Services.

Appendix A. Scoring Rubric

I. Introduction

To help ensure inter-reviewer reliability and transparency for the RTT–ELC applicants, ED and HHS have created and are publishing a rubric for scoring State applications. The pages that follow detail the rubric and allocation of point values that reviewers will be using. The rubric will be used by reviewers to ensure consistency across and within review panels.

The rubric allocates points to each selection criterion. In all, the RTT–ELC scoring rubric includes 17 selection criteria and four competitive preference priorities. These collectively add up to 315 points. The

selection criteria are divided into two sections: Core Areas and Focused Investment Areas.

- Applicants must respond to all of the selection criteria within each of the two Core Areas: (A) Successful State Systems and (B) High-Quality, Accountable Programs.
- Applicants have more flexibility within each of the Focused Investment Areas: (C) Promoting Early Learning and Development Outcomes for Children; (D) A Great Early Childhood Education Workforce; and (E) Measuring Outcomes and Progress. In these sections, applicants may select which selection criteria to address, focusing on those that the State believes will have the most impact on school readiness for its Children with High Needs, given that State's context and the current status of its early learning and development activities. The Focused Investment Areas must be addressed as follows.

Focused Investment Areas

- The applicant must select and address—

At least two selection criteria from Focused Investment Area (C) Promoting Early Learning and Development Outcomes for Children; and

At least one selection criterion from each of Focused Investment Areas (D) A Great Early Childhood Education Workforce and (E) Measuring Outcomes and Progress.

- Each Focused Investment Area (C), (D), and (E) is worth a specific number of points; these points will be evenly divided across the selection criteria that the applicant chooses to address in that section.

Priorities

Applicants must address the absolute priority throughout their applications; they do not write separately to this priority. The absolute priority must be met in order for an applicant to receive funding.

Applications that choose to address a competitive preference priority will earn extra points under that priority if the reviewers determine that the response is of high quality. Applicants may choose to write to the invitational priority to extend the scope of the application; applicants are invited to address this and may apply funds from this grant to implement activities under it, but do not earn additional points for doing so.

Reviewers will be required to make thoughtful judgments about the quality of the State's application and will be assessing, based on the criteria, the comprehensiveness, feasibility, and likely impact of the State's application. Reviewers will also be asked to evaluate, for example, the extent to which the State has set ambitious but achievable annual targets in its application. Reviewers will also need to make informed judgments about the State's goals, the rationales for the Focused Investment Areas, the activities the State has chosen to undertake, and the timelines and credibility of the State's plans.

This appendix includes information about the point values for each criterion and priority, guidance on scoring, and the rubric that we will provide to reviewers.

II. Points Overview

The chart below shows the maximum number of points that are assigned to each criterion.

Race to the Top-Early Learning Challenge: Points Overview	Points available	Percent
A. Successful State Systems		
(A)(1) Demonstrating past commitment to early learning and development	20	
(A)(2) Articulating the State's rationale for its early learning and development reform agenda and goals	20	
(A)(3) Aligning and coordinating work across the State	10	
(A)(4) Developing a budget to implement and sustain the work	15	
Core Area A Subtotal	65	23
B. High-Quality, Accountable Programs		
(B)(1) Developing and adopting a common, statewide Tiered Quality Rating and Improvement System	10	
(B)(2) Promoting participation in the State's Tiered Quality Rating and Improvement System	15	
(B)(3) Rating and monitoring Early Learning and Development Programs	15	
(B)(4) Promoting access to high-quality Early Learning and Development Programs	20	
(B)(5) Validating the State's Tiered Quality Rating and Improvement System	15	
Core Area B Subtotal	75	27
C. Promoting Early Learning and Development Outcomes for Children		
(C)(1) Developing and using statewide, high-quality Early Learning and Development Standards	60 (divided evenly across the criteria addressed)	
(C)(2) Supporting effective uses of Comprehensive Assessment Systems		
(C)(3) Identifying and addressing health, behavioral, and developmental needs		
(C)(4) Engaging and supporting families		
Focused Investment Area C Subtotal	60	21
D. A Great Early Childhood Education Workforce		
(D)(1) Developing a Workforce Knowledge and Competency Framework and a progression of credentials	40 (divided evenly across the criteria addressed)	
(D)(2) Supporting Early Childhood Educators		
Focused Investment Area D Subtotal	40	14
E. Measuring Outcomes and Progress		
(E)(1) Understanding the status of children at kindergarten entry	40 (divided evenly across the criteria addressed)	
(E)(2) Building or enhancing an early learning data system.		
Focused Investment Area E Subtotal	40	14
Total Points Available for Selection Criteria	280	
Competitive Priority 2: Including all Early Learning and Development Programs in the TQRIS	10	
Competitive Priority 3: Understanding status of learning and development at kindergarten entry	10	

Race to the Top-Early Learning Challenge: Points Overview	Points available	Percent
Competitive Priority 4: Creating preschool through third grade approaches to sustain improved early learning outcomes through the early elementary grades	10	
Competitive Priority 5: Addressing the needs of children in rural areas	5	
Grand Total	315	

III. About Scoring

General Notes about Scoring

There are two terms that we use repeatedly in the notice: High-Quality Plan and ''ambitious yet achievable'' goals or targets. These are anchor terms for both applicants to understand and reviewers to use in guiding their scoring. We discuss each below.

• *A High-Quality Plan.* In determining the quality of a State's plan for a given selection criterion or competitive preference priority, reviewers will assess the extent to which the plan meets the definition (as provided in the notice) of a High-Quality Plan, including whether it is feasible and has a high probability of successful implementation and contains the following components—

(a) The key goals;

(b) The key activities to be undertaken; the rationale for the activities; and, if applicable, where in the State the activities will be initially implemented, and where and how they will be scaled up to achieve statewide implementation;

(c) A realistic timeline, including key milestones, for implementing each key activity;

(d) The party or parties responsible for implementing each activity and other key personnel assigned to each activity;

(e) Appropriate financial resources to support successful implementation of the plan;

(f) The information requested as supporting evidence, if any, together with any additional information the State believes will be helpful to peer reviewers in judging the credibility of the plan;

(g) The information requested in the performance measures, where applicable;

(h) How the State will address the needs of the different types of Early Learning and Development Programs, if applicable; and

(i) How the State will meet the needs of Children with High Needs, as well as the unique needs of special populations of Children with High Needs.

Using the information provided to them in the application, reviewers will assess the extent to which the proposed plan in a specific selection criterion is a High-Quality Plan that is credible, feasible to implement, and likely to result in the outcomes the State has put forward.

• *Ambitious yet achievable.* In determining whether a State has ambitious yet achievable goals or targets for a given selection criterion, reviewers will examine the State's goals or targets in the context of the State's plan and the evidence submitted (if any) in support of the plan. Reviewers will not be looking for any specific targets nor will they necessarily reward higher targets above lower ones with higher scores. Rather, reviewers will reward States for developing goals and targets that, in light of each State's plan and the current context and status of the work in that State, are shown to be ''ambitious yet achievable.''

About Assigning Points

Reviewers will assign points to an application for each selection criterion in Core Areas (A) and (B) and for each selection criterion that the State has chosen to address within Focused Investment Areas (C), (D), and (E). Reviewers will also assign points to the competitive preference priorities. Points for a selection criterion or priority (e.g., (B)(4) or Priority 2) are assigned by reviewers for the totality of the applicant's response; that is, reviewers need not divide the total available points equally across the sub-criteria.

Rubric

The following scoring rubric will be used to guide the reviewers in scoring selection criteria and priorities. (See ''General Notes about Scoring'' for more information about how reviewers will assess High-Quality Plans and ''ambitious yet achievable'' targets and goals.)

	Percentage of available points awarded (percent)
High-quality response	80–100
Medium/high-quality response	50–80
Medium/low-quality response	20–50
Low-quality response	0–20

About Priorities

There are three types of priorities in the RTT–ELC competition.

• Applicants should address the absolute priority across the entire application and should not address it separately. It will be assessed by reviewers after they have fully reviewed and evaluated the entire application, to ensure that the application has met the priority. If an application has not met the priority, it will be eliminated from the competition. A State meets the absolute priority if a majority of reviewers determines that the State has met the absolute priority.

• Applicants earn points under the competitive preference priorities in a manner similar to how they earn points under the selection criteria.

○ Priority 2 is worth up to 10 points.

○ Priority 3 is worth 10 points; all 10 points are earned if the competitive preference priority is met. A State will earn competitive preference priority points if a majority of reviewers determines that the State has met the competitive preference priority. No points are earned if a majority of reviewers determine that the applicant has not met the competitive preference priority. A State meets the competitive preference priority by addressing selection criterion (E)(1) and earning a score of at least 70 percent of the maximum points available for that criterion.

○ Priority 4 is worth up to 10 points.

○ Priority 5 is worth up to 5 points.

• The invitational priority is addressed in its own separate section. While applicants are invited to write to the invitational priority, they will not earn points under the invitational priority.

In the Event of a Tie

If two or more applications have the same score and there is not sufficient funding to support all of the tied applicants, the applicants' overall scores on Core Area (B) will be used to break the tie.

Appendix B. Participating State Agency Memorandum of Understanding

Background for Memorandum of Understanding

Each Participating State Agency identified in a State's Race to the Top-Early Learning Challenge (RTT–ELC) State Plan is required to enter into a memorandum of understanding (MOU) or other binding agreement with the State's Lead Agency that specifies the scope of the work that will be implemented by the Participating State Agency. The purpose of the MOU or other binding agreement is to define a relationship between the Lead Agency and the Participating State Agency that is specific to the RTT–ELC competition; the MOU or other binding agreement is not meant to detail all typical aspects of grant coordination or administration.

To support States in working efficiently with their Participating State Agencies to affirm each Participating State Agency's participation in the State Plan, ED and HHS have produced a model MOU, which is attached. This model MOU may serve as a template for States; however, States are not required to use it. States may use a document other than the model MOU, as long as it includes the key features noted below and in the model MOU. States should consult with their State attorneys on what is most appropriate. States may allow multiple Participating State Agencies to sign a single MOU or other binding agreement, with customized exhibits for each Participating State Agency, if the State so chooses.

At a minimum, an RTT–ELC MOU or other binding agreement should include the following key features, each of which is described in detail below and exemplified in the attached model MOU: (i) Terms and conditions; (ii) a scope of work; and (iii) authorized signatures.

(i) Terms and conditions: Each Participating State Agency must sign a standard set of terms and conditions that

includes, at a minimum, key roles and responsibilities of the Lead Agency and the Participating State Agency; State recourse for non-performance by the Participating State Agency; and assurances that make clear what the Participating State Agency is agreeing to do.

(ii) Scope of work: RTT–ELC MOUs or other binding agreements must include a preliminary scope of work (included in the model RTT–ELC MOU as Exhibit I) that is completed by each Participating State Agency. The scope of work must be signed and dated by an authorized Participating State Agency official and an authorized Lead Agency official. In the interest of time and in consideration of the effort it will take for the Lead Agency and Participating State Agencies to develop detailed work plans for RTT–ELC, the scope of work submitted by Participating State Agencies and Lead Agencies as part of a State's application may be preliminary. Preliminary scopes of work must, at a minimum, identify all applicable portions of the State Plan that the Participating State Agency is agreeing to implement and include the required assurances. (Note that in order for a State to be eligible for the RTT–ELC competition, the Lead Agency must have executed with each Participating State Agency an MOU or other binding agreement, which the State must attach to its application and which must describe the Participating State Agency's level of participation in the grant and must include the required assurances.)

If a State is awarded an RTT–ELC grant, Participating State Agencies will have up to 90 days to complete final scopes of work, which must contain detailed work plans that are consistent with each Participating State Agency's preliminary scope of work and with the State's grant application, and must include the Participating State Agencies' specific goals, activities, timelines, budgets, and key personnel.

(iii) Authorized Signatures: The signatures on the MOU or other binding agreement demonstrate an acknowledgement of the relationship between the Participating State Agency and the Lead Agency. With respect to the relationship between the Participating State Agency and the Lead Agency, the Lead Agency's counter-signature on the MOU or other binding agreement indicates that the Participating State Agency's commitment is consistent with the requirement that a Participating State Agency implement all applicable portions of the State Plan.

Model Participating State Agency Memorandum of Understanding

This Memorandum of Understanding (''MOU'') is entered into by and between ____ (''Lead Agency'') and ____ (''Participating State Agency''). The purpose of this agreement is to establish a framework of collaboration, as well as articulate specific roles and responsibilities in support of the State in its implementation of an approved Race to the Top-Early Learning Challenge grant project.

I. ASSURANCES

The Participating State Agency hereby certifies and represents that it:

(1) Agrees to be a Participating State Agency and will implement those portions of the State Plan indicated in Exhibit I, if the State application is funded;

(2) Agrees to use, to the extent applicable and consistent with the State Plan and Exhibit I:

(a) A set of statewide Early Learning and Development Standards;

(b) A set of statewide Program Standards;

(c) A statewide Tiered Quality Rating and Improvement System; and

(d) A statewide Workforce Knowledge and Competency Framework and progression of credentials.

(*Please note that Participating State Agencies must provide these assurances in order for the State to be eligible for a Race to the Top-Early Learning Challenge grant.*)

(3) Has all requisite power and authority to execute and fulfill the terms of this MOU;

(4) Is familiar with the State's Race to the Top-Early Learning Challenge grant application and is supportive of and committed to working on all applicable portions of the State Plan;

(5) Will provide a Final Scope of Work only if the State's application is funded and will do so in a timely fashion but no later than 90 days after a grant is awarded; and will describe the Participating State Agency's specific goals, activities, timelines, budgets, and key personnel (''Participating State Agency Plan'') in a manner that is consistent with the Preliminary Scope of Work (Exhibit I), with the Budget included in section VIII of the State Plan (including existing funds, if any, that the Participating State Agency is using for activities and services that help achieve the outcomes of the State Plan); and

(6) Will comply with all of the terms of the Race to the Top-Early Learning Challenge Grant, this agreement, and all applicable Federal and State laws and regulations, including laws and regulations applicable to the Race to the Top-Early Learning Challenge program, and the applicable provisions of EDGAR (34 CFR Parts 75, 77, 79, 80, 82, 84, 86, 97, 98, and 99), and the suspension and debarment regulations in 2 CFR Part 3485.

II. PROJECT ADMINISTRATION

A. PARTICIPATING STATE AGENCY RESPONSIBILITIES

In assisting the Lead Agency in implementing the tasks and activities described in the State's Race to the Top-Early Learning Challenge grant application, the Participating State Agency will:

(1) Implement the Participating State Agency Scope of Work as identified in Exhibit I of this agreement;

(2) Abide by the governance structure outlined in the State Plan;

(3) Abide by the Participating State Agency's Budget included in section VIII of the State Plan (including the existing funds from Federal, State, private, and local sources, if any, that the Participating State Agency is using to achieve the outcomes in the RTT–ELC State Plan);

(4) Actively participate in all relevant meetings or other events that are organized or sponsored by the State, by the U.S. Department of Education (''ED''), or by the U.S. Department of Health and Human Services (''HHS'');

(5) Post to any Web site specified by the State, ED, or HHS, in a timely manner, all non-proprietary products and lessons learned developed using Federal funds awarded under the RTT–ELC grant;

(6) Participate, as requested, in any evaluations of this grant conducted by the State, ED, or HHS;

(7) Be responsive to State, ED, or HHS requests for project information including on the status of the project, project implementation, outcomes, and any problems anticipated or encountered, consistent with applicable local, State, and Federal privacy laws.

B. LEAD AGENCY RESPONSIBILITIES

In assisting the Participating State Agencies in implementing their tasks and activities described in the State's Race to the Top-Early Learning Challenge application, the Lead Agency will:

(1) Work collaboratively with the Participating State Agency and support the Participating State Agency in carrying out the Participating State Agency Scope of Work, as identified in Exhibit I of this agreement;

(2) Timely award the portion of Race to the Top-Early Learning Challenge grant funds designated for the Participating State Agency in the State Plan during the course of the project period and in accordance with the Participating State Agency's Scope of Work, as identified in Exhibit I, and in accordance with the Participating State Agency's Budget, as identified in section VIII of the State's application;

(3) Provide feedback on the Participating State Agency's status updates, any interim reports, and project plans and products;

(4) Keep the Participating State Agency informed of the status of the State's Race to the Top-Early Learning Challenge grant project and seek input from the Participating State Agency, where applicable, through the governance structure outlined in the State Plan;

(5) Facilitate coordination across Participating State Agencies necessary to implement the State Plan; and

(6) Identify sources of technical assistance for the project.

C. JOINT RESPONSIBILITIES

(1) The Lead Agency and the Participating State Agency will each appoint a key contact person for the Race to the Top-Early Learning Challenge grant.

(2) These key contacts from the Lead Agency and the Participating State Agency will maintain frequent communication to facilitate cooperation under this MOU, consistent with the State Plan and governance structure.

(3) Lead Agency and Participating State Agency personnel will work together to determine appropriate timelines for project updates and status reports throughout the grant period.

(4) Lead Agency and Participating State Agency personnel will negotiate in good faith toward achieving the overall goals of the State's Race to the Top-Early Learning Challenge grant, including when the State

Plan requires modifications that affect the Participating State Agency, or when the Participating State Agency's Scope of Work requires modifications.

D. STATE RECOURSE IN THE EVENT OF PARTICIPATING STATE AGENCY'S FAILURE TO PERFORM

If the Lead Agency determines that the Participating State Agency is not meeting its goals, timelines, budget, or annual targets, or is in some other way not fulfilling applicable requirements, the Lead Agency will take appropriate enforcement action, which could include initiating a collaborative process to attempt to resolve the disagreements between the Lead Agency and the Participating State Agency, or initiating such enforcement measures as are available to the Lead Agency, under applicable State or Federal law.

III. MODIFICATIONS

This Memorandum of Understanding may be amended only by written agreement signed by each of the parties involved, in consultation with ED and HHS.

IV. DURATION

This Memorandum of Understanding shall be effective beginning on the date of the last signature hereon and, if a Race to the Top-Early Learning Challenge grant is received by the State, ending upon the expiration of the Race to the Top-Early Learning Challenge grant project period.

V. SIGNATURES

Authorized Representative of Lead Agency:

Signature Date

Print Name Title

Authorized Representative of Participating State Agency

Signature Date

Print Name Title

Exhibit I—Participating State Agency Scope of Work

The Participating State Agency hereby agrees to participate in the State Plan, as described in the State's application, and more specifically commits to undertake the tasks and activities described in detail below.

Selection criterion	Participating party	Type of participation
Example Row—shows an example of criterion (B)(1) for the State agency that oversees state-funded preschool, IDEA, and Head Start Collab Office	• *State-funded preschool* • *IDEA preschool special ed* • *Head Start Collab Office*	*Representatives from each program are sitting on the state committee to define statewide QRIS program standards*
	• *Head Start Collab Office*	*Responsible for cross-walking Head Start performance standards with the new program standards*
(B)(1)		
(B)(2)		
(B)(3)		
(B)(4)		
(B)(5)		
(C)(1)		
(C)(2)		
(C)(3)		
(C)(4)		
(D)(1)		
(D)(2)		
(E)(1)		
(E)(2)		

Signature *(Authorized Representative of Lead Agency)* Date

Signature *(Authorized Representative of Participating State Agency)* Date

[FR Doc. 2013–21139 Filed 8–29–13; 8:45 am]

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FEDERAL REGISTER

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Part V

Department of State

Office of the Chief of Protocol; Gifts to Federal Employees From Foreign Government Sources Reported to Employing Agencies in Calendar Year 2012; Notice

DEPARTMENT OF STATE

[Public Notice 8444]

Office of the Chief of Protocol; Gifts to Federal Employees from Foreign Government Sources Reported to Employing Agencies in Calendar Year 2012

The Department of State submits the following comprehensive listing of the statements which, as required by law, Federal employees filed with their employing agencies during calendar year 2012 concerning gifts received from foreign government sources. The compilation includes reports of both tangible gifts and gifts of travel or travel expenses of more than minimal value, as defined by statute. Also, included are gifts received in previous years including one gift in 2008, two gifts in 2009, four gifts in 2010, twenty-seven gifts in 2011, and two gifts with unknown dates. These latter gifts are being reported in 2012 as the Office of the Chief of Protocol, Department of State, did not receive the relevant information to include them in earlier reports.

Publication of this listing in the **Federal Register** is required by Section 7342(f) of Title 5, United States Code, as added by Section 515(a)(1) of the Foreign Relations Authorization Act, Fiscal Year 1978 (Pub. L. 95–105, August 17, 1977, 91 Stat. 865).

Dated: August 2, 2013.

Patrick F. Kennedy

Under Secretary for Management, Department of State.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Large book of original artwork, photographs, and text by artist Marilena Ferrari, with a Renaissance-style stone carving cover. Gold-painted box containing certificates of authenticity for accompanying artwork. Gold-painted box containing bookmark and magnifying glass. Gold-painted box containing hand-written full version of the Star Spangled Banner in custom ink and calligraphy. Large gold leaf painted box housing all items. Rec'd—7/10/2009. Est. Value—$124,000.00. Disposition—National Archives and Records Administration.	His Excellency Silvio Berlusconi, President of the Council of Ministers of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Small enamel keepsake box. One bag of coffee. One candle. Six steak knives. Four Christmas mugs. Book, title: ''The Fifty Year Career of Hollywood's Greatest Costume Designer,'' by J. Jorgensen. Glass ''PEACE'' plate. Small stainless steel tea infuser. Small stainless steel sugar bowl. Small stainless steel cream receptacle. Stainless steel coffee pot. 7″ tall crystal candlestick. 14″ high handmade shaker box. Bowl made from ''Innervisions'' Record by Stevie Wonder. 14″ x 11″ painting, title: ''A Forest,'' artist unknown. Small white keepsake box. Decorative shell display plate. 7″ x 7″ shell picture frame. 10″ x 10″ Chinese checkers plate. 15″ x 15″ glass plate with game board painted on it. Large brown basket. Set of three faux books in multiple colors. Rec'd—12/1/2011. Est. Value—$554.00. Disposition—National Archives and Records Administration; Coffee, candle, and steak knives handled pursuant to United States Secret Service policy.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalum.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	54″ x 39″ pure wool hand-woven rug artwork, title: ''Magic Knots'' in leather carrying bag. Blue, purple, and orange silk head shawl. Rec'd—1/13/2012. Est. Value—$405.00. Disposition—National Archives and Records Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Silver ornament dagger in a black display box. Rec'd—1/18/2012. Est. Value—$440.00. Disposition—National Archives and Records Administration.	His Excellency Jorge Argüello, Ambassador of the Argentine Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Basketball in custom red, white, and blue coloring, autographed by donor. 20″ x 79″ replica painting, title: ''Five Oxen from the Tang Dynasty,'' by H. Haung. Rec'd—2/13/2012. Est. Value—$740.00. Disposition—National Archives and Records Administration.	His Excellency Xi Jinping, Vice President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Traditional Georgian headpiece of black wool, silk, and gold embroidery. One copy of the Georgian constitution. Copy of Georgian declaration of independence in display case. Rec'd—2/14/2012. Est. Value—$750.00. Disposition—National Archives and Records Administration.	His Excellency Mikheil Saakashvili, President of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Custom Dunlop table tennis table with United States and United Kingdom decals, inscription, and paddles. Rec'd—3/14/2012. Est. Value—$1,100.00. Disposition—National Archives and Records Administration.	The Right Honorable David Cameron, MP, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, and Mrs. Samantha Cameron.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Crystal bowl centerpiece. 27″ tall bronze statue of James Hoban. Certificate of President Obama's Irish heritage. Two silver shamrock charm bracelets. Lamb's wool scarf. Lamb's wool blanket. Rec'd—3/20/2012. Est. Value—$7,246.19. Disposition—National Archives and Records Administration.	His Excellency Enda Kenny, Taioseach of Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	27″ x 40″ painting, title: ''Enemy in Sight,'' by P. Rindlisacher, depicting a naval scene from 1813. Rec'd—4/2/2012. Est. Value—$765.00. Disposition—National Archives and Records Administration.	The Right Honorable Stephen Harper, P.C., M.P., Prime Minister of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	32″ x 39″ framed cross-stitch art of the President and First Lady by artist G. Alves. 31″ x 19″ painting on wood, title: ''Ensala,'' by F. Galeno. Rec'd—4/9/2012. Est. Value—$860.00. Disposition—National Archives and Records Adminsitration.	Her Excellency Dilma Rousseff, President of the Federative Republic of Brazil.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	10″ tall x 12″ wide gold-plated clock with mother of pearl face and horse figure on the base. Rec'd—4/12/2012. Est. Value—$16,500.00. Disposition—National Archives and Records Administration.	His Royal Highness Crown Prince Salman bin Abdulaziz Al Saud, Minister of Defense of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Silver figure representing oversized coffee bean. 29″ long decorative sash. Hardcover book, title: ''Un Pais de Opportunidades''. Rec'd—4/13/2012. Est. Value—$942.84. Disposition—National Archives and Records Administration.	His Excellency Juan Manuel Santos Calderon, President of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Large, high-quality book, title: ''Cien Años de Soledad,'' by G.G. Marquez, with hand-drawn pictures presented in wood and canvas case. Rec'd—4/30/2012. Est. Value—$1,000.00. Disposition—National Archives and Records Administration.	His Excellency Juan Manuel Santos Calderón, President of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	5″ tall x 3.5″ wide red etched Egerman crystal vase with four small feet and leaf designs. Rec'd—5/8/2012. Est. Value—$680.00. Disposition—National Archives and Records Adminstration.	His Excellency Vaclav Klaus, President of the Czech Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	25″ x 34″ set of 20 engraved prints of the 2005 edition of the Turgot map of Paris. Beige patent personal items bag. Woven beige leather wallet. Beige leather tote bag. Sothys bath products. Rec'd—5/18/2012. Est. Value—$1,473.13. Disposition—National Archives and Records Administration; Bath products handled pursuant to United States Secret Service policy.	His Excellency François Hollande, President of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	16″ tall antique yellow vase with flower design. Rec'd—5/18/2012. Est. Value—$440.00. Disposition—National Archives and Records Administration.	His Excellency Hu Jintao, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	13″ tall x 17″ diameter white porcelain vase with black and red divergent pattern and images of the White House and Kremlin on opposite sides, artist unknown. Photo book of the Medvedev presidency. Rec'd—5/19/2012. Est. Value—$3,460.00. Disposition—National Archives and Records Administration.	His Excellency Dimitry Medvedev, Prime Minister of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Book, title: ''Azerbaijan.'' Book, title: ''Azerbaijan: The Land of Tolerance.'' Book, title: ''Azerbaijani Carpets Garabagh Group,'' by V. Muradov. Six gold cups with blue and silver engraving. Rec'd—5/20/2012. Est. Value—$553.00. Disposition—National Achives and Records Administration.	His Excellency Ilham Aliyev, President of the Republic of Azerbaijan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	9″ diameter gold wreath of oak leaves and acorns. Rec'd—5/20/2012. Est. Value—$390.00. Disposition—National Archives and Records Administration.	His Excellency Rosen Plevneliev, President of Bulgaria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Book, title: ''President Abdullah Gül: In His Own Words.'' 5″ tall silver bowl with Turkish star and moon on top rim. Rec'd—5/21/2012. Est. Value—$1,435.00. Disposition—National Archives and Records Administration.	His Excellency Abdullah Gül, President of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Australian flag presented in custom box made of Australian wood. Rec'd—5/21/2012. Est. Value—$490.00. Disposition—National Archives and Records Administration.	The Honorable Julia Gillard, MP, Prime Minister of the Commonwealth of Australia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Silver desk set by Rozet and Fischmeister. Rec'd—5/22/2012. Est. Value—$650.00. Disposition—National Archives and Records Administration.	His Excellency Werner Faymann, Federal Chancellor of the Republic of Austria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	8″ x 10″ painting of winter landscape, artist unknown. Book, title: ''Rostov Enamels,'' by V. Borisova. Rec'd—6/6/2012. Est. Value—$540.00. Disposition—National Archives and Records Administration.	His Excellency Dimitry Medvedev, Prime Minister of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	18″ hand-woven Buntal fiber box with laminated rainbow shell lid and bone handle on a mahogany stand. Rec'd—6/7/2012. Est. Value—$870.00. Disposition—National Archives and Records Administration.	His Excellency Benigno S. Aquino III, President of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	10″ black wooden coyote suspended in metal display box. Coca-Cola bottle decorated with beads. Book, title: ''Rastros Irrastreables, Artwork by El Nacho.'' Two collared button-down shirts, one white and one white with blue stripes. Round silver cufflinks by FCO OTERO. Wooden chest with lock housing five bottles of liquor. Rec'd—6/17/2012. Est. Value—$2,788.00. Disposition—National Archives and Records Administration; Liquor handled pursuant to United States Secret Service Policy.	His Excellency Felipe de Jesús Calderón Hinojosa, President of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	8″ x 11″ silver chalice with ornate blue designs on bowl and base. Rec'd—6/18/2012. Est. Value—$3,400.00. Disposition—National Archives and Records Administration.	His Excellency Vladimir Putin, President of Russia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	14″ tall vase with lotus pattern in white and blue. Rec'd—8/29/2012. Est. Value—$950.00. Disposition—National Archives and Records Administration.	His Excellency Hu Jintao, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Earthenware ceramic head sculpture by Jamaican artist. Gold lapel pin reading ''Jamaica 1952–2012''. Rec'd—9/24/2012. Est. Value—$2,216.00. Disposition—National Archives and Records Administration.	Her Excellency Portia Simpson Miller, Prime Minister of Jamaica.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	41″ long saber with 34″ blade, silver filigree handle and sheath. Rec'd—9/27/2012. Est. Value—$440.00. Disposition—National Archives and Records Administration.	His Excellency Tsakhiagiin Elbegdorj, President of Mongolia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Stationery set of varying paper sizes, envelopes, and letter opener, held within painted black wooden box. Rec'd—10/16/2012. Est. Value—$450.00. Disposition—National Archives and Records Administration.	Her Excellency Yingluck Shinawatra, Prime Minister of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	30″ x 18″ framed painting of a city at sunset, painted by donor. Rec'd—11/17/2012. Est. Value—$420.00. Disposition—National Archives and Records Administration.	Daw Aung San Suu Kyi, Chairperson of Burma's National League for Democracy and Member of Parliament.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Royal Bone Chinaware tea set. Framed photograph of President Obama and the Prime Minister. Rec'd—11/18/2012. Est. Value—$1,000.00. Disposition—National Archives and Records Administration.	Her Excellency Yingluck Shinawatra, Prime Minister of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	6″ tall x 4″ wide short silver vase with raised decorative designs. Rec'd—11/20/2012. Est. Value—$650.00. Disposition—National Archives and Records Administration.	Samdech Akka Moha Sena Padel Techo Hun Sen, Prime Minister of the Kingdom of Cambodia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Silver-tinted goblet with pointed lid and flower etchings. Rec'd—11/20/2012. Est. Value—$650.00. Disposition—National Archives and Records Administration.	His Excellency U Thein Sein, President of Burma.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	5″ wide Aztec calendar stamped on a pure silver coin weighing one kilogram. Rec'd—11/27/2012. Est. Value—$1,701.66. Disposition—National Archives and Records Administration.	His Excellency Enrique Peña Nieto, President of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Silver filigree bowl with raised floral designs around the bowl, pedestal base, a polished band around the center with inscription, and lid with knob on top. Rec'd—11/28/2012. Est. Value—$650.00. Disposition—National Archives and Records Adminsitration.	His Royal Highness Haji Al-Muhtadee Billah, Crown Prince of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Scented candle. Pewter and silver picture frame. Book, title: ''In Wildness Is the Preservation of the World,'' photos by E. Porter and text by H.D. Thoreau. Book, title: ''Everyday Heroes,'' by K. Fried. Book, title: ''Where Miracles Are Born and Squandered,'' by T. Lane. Two ceramic bowls with stars and stripes. Two ceramic mugs with stars and stripes. Cutting board. Pottery vase. Wooden bowl from Hawaii. Christmas wreath. Hanging stained glass sign reading ''Obama 2012.'' Glass plate painted with red and black checkerboard. Handcrafted painted game table. Large brown trunk. Rec'd—12/10/2012. Est. Value—$1,906.97. Disposition—National Archives and Records Administration; Candle handled pursuant to United States Secret Service policy.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	Book, title: ''Berliner Philharmoniker: Im Takt Der Zeit,'' published by the Berlin Philharmonic, including 12 compact discs featuring their historic concerts. Crystal Theresienthal candy dish. Rec'd—5/19/2012. Est. Value—$553.00. Disposition—National Archives and Records Administration.	Her Excellency Dr. Angela Merkel, Chancellor of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	6″ x 4″ custom, solid oak music box by Reuge with dark stain, brass hinge, and brass parts. Rec'd—5/21/2012. Est. Value—$470.00. Disposition—National Archives and Records Administration.	His Excellency Didier Burkhalter, Federal Councilor and Head of the Federal Department of Foreign Affairs of the Swiss Confederation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	26″ tall wooden royal seat from Benin. Ten samples of cloth made in Benin. 29″ x 42″ painting of Benin landscape, artist unknown. Ten samples of Dutch cloth. Rec'd—5/29/2012. Est. Value—$2,415.00. Disposition—National Archives and Records Administration.	His Excellency Dr. Boni Yayi, President of the Republic of Benin.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	Book, title: ''Archimede Seguso,'' by R. B. Mentasti. Parabolic glass bowl with gold coloring. Rec'd—6/15/2012. Est. Value—$1,845.00. Disposition—National Archives and Records Administration.	His Excellency Mario Monti, President of the Council of Minister of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	2″ x 3″ rug in flower and octagon design and multiple colors. Six hand-cut crystal glasses with gold tinted base and handle. Rec'd—12/20/2012. Est. Value—$1,450.00. Disposition—National Archives and Records Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Cashmere scarf by J. Saunders. Rec'd—3/13/2012. Est. Value—$480.00. Disposition—National Archives and Records Administration.	Mrs. Samantha Cameron, Spouse of the Prime Minister of the United Kingdom of Great Britain and Northern Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Labradorite bead necklace, matching bracelet with maple leaf and pine cone pendants, and silver hoop earrings. Rec'd—5/19/2012. Est. Value—$470.00. Disposition—National Archives and Records Administration.	The Right Honorable Stephen Harper, P.C., M.P., Prime Minister of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Goldenrod earrings with blue crystal set stud and box chain drop featuring pave set hexagon. Rec'd—7/28/2012. Est. Value—$492.00. Disposition—National Archives and Records Administration.	Mrs. Samantha Cameron, Spouse of the Prime Minister of the United Kingdom of Great Britain and Northern Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Set of filigree silver jewelry including a bracelet, ring, necklace, and earrings with red agate stone settings. Rec'd—9/27/2012. Est. Value—$680.00. Disposition—National Archives and Records Administration.	His Excellency Abdo Rabo Mansour Hadi, President of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Gold flower earrings with amber teardrops. Pearl necklace with gold pendant. Rec'd—10/11/2012. Est. Value—$780.00. Disposition—National Archives and Records Administration.	Monika Kmecová, Spouse of the Ambassador of the Slovak Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Pearl necklace with gold and diamond clasp. Rec'd—11/20/2012. Est. Value—$4,200.00. Disposition—National Archives and Records Administration.	His Excellency U Thein Sein, President of Burma.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family	Circular gold pin. Pink beaded bracelet. Three flower hair pins. Samsung digital camera. Security Summit silver coin. Samsung Galaxy Tab 10.1. Rec'd—3/26/2012. Est. Value—$1,355.00. Disposition—National Archives and Records Administration.	His Excellency Lee Myung-bak, President of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
First Family	Two woven, multi-colored fabric bags. Small woven handbag with beads and long handle. Book, title: ''Silvia Tchesrassi photography,'' by J.C. Obando. Book, title: ''Lágrimas de América'' by artist C.C. Daza. Rec'd—6/13/2012. Est. Value—$1,690.00. Disposition—National Archives and Records Administration.	His Excellency Juan Manuel Santos Calderón, President of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family Children	Two flower brooches of pearl, gold, and diamond. Rec'd—11/20/2012. Est. Value—$4,440.00. Disposition—National Archives and Records Administration.	His Excellency U Thein Sein, President of Burma.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Bird, Debra.	4″ diameter paperweight. Qahwah coffee cup. 4″ diameter silver bowl. 9″ long Qahwah platter. Book, title: ''Arabia: In Search of Golden Ages,'' by M.H. Morgan. Rec'd—2/9/2012. Est. Value—$395.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Adel A. Al-Jubeir, Ambassdor of the Kingdom of Saudi Arabia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Blinken, Anthony.	10,000 Dram gold coin with certificate of authenticity. Rec'd—12/13/2012. Est. Value—$1,000.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Tigran Sargsyan, Prime Minister of the Republic of Armenia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Brennan, John.	Jewelry set of necklace, bracelet, earrings, and ring. Replica of the ancient palace Dar Alhajar. Janbia, a traditional dagger presented in a display case. Rec'd—3/19/2012. Est. Value—$525.00. Disposition–Gift Office; Pending Transfer to General Services Administration.	Major General Ahmed Ali al-Ashwal, Chief of Staff for the Army of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Brennan, John.	Set of filigree silver jewelry and coral stones including necklace, bracelet, ring, and earrings. 14″ long saber with silver handle and silver sheath encrusted with coral stones. Rec'd—9/27/2012. Est. Value—$590.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Abdo Rabo Mansour Hadi, President of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Brennan, John.	Three Bulgarian military medals and pins in a case with accompanying certificate. Rec'd—11/19/2012. Est. Value—$895.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Tsvetan Tsvetanov, Minister of the Interior of the Republic of Bulgaria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Donilon, Thomas.	Book, title: ''International Conference.'' Two 4″ tall amber cups with silver accents along the rim, middle, and bottom. Rec'd—4/2/2012. Est. Value—$545.00. Disposition—Pending Transfer to General Services Administration.	General Nikolay Patrushev, Secretary of the Security Council of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
White House Staff Member Donilon, Thomas.	8″ tall amber-colored glass sculpture with four legs, decorated with Chinese characters. Rec'd—5/7/2012. Est. Value—$460.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Liang Guanglie, Minister for National Defense of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Donilon, Thomas.	Eleven piece tea set with a pot and five cups. Rec'd—6/18/2012. Est. Value—$640.00. Disposition—Gifts Office, Pending Transfer to General Services Administration.	His Excellency Dai Bingguo, State Councilor of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Donilon, Thomas.	14″ x 9″ x 2″ sterling silver bowl with a leaf design on one end, standing on two legs. Chocolate candies. Rec'd—12/31/2012. Est. Value—$990.00. Disposition—Gift Office; Pending Transfer to General Services Administration; Chocolates handled pursuant to United States Secret Service Policy.	His Excellency Adel A. Al-Jubeir, Ambassdor of the Kingdom of Saudi Arabia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Eggers, Jeffrey.	48″ x 75″ red Afghan carpet with beige and black pattern. Rec'd—7/18/2012. Est. Value—$400.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Eklil Hakimi, Ambassador of the Islamic Republic of Afghanistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Holmes, David.	48″ x 75″ red Afghan carpet with beige and black pattern. Rec'd—7/18/2012. Est. Value—$400.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Eklil Hakimi, Ambassador of the Islamic Republic of Afghanistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member McDonough, Denis.	11.5″ x 15″ framed print of a male holding a flag while riding a horse, artist unknown. Rec'd—2/28/2012. Est. Value—$425.00. Disposition—Gift Office; Pending Transfer to General Service Administration.	His Excellency Kairat Umarov, Ambassador of the Republic of Kazakhstan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member McDonough, Denis.	6″ tall gold-plated model ship with single mast and several sails. Four boxes of six gold-plated "Dilmun Seals.". Rec'd—7/15/2012. Est. Value—$920.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Shaikh Khalifa Bin Abdullah Bin Mohamed Al-Khalifa, Director of the National Security Agency of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Newton, Julia.	4″ diameter paperweight. Qahwah coffee cup. 4″ diameter silver bowl. 9″ long Qahwah platter. Book, title: "Arabia: In Search of Golden Ages," by M.H. Morgan. Rec'd—2/8/2012. Est. Value—$395.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Adel A. Al-Jubeir, Ambassdor of the Kingdom of Saudi Arabia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Power, Samantha.	94″ black silk scarf with flowers, designed by Yolanda. Pack of assorted tea. Rec'd—5/17/2012. Est. Value—$373.00. Disposition—Pending Transfer to General Services Administration; Tea handled pursuant to United States Secret Service policy.	G. L. Peris, Cabinet Minister of External Affairs of the Democratic Socialist Republic of Sri Lanka.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
White House Staff Member Russel, Daniel.	Commemorative ballpoint pen, green with silver lettering. Book, title: ''His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah—Sultan and Yang Di-Pertuan of Brunei Darussalam: A Celebration of Forty Glorious Years of Reign''. Rec'd—11/29/2012. Est. Value—$750.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Seiler, Syd.	Black lacquer ware screen with nature designs and Korean characters. CD, title: ''Ji-Hae Park Classic Volume 2.'' Large 2012 wall calendar. Rec'd—1/18/2012. Est. Value—$519.99. Disposition—Gift Office; Pending Transfer to General Services Administration.	His Excellency Major General Lee Seo-young, Defense Attaché of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Sherwood-Randall, Elizabeth.	Gold bracelet with ''evil eye'' diamond. Rec'd—9/14/2012. Est. Value—$518.00. Disposition—Gift Office; Pending Transfer to General Services Administration.	Ms. Fugen Tan, Spouse of the Ambassador of the Republic of Turkey to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—OFFICE OF THE VICE PRESIDENT

[Report of Tangible Gifts Furnished by The White House—Office of the Vice President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	A silver knife and chain with a wooden handle. Pair of chopsticks with silver ends. Wooden sheath with silver alloy designs. Bridled silver alloy strap with stirrup-style loop. Separate leather and silver alloy pack/clip with two bridled cords plus leather stirrup strap/loop. Leather presentation box. Rec'd—2/2/2012. Est. Value—$980.00. Disposition—National Archives and Records Administration.	His Excellency Sukhbaatar Batbold, Prime Minister of Mongolia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Brown leather cigar box with applied sterling silver. Rectangular plaque on hinged lid (12 interior slots). Rec'd—3/5/2012. Est. Value—$390.00. Disposition—National Archives and Records Administration.	His Excellency Felipe de Jesús Calderón Hinojosa, President of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—OFFICE OF THE VICE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by The White House—Office of the Vice President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Light blue hardcover book, title: ''Between Two Seas: A Celebration of Modern Bahrain,'' by Andrew Weaver. William & Son brown box with silver 8-point (beach theme) leaf design on top. Cylindrical box carved in dark brown leather topped by sterling silver 8-petal rosette with beige suede interior plus cover with attached dark brown leather butterfly, in presentation box. Rec'd—6/12/2012. Est. Value—$590.00. Disposition—National Archives and Records Administration.	His Royal Highness Prince Salman bin Hamad Al-Khalifa, Crown Prince of the Kingdom of Bahrain and Deputy Supreme Commander of the Bahrain Defense Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Female bare-breasted bust, face in profile, carved into tooth with 6.25″ outside length carved and curved and 5.25″ inside length adhered to wood. Carved tooth depicting female head with long hair 6.5″ long on outside of cone, 5.5″ long on inside of cone on wood ovoid two holes where carving has exposed internal cavity. Ebony carving of standing female carrying basket on head with four lobes hanging from left hand. Rec'd—6/28/2012. Est. Value—$530.00. Disposition—National Archives and Records Administration.	Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Knife, curved blade, waisted silver handle and curved sheath with filigree work in a presentation box. Set of silver filigree jewelry with coral stones (included necklace, bracelet, ring, and earrings). Rec'd—10/15/2012. Est. Value—$1,300.00. Disposition—National Archives and Records Administration.	His Excellency Abdo Rabo Mansour Hadi, President of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Jill Biden, Second Lady of the United States.	Torch from the 2011 Special Olympics held in Athens, Greece. Torch was made by Zolotas, having tapered matte stone head over fluted navy blue handle. Rec'd—6/23/2011. Est. Value—$470.00. Disposition—National Archives and Records Administration.	The Honorable Kgalema Motlanthe, Deputy President of the Republic of South Africa.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Hillary Clinton, Secretary of State of the United States.	Framed oil on canvas painting depicting two female figures in the forefront and others in the background. Wooden antique from the Attie ethnic group of the Republic of Cote d'Ivoire with a carved pattern on the outside, a cover and a metal stand. Rec'd—1/17/2012. Est. Value—$570.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Alassane Ouattara, President of the Republic of Cote d'Ivoire.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Sterling silver and amber jewelry containing a cuff bracelet, a necklace, and earrings. Rec'd—1/31/2012. Est. Value—$550.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Yerzhan Kazykhanov, Minister of Foreign Affairs of the Republic of Kazakhstan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Two piece bronze sculpture of a red chili pepper with a black granite base plate. Rec'd—2/1/2012. Est. Value—$540.00. Disposition—Pending Transfer to General Services Administration.	His Excellency K. Shanmugam, Minister of Foreign Affairs of the Republic of Singapore.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Amber-colored Pasabahce Magazalan decorative vase with ornate design on border. Rec'd—2/13/2012. Est. Value—$460.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Ahmet Davutoğlu, Minister of Foreign Affairs of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Inlaid silver-plated box with satin lining containing a large bouquet, four small bouquets, and four ''Hands of Fatimah''. Rec'd—2/25/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Hamadi Jebali, Interim Prime Minister of the Republic of Tunisia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Ship made of silver and Algerian coral. Two cases of assorted Algerian wine. Four cases of Algerian dates. Rec'd—2/25/2012. Est. Value—$2,023.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Abdelaziz Bouteflika, President of the People's Democratic Republic of Algeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	White gold jewelry with teardrop rubies and diamonds containing a necklace, a bracelet, earrings, and a ring. Rec'd—3/31/2012. Est. Value—$500,000.00. Disposition—Pending Transfer to General Services Administration.	King Abdullah bin Abd al-Aziz al-Saud, Custodian of the Two Holy Mosques, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Frosted glass Dior vase with green floral design. Rec'd—4/11/2012. Est. Value—$470.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Alain Juppé, Minister of Foreign and European Affairs of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Statue of two golden horses on a black marble base. Rec'd—4/12/2012. Est. Value—$6,700.00. Disposition—Pending Transfer to General Services Administration.	His Royal Highness Crown Prince Salman bin Abdulaziz Al Saud, Minister of Defense of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Hillary Clinton, Secretary of State of the United States.	Natural baby South Sea pearl necklace. Book, title: ''Philippines Living Landscapes and Cultural Landmarks: World Heritage Sites''. Rec'd—4/30/2012. Est. Value—$465.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Albert F. del Rosario, Secretary of Foreign Affairs of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Five strand pearl necklace. Three Jamdani saris. Rec'd—5/5/2012. Est. Value—$480.00. Disposition—Pending Transfer to General Services Administration.	Madame Khaleda Zia, Chairperson of the Bangladesh Nationalist Party.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Plaster of Paris work reproduction inspired by Jainal Abedin artwork of oxen pulling a wagon. Pearl necklace. Rec'd—5/5/2012. Est. Value—$425.00. Disposition—Pending Transfer to General Services Administration.	Her Excellency Sheikh Hasina, Prime Minister of the People's Republic of Bangladesh.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Silver chalice with lid in wooden box. Rec'd—5/17/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency U Wunna Maung Lwin, Minister of Foreign Affairs of Burma.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Set of scarf, brooch, earrings, and bracelet. Rec'd—6/4/2012. Est. Value—$520.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Eduard Nalbandian, Foreign Minister of the Republic of Armenia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	43″ x 61″ ''Garabah Shusha'' wool carpet. A set of two silver and gold wash teacups and saucers. Book, title: ''Azerbaijan—The Land of Tolerance.'' A letter of authenticity. Rec'd—6/6/2012. Est. Value—$420.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Ilham Aliyev, President of the Republic of Azerbaijan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Silver pot with a foliated scroll design. Rec'd—6/11/2012. Est. Value—$480.00. Disposition—Pending Transfer to General Services Administration.	The Honorable Hor Namhong, Deputy Prime Minister and Minister of Foreign Affairs and Inernational Cooperation of the Kingdom of Cambodia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Porcelain Imperial Lomonosov tea set. DVD of Russian documentary film on Secretary Clinton. Framed photo of Secertary Clinton with Foreign Minister Lavrov. Rec'd—6/29/2012. Est. Value—$435.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Sergey Lavrov, Minister of Foreign Affairs of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Pavlovaposadsky shawl. Engraved metallic picture of Saint Isaac's Cathedral. Rec'd—6/29/2012. Est. Value—$530.00. Disposition—Pending Transfer to General Services Administration.	Valentina Matviyenko, Chairman of the Federation Council of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	34″ x 26″ painting of Secretary Clinton in a gold frame. Rec'd—6/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Illham Aliyev, President of the Republic of Azerbaijan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Hillary Clinton, Secretary of State of the United States.	80″ x 108″ large tan, red, and gold woven Afghan rug. Rec'd—7/7/2012. Est. Value—$2,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Modern oil on canvas painting, title: ''Bold,'' abstract with colors of red, orange, yellow, and white with a black frame with linen-colored matting including presentation plate and description. Rec'd—7/9/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Tsakhiagiin Elbegdorj, President of Mongolia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Black caviar. Rec'd—7/9/2012. Est. Value—$500.00. Disposition—Handled Pursuant to the Guidelines Set Forth by General Services Administrations.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Silver rice container. Decorated silk shawl. Rec'd—7/11/2012. Est. Value—$430.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Thongloun Sisoulith, Foreign Minister of the Lao People's Democratic Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	12″ x 8″ picture in wooden frame, title: ''Jahangir Presents Prince Khurram with a Turban Ornament''. Rec'd—7/31/2012. Est. Value—$600.00. Disposition—Pending Transfer to General Services Administration.	Mr. Kapil Sibal, Minister of Human Resources Development of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Hand-blown glass vase. Hand-blown glass plate. Rec'd—8/8/2012. Est. Value—$495.00. Disposition—Pending Transfer to General Services Administration.	Her Excellency Maite Nkoana-Mashabane, Minister of International Relations and Cooperation of the Republic of South Africa.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Brown tin indigenous face sculpture. Pink tablecloth with blue and yellow design. Blue tablecloth with white design. Yellow and black tablecloth with pink design. Woven blue and white blanket with orange, yellow, and blue design. White woven tablecloth with beige embroidery. Beige tablecloth with white design. Burgundy tablecloth with white fish design. Red tablecloth with black and white design. Two mint green fabric table runners. Large olive green tablecloth with white design. Set of green napkins and tablecloth with tribal design. Set of white napkins and tablecloth with tribal designs. Orange woven tablecloth with blue design. Orange woven tablecloth with white design. Purple and orange woven tablecloth with orange design. Rec'd—8/10/2012. Est. Value—$485.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Dr. Boni Yayi, President of the Republic of Benin.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Hillary Clinton, Secretary of State of the United States.	Avaiki black pearl necklace. Avaiki black pearl earrings. Rec'd—8/31/2012. Est. Value—$990.00. Disposition—Pending Transfer to General Services Administration.	The Honorable Henry Puna, Prime Minister of the Cook Islands.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Cognac. Rec'd—8/2012. Est. Value—$560.00. Disposition—Handled Pursuant to the Guidelines Set Forth by General Services Administrations.	His Excellency Vladimir Putin, President of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Box covered in purple handwoven fabric containing traditional Timorese noblewoman garments and jewelry. Box containing miniature silver filigree republic of a Timorese traditional home. Book, title: ''Strategies for the Future,'' by Prime Minister Kay Rala Xanana Gusmao with personal note to Secretary Clinton. Book, title: ''Xanana Gusmao and the First Ten Years of Building the Timorese State,'' by Prime Minister Kay Rala Xanana Gusmao with personal note to Secretary Clinton.. Rec'd—9/6/2012. Est. Value—$420.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Kay Rala Xanana Gusmao, Prime Minister of the Democratic Republic of Timor-Leste.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Mouawad Larme D'Amour 18k gold, sapphire, and diamond earrings, necklace, and bracelet. Rec'd—9/7/2012. Est. Value—$58,000.00. Disposition—Pending Transfer to General Services Administration.	Her Majesty Paduka Seri Baginda Raja Isteri Pengiran Anak Hajah Saleha binti Al-Marhum Pengiran Pemancha Anak Haji Mohdamed Alam, Queen of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Silver jewelry box with a plaque written ''With Compliment HRH Prince Mohamed Bolkiah, Brunei Darussalam''. Rec'd—9/7/2012. Est. Value—$440.00. Disposition—Pending Transfer to General Services Administration.	His Royal Highness, Prince Mohamed Bolkiah ibni Al-Marhum Sultan Haji Omar Ali' Saifuddien Sa'adul Khairi Waddien, Minister of Foreign Affairs and Trade of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Book, title: ''The Wealth of Russia.'' Set of three silver coins. Rec'd—9/8/2012. Est. Value—$400.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Vladimir Putin, President of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Two rings and horn brooch. Silver and coral jewelry set with a necklace, bracelet, earrings, and ring. Rec'd—9/25/2012. Est. Value—$440.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Abdo Rabo Mansour Hadi, President of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Photo album of Secretary Clinton and State Councilor Dai's previous meetings. A pink floral Chinese silk scarf in a red box. Rec'd—10/3/2012. Est. Value—$520.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Dai Bingguo, State Councilor of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Hillary Clinton, Secretary of State of the United States.	Gold pen set on a stand with a horse and human figurine. Rec'd—10/3/2012. Est. Value—$950.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Erlan Idrissov, Minister of Foreign Affairs of the Republic of Kazakhstan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Blue scarf with black, purple, and blue beaded flowers. Gold and red earrings. Red jacket with tan and green leaves with silver and red accents. Rec'd—10/29/2012. Est. Value—$520.00. Disposition—Pending Transfer to General Services Administration.	Her Excellency Atifete Jahjaga, President of the Republic of Kosovo.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Silver tea set with six teacups, six saucers, six spoons, and a teapot with a lid. Rec'd—10/29/2012. Est. Value—$1,750.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Abdelaziz Bouteflika, President of the People's Democratic Republic of Algeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Framed silver filigree jewelry. Rec'd—10/31/2012. Est. Value—$470.00. Disposition—Pending Transfer to General Services Administration.	Her Excellency Atifete Jahjaga, President of the Republic of Kosovo.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	3.5″ x 6″ x 4.5″ silver filigree box. Rec'd—10/31/2012. Est. Value—$400.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Sali Berisha, Prime Minister of the Republic of Albania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Book, title: "Buddha Image of Wat Pho." Book, title: "Wat Pho's Phra Vihara of the Recling Buddha." Book, title: "Architecture of Wat Pho". Rec'd—11/18/2012. Est. Value—$680.00. Disposition—Pending Transfer to General Services Administration.	His Venerable Holiness Phra Dhammapanyabordee, Abbott of the Wat Pho Monastery of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Multi-colored Royal Bone China Thai tea set with four cups and four saucers. Rec'd—11/18/2012. Est. Value—$440.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Surapong Tovichakchaikul, Deputy Prime Minister and Foreign Minister of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Filigree jewelry holder. Rec'd—11/19/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Bujar Nishani, President of the Republic of Albania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Large floral arrangement with a get well card. Rec'd—12/17/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excelleny Shaikh Khalid bin Ahmed Al-Khalifa, Foreign Minister of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Large floral arrangement with a get well card. Rec'd—12/17/2012. Est. Value—$607.50. Disposition—Pending Transfer to General Services Administration.	His Majesty King Hamad bin Isa Al- Khalifa, King of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Brooch and earrings. Rec'd—12/30/2012. Est. Value—$670.00. Disposition—Pending Transfer to General Services Administration.	The Presidency of Bosnia and Herzegovina.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Hillary Clinton, Secretary of State of the United States.	30.5″ metal sword with plexiglass stand. Rec'd—12/31/2012. Est. Value—$430.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Dimitris Avramopoulous, Minister of Foreign Affairs of the Hellenic Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Clinton, Secretary of State of the United States.	Statuette in wooden box with inscription: "Msho Tcharyntir," translation "Homilies of Mush". Rec'd—Unknown. Est. Value—$2,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Serzh Sargsyan, President of the Republic of Armenia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable William J. Burns, Deputy Secretary of State.	Silver paperweight with magnifying glass. Food basket with Sil Sal ceramic jar full of candies, box of dates and chocolates, sundried tomatoes, various spices, a jar of jam, wine, olive oil, hot sauce, honey, hot red peppers in oil, olives in oil, and magnesium oil. Rec'd—1/12/2012. Est. Value—$400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable William J. Burns, Deputy Secretary of State.	Gold-plated plaque with display box. Shadow box with Dallah and historic Al-Masmak display. Rec'd—1/19/2012. Est. Value—$750.00. Disposition—Pending Transfer to General Services Administration.	Sheikh Muhammad al-Issa, Minister of Justice of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable R. Nicholas Burns, Under Secretary of State for Political Affairs.	Large silver tray with personal inscription. Small silver tray with "souvenir" engraving. Rec'd—Unknown. Est. Value—$360.00. Disposition—Pending Transfer to General Services Administration.	Political General Hok Lundy, Commissioner General of the Kingdom of Cambodia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeffrey Feltman, Assistant Secretary for Near Eastern Affairs.	Gold-plated plaque with display box. Shadow box with Dallah and historic Al-Masmak display. Rec'd—1/19/2012. Est. Value—$570.00. Disposition—Pending Transfer to General Services Administration.	Sheikh Muhammad al-Issa, Minister of Justice of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jose W. Fernandez, Assistant Secretary for the Economics and Business Bureau.	16GB iPad 2 with Wifi. Rec'd—3/3/2012. Est. Value—$480.00. Disposition—Pending Transfer to General Services Administration.	The Jeddah Chamber of Commerce and Industry of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Philip Gordon, Assistant Secretary for European and Eurasian Affairs.	Four ounce black cavier. Rec'd—7/9/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Kurt M. Campbell, Assistant Secretary for East Asian and Pacific Affairs.	Book, title: "His Majesty Sultan Haji Hassanal Bolkiah Mui'izzaddin Waddaulah Sultan dan Yang Di-Pertuan of Brunei Darussalam: A Celebration of Forty Glorius Years of Reign." Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mui'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
The Honorable Kerri-Ann Jones, Assistant Secretary for Oceans and International Environmental and Scientific Affairs.	10″ x 14″ painted lacquer in a metal frame. Rec'd—10/17/2012. Est. Value—$430.00. Disposition—Retained for Official Use Only.	Ministry of Natural Resources and Environment of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Capricia Penavic Marshall, Chief of Protocol.	Pearl and diamond pin and earring set in a wooden box. Rec'd—10/29/2012. Est. Value—$ 1,300.00. Disposition—Pending Transfer to General Services Administration.	Ms. Ravijojla Pavlovic, Chief of Protocol of Bosnia and Herzegovina.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Daniel Benjamin, Ambassador at Large.	Sword with sheath and case. Rec'd—12/2012. Est. Value—$1,130.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Mohammed Nasser Ahmed, Defense Minister of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James F. Jeffrey, U.S. Ambassador to the Republic of Iraq.	Carpet of Babylon. Rec'd—7/29/2012. Est. Value—$750.00. Disposition—Retained for Official Use Only.	The Provinicial Reconstruction Team of the Government of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Michalak, U.S. Ambassador to Vietnam.	Two 1.3 liter Minh Long tea set. Rec'd—2/2011. Est. Value—$765.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Tran Viet Tan, Deputy Minister of Public Security of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Linda Thomas-Greenfield, U.S. Ambassador to Liberia.	Gold-plated seal of Liberia which is part of the Liberian Medal of Honor. Rec'd—2/2012. Est. Value—$385.00. Disposition—Pending Transfer to General Services Administration.	Ministry of Justice of the Republic of Liberia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Smith, U.S. Ambassador to the Kingdom of Saudi Arabia.	Rolex Oyster Perpetual watch (ref: 116000). Rec'd—5/22/2012. Est. Value—$5,200.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Richard J. Schmierer, U.S. Ambassador to Oman.	Two bottles of Amouage perfume in a wooden gift box. Rec'd—7/29/2012. Est. Value—$625.00. Disposition—Pending Transfer to General Services Administration.	His Highness Sayyid Mundhir bin Majid Said Al Sa'id, Head of Liaison and Coordination Services of the Royal Office of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Richard J. Schmierer, U.S. Ambassador to Oman.	Silver letter opener in the shape of a traditional Omani sword, embellished with silver-wire design in a wooden box inscribed with logo and "Royal Air Force of Oman". Rec'd—7/30/2012. Est. Value—$490.00. Disposition—Pending Transfer to General Services Administration.	Matar Bin Ali Al-Obaidani, Air Vice Marshall and Commander of the Royal Air Force of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mirembe L. Nantongo, Deputy Chief of Mission.	Original painting by Yousef Ahmed. Rec'd—5/23/2012. Est. Value—$3,000.00. Disposition—Retained for Official Use Only.	Dr. Hessa Al Jaber, Secretary General of the Supreme Council of Information and Communication Technology of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brian Goldbeck, Consul General ...	Two 15-year Maotai bottles. Rec'd—6/25/2012. Est. Value—$3,146.00. Disposition—Retained at Embassy for Official Use.	Wan Qingliang, Guangzhou Party Secretary of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
Ms. Sangeeta Shields, Spouse of the U.S. Ambassador to Brunei Darussalam.	Three pieces of silk fabric. Rec'd—8/12/2011. Est. Value—$390.00. Disposition—Pending Transfer to General Services Administration.	Her Majesty Paduka Seri Baginda Raja Isteri Pengiran Anak Hajah Saleha binti Al-Marhum Pengiran Pemancha Anak Haji Mohdamed Alam, Queen of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Carlos Pascual, Special Envoy and Coordinator for International Energy Affairs.	Samsung Galaxy tablet. Jewelry box. Bookbag. Rec'd—1/5/2012. Est. Value—$635.00. Disposition—Pending Transfer to General Services Administration.	Pehin Datu Singamanteri Colonel (R) Dato Seri Setia (Dr) Awang Haji Md Yasmin Haji Umar, Minister of Energy of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Helen LaFave, Deputy Director	Shadow box with Dallah and historic Al-Masmak display. Rec'd—1/19/2012. Est. Value—$410.00. Disposition—Permission to Retain for Official Use Only.	Sheikh Muhammad al-Issa, Minister of Justice for the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Harold Haugjukoh, Legal Advisor ..	Wooden box with placard reading "With the compliments of the Minister of Justice Kingdom of Saudi Arabia." Leather bound shadow box book including a small teapot and picture/small model of Al-Masmak. Rec'd—1/19/2012. Est. Value—$410.00. Disposition—Pending Transfer to General Services Administration.	Sheikh Muhammad al-Issa, Minister of Justice for the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
James Infanzon, Protocol Officer ..	Tissot men's watch with black face. Rec'd—1/20/2012. Est. Value—$780.00. Disposition—Pending Transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Daniel Joyce, Desk Officer	Cover men's watch with black leather wristband. Rec'd—1/20/2012. Est. Value—$390.00. Disposition—Pending Transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Jason Rahlan, Protocol Officer	Swiss Chrono military men's silver watch with black face. Rec'd—1/20/2012. Est. Value—$430.00. Disposition—Pending Transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Kristi Roberts, Desk Officer	Steel Tissot watch with red accents on the face. Rec'd—1/20/2012. Est. Value—$740.00. Disposition—Pending Transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ambassador Victoria Nuland, Spokesperson.	Silver and pewter necklace with circular pendant and one pearl in the bottom center. Rec'd—1/30/2012. Est. Value—$390.00. Disposition—Pending Transfer to General Services Administration.	Mr. Lulzim Basha, Mayor of Tirana of the Republic of Albania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ambassador Victoria Nuland, Spokesperson.	Four oz. black cavier. Rec'd—7/9/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Robert F. Cekuta, Principal Deputy Assistant Secretary.	Painting from Dubai. Rec'd—4/23/2012. Est. Value—$840.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Saeed Mohammed Al Tayer, Vice Chairman of the Supreme Council of Energy of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
Janet Breslin-Smith, Spouse of the U.S. Ambassador to Saudi Arabia.	Rolex Oyster Perpetual watch (ref. 176200). Rec'd—5/22/2012. Est. Value—$4,750.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Tawhid Al-Saffy, Agricultural Trade Officer.	Salvatore Ferragamo watch (K12020494). Rec'd—5/22/2012. Est. Value—$1,450.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rachel Smith, Staff Assistant	Roberto Cavalli Venmo lady's watch (R7251692025). Rec'd—5/22/2012. Est. Value—$505.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Imam Asfour, Chief of Protocol at the United States Embassy to the Kingdom of Saudi Arabia.	Roberto Cavalli watch (R7251692025). Rec'd—5/22/2012. Est. Value—$570.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Catherine Schweitzer, Cultural Affairs Officer.	Roberto Cavalli Venmo lady's watch. Rec'd—5/22/2012. Est. Value—$505.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Eunhee Jeong, Office Manager to the U.S. Ambassador to the Kingdom of Saudi Arabia.	Roberto Cavalli Venmo lady's watch (R7251692025). Rec'd—5/22/2012. Est. Value—$505.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Karen Bauer, Education Advisor ...	Roberto Cavalli Venmo lady's watch (R7251692025). Rec'd—5/22/2012. Est. Value—$505.00. Disposition—Pending Transfer to General Services Administration.	Prince Fahd bin Badr bin Abdulaziz Al-Saud, Governor of the Al-Jouf Province of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Daniel McIntosh, Desk Officer	Tag Heuer men's watch. Rec'd—5/22/2012. Est. Value—$470.00. Disposition—Pending Transfer to General Services Administration.	His Highness Sheikh Mohammed bin Rashid Al-Maktoum, Foreign Minister of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Daniel McIntosh, Desk Officer	Montblanc black leather portfolio. Bvlgari men's tie. Rec'd—5/22/2012. Est. Value—$665.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Yousef Mana Saeed Al Otaiba, Ambassador of the United Arab Emirates to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mark Walsh, Deputy Chief of Protocol.	Tiffany & Co. cufflinks. Rec'd—7/6/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Mohamed Abdulla Al Junaibi, Director of Protocol and Communication Department at the Crown Prince Court of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Philippe L. Reines, Deputy Assistant Secretary of State.	Book, title: "His Majesty Sultan Haji Hassanal Bolkiah Mui'izzaddin Waddaulah Sultan dan Yang Di-Pertuan of Brunei Darussalam: A Celebration of Forty Glorius Years of Reign." Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
Ambassador Victoria Nuland, Spokesperson.	Book, title: "His Majesty Sultan Haji Hassanal Bolkiah Mui'izzaddin Waddaulah Sultan dan Yang Di-Pertuan of Brunei Darussalam: A Celebration of Forty Glorius Years of Reign." Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Jacob J. Sullivan, Deputy Chief of Staff and Director of Policy Planning.	Book, title: "His Majesty Sultan Haji Hassanal Bolkiah Mui'izzaddin Waddaulah Sultan dan Yang Di-Pertuan of Brunei Darussalam: A Celebration of Forty Glorius Years of Reign." Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Nicholas S. Merrill, Staff Assistant	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Kenneth Bradley, Security Detail ..	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael Linebach, Security Detail	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Janina de Guzman, Executive Secretariat.	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Monica R. Hanley, Staff Assistant	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Carolina E. Adler, Public Affairs Officer.	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
Wossenyelesh Mazengia, Executive Secretariat.	Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,400.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

[Report of Tangible Gifts Furnished by the Administrative Office of the United States Courts]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John G. Roberts, Jr. Chief Justice of the United States.	Edo Kiriko cut glass vase. Rec'd—10/28/2012. Est. Value—$1,500.00. Disposition—United States Supreme Court, Retained for Official Use Only.	Chief Justice Supreme Court of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Esther DeVries of the U.S. Sentencing Commission.	Mont Blanc watch. Rec'd—9/16/2012. Est. Value—$850.00. Disposition—United States Sentencing Commission, Retained for Official Use Only.	The Kingdom of Bahrain	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Revolving desk clock barometer/thermometer. Rec'd—1/8/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Silver double-spouted presentation teapot. Rec'd—1/19/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Bronzed composition of a soldier. Rec'd—1/20/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Bronze dagger blade, circa 930–586 BCE, with a silver wreath mount. Rec'd—1/26/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Steel kilij-style blade saber with copper mounted leather scabbard. Rec'd—2/2/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	White Fendi wristwatch. Rec'd—2/10/2012. Est. Value—$1,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Large check Burberry cashmere scarf. Rec'd—2/10/2012. Est. Value—$395.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Silver Valentino wristwatch. Rec'd—2/10/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Large, framed lithograph of a seated figure, unsigned. Rec'd—2/10/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Maple Walnut two-string lahuta in a fitted walnut case. Rec'd—2/13/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Gold overlaid opaque white glass vase. Rec'd—3/12/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Coral studded filigree silver single-edge dagger. Rec'd—3/13/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Coral-studded filigree silver model of a four-masted ship. Rec'd—3/14/2012. Est. Value—$3,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Three Roman-Byzantine pottery vessels, circa 1st Century A.D.—5th Century B.C. Rec'd—3/19/2012. Est. Value—$750.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Silver model of a two-masted ship. Rec'd—4/16/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	6′ x 4′ silk rug, red ground with a red and navy blue border. Rec'd—4/23/2012. Est. Value—$1,200.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Bronze commemorative monument. Rec'd—5/9/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Single-edged steel saber in a brass mounted scabbard. Rec'd—6/5/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Silver and pink glazed coffee set. Rec'd—6/5/2012. Est. Value—$400.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Gilt metal hilted commemorative replica of Khan Kubrat's sword. Rec'd—6/6/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Silver mounted black leather scabbard and steel blade saber. Rec'd—6/7/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Silver presentation bowl. Rec'd—6/12/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Large golden falcon with a clock insert. Rec'd—7/9/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Small golden falcon with a clock insert. Rec'd—7/9/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Petrus Pomerol Grand Vin, 2001. Rec'd—7/9/2012. Est. Value—$1,700.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	6.8′ x 4.4′ silk rug, ivory with a light blue and beige background. Rec'd—7/10/2012. Est. Value—$8,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Rolex gentleman's stainless steel automatic chronometer wristwatch. Rec'd—7/10/2012. Est. Value—$6,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	5′ x 3′ silk rug, ivory background with beige and rose accents. Rec'd—8/2/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	6.6′ x 4.1′ silk rug, red background with a beige ground guard border. Rec'd—9/3/2012. Est. Value—$5,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Filigree silver scabbard with short sword. Rec'd—9/7/2012. Est. Value—$2,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David H. Petraeus, Director of the Central Intelligence Agency.	Sheep's horn bow and arrow. Rec'd—11/11/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Woven fabric in a commemorative metal mounted red stained wood stand. Rec'd—2/21/2012. Est. Value—$500.00. Disposition—On Display in the Deputy Director's Suite for Official Use Only.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Cartier silver men's watch. Rec'd—2/21/2012. Est. Value—$9,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Black steel barrel and walnut stock shotgun. Rec'd—3/4/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Filigree silver double-edged short sword and scabbard. Rec'd—3/4/2012. Est. Value—$2,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	One medium plate with semi-precious stones inlaid and one matching small plate. Rec'd—4/25/2012. Est. Value—$500.00. Disposition—On Display in the Deputy Director's Suite for Official Use Only.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Six silver commemorative medallions. Rec'd—6/17/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	8′ x 5′ silk rug, navy blue ground with three vertical rows of stylized flowers. Rec'd—6/19/2012. Est. Value—$2,000.00. Disposition—On Display in the Deputy Director's Suite for Official Use Only.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Hamilton Jazzmaster watch. Rec'd—7/9/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
Michael J. Morell, Deputy Director of the Central Intelligence Agency.	Filigree silver double-edged dagger. Rec'd—9/28/2012. Est. Value—$1,500.00. Disposition—On Display in the Deputy Director's Suite for Official Use Only.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
An Agency Employee	Gold bullion presentation coin. Rec'd—2/1/2008. Est. Value—$2,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Two silk rugs, one brown and one yellow. Rec'd—6/1/2010. Est. Value—$800.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Cartier Roadster fountain pen. Rec'd—1/5/2012. Est. Value—$750.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	18″ brown wood grain M1 rifle. Rec'd—1/18/2012. Est. Value—$699.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Chess set and a silk rug. Rec'd—4/16/2012. Est. Value—$1,080.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Cartier ink pen. Rec'd—4/30/2012. Est. Value—$395.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Sterling silver cufflinks and silver fountain pen. Rec'd—5/25/2012. Est. Value—$800.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Baum and Mercier quartz watch. Rec'd—5/25/2012. Est. Value—$1,190.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Romanson Trofish edition Swiss wristwatch. Rec'd—6/15/2012. Est. Value—$1,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Romanson Trofish edition Swiss wristwatch. Rec'd—6/15/2012. Est. Value—$1,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Romanson Trofish edition Swiss wristwatch. Rec'd—6/15/2012. Est. Value—$1,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Romanson Trofish edition Swiss wristwatch. Rec'd—6/15/2012. Est. Value—$1,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Femini-T Tissot lady's watch. Rec'd—6/28/2012. Est. Value—$850.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
An Agency Employee	Cartier ink pen. Rec'd—7/7/2012. Est. Value—$395.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Hamilton Jazzmaster Watch. Rec'd—7/9/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Hamilton stainless steel wristwatch with brown leather band. Rec'd—7/10/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Pierre Balmain Swiss quartz men's watch. Rec'd—7/16/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Raymond Weil watch. Rec'd—7/18/2012. Est. Value—$750.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	EOS 60D SLR camera with 18–135MM lens. Rec'd—7/27/2012. Est. Value—$1,150.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Rolex gold and stainless steel wristwatch. Rec'd—7/30/2012. Est. Value—$14,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Silk rug. Rec'd—9/16/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Rado Centrix men's wristwatch. Rec'd—10/18/2012. Est. Value—$1,250.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Six encased displays with various historical items including rare stamps, currencies, and prayer books. Rec'd—11/6/2012. Est. Value—$6,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	3′ x 5′ silk rug. Two bottles of cologne. An iPhone 5. Rec'd—12/20/2012. Est. Value—$3,375.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Chopard cufflinks. Chopard ballpoint pen. Chopard money clip. Rec'd—12/29/2012. Est. Value—$1,000.00. Disposition—Pending Transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF COMMERCE

[Report of Tangible Gifts Furnished by the Department of Commerce]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Assistant Secretary Suresh Kumar	Aluminum box with fishing rod and reel. Rec'd—1/26/2012. Est. Value—$400.00. Disposition—ITA/US&FCS/Office of the Director General (ODG), Washington, DC; Returning to General Services Administration (GSA), Office of Procurement and Administrative Services.	Youser Group, Xi'an Sha'anxi Province of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Leon E. Panetta, Secretary of Defense.	Statue of a man riding a horse from the Keith Lipert Gallery. Rec'd—1/4/2012. Est. Value—$565.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Adel A. Al-Jubeir, Ambassador of the Kingdom of Saudi Arabia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Holy water. Glass eagle. Dagger/knife. Keffiyeh and Agal Headdress. Rec'd—2/23/2012. Est. Value—$460.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Mashal M. Al-Zaben, Chairman of the Joint Chiefs of Staff of the Armed Forces of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Wool Afghan rug. Rec'd—3/1/2012. Est. Value—$1,600.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Lapis bowl and rug. Rec'd—3/14/2012. Est. Value—$435.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Bismullah Khan Mohammadi, Minister of Interior of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Wristwatch. Rec'd—3/21/2012. Est. Value—$375.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lee Myung-bak, President of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Chalice. Rec'd—3/23/2012. Est. Value—$2,100.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Seyran Ohanyan, Minister of Defense of the Republic of Armenia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Statue, title: "Vision of the Bear". Rec'd—3/27/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	The Honorable Peter G. MacKay, P.C., Q.C., M.P., Minister of National Defense of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Wool Afghan rug. Rec'd—4/10/2012. Est. Value—$400.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Art object with a camel and palm tree. Rec'd—4/11/2012. Est. Value—$7,600.00. Disposition—Pending Transfer to General Services Administration.	His Royal Highness Crown Prince Salman bin Abdulaziz Al Saud, Minister of Defense of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Leon E. Panetta, Secretary of Defense.	Wristwatch display box. Rec'd—4/30/2012. Est. Value—$425.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Albert F. del Rosario, Secretary of Foreign Affairs of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Tea set. Rec'd—6/4/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Phung Quang Thanh, Minister of National Defense of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Plate with bust image and jewelry box. Rec'd—9/18/2012. Est. Value—$420.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Liang Guanglie, Minister of National Defense of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Dragon boat. Rec'd—9/18/2012. Est. Value—$850.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Xu Caihou, Vice Chairman of the Central Military Committee of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Art object in the shape of a tree. Rec'd—10/6/2012. Est. Value—$520.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Ollanta Humala Tasso, President of the Republic of Peru.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Leon E. Panetta, Secretary of Defense.	Rug. Rec'd—12/13/2012. Est. Value—$800.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Dove statue with stand. Rec'd—1/20/2012. Est. Value—$565.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Binyamin Gantz and Mrs. Gantz, Chief of the General Staff of the Israel Defense Forces and Spouse.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Sea shell with tassel. Rec'd—1/24/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Jung Seung-jo, Chairman of the Joint Chiefs of Staff of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Knife/dagger. Rec'd—1/31/2012. Est. Value—$555.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Hamad Thani Al Rumaithy, Chief of Staff of the United Arab Emirates Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Etienne Aigner men's wristwatch. Christian Dior Pen. Dunhill of London Wallet. Delsey Suitcase. Etienne Aigner Women's Wristwatch. Burberry Scarf. Rec'd—2/2/2012. Est. Value—$1,775.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Hamad Thani Al Rumaithy, Chief of Staff of the United Arab Emirates Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Plaque and wool Afghan rug. Rec'd—2/7/2012. Est. Value—$440.00. Disposition—Pending Transfer to General Services Administration.	General Sher Mohammad Karimi, Chief of Staff of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Silver candleholder and tapestry/wall hanging. Rec'd—2/11/2012. Est. Value—$795.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Samy Enan, Chief of Staff of the Armed Forces of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Plaque. Holy water. Glass eagle. Muslim headdress and garment. Rec'd—2/23/2012. Est. Value—$550.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Mashal M. Al-Zaben, Chairman of the Joint Chiefs of Staff of the Armed Forces of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Wristwatch. Rec'd—3/30/2012. Est. Value—$375.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Lee Seo-young, Defense Attaché of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Sword with wooden case. Rec'd—4/2/2012. Est. Value—$460.00. Disposition—Pending Transfer to General Services Administration.	Major General Xhemal Gjunkshi, Chief of Defense of the Republic of Albania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Plaque and saber. Rec'd—4/22/2012. Est. Value—$845.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Mashal M. Al-Zaben, Chairman of the Joint Chiefs of Staff of the Armed Forces of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Hatchet. Rec'd—5/10/2012. Est. Value—$975.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Necdet Ozel, Chief of Defense of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Plaque. Figurine. Book, title: "The Secret of the Mongols". Rec'd—5/22/2012. Est. Value—$410.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General Tserendejid Byambajav, Chief of the General Staff of the Armed Forces of Mongolia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Sword. Rec'd—8/13/2012. Est. Value—$640.00. Disposition—Pending Transfer to General Services Administration.	General Harald Sunde, Chief of Defense of Norway.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Rug. Rec'd—8/20/2012. Est. Value—$425.00. Disposition—Pending Transfer to General Services Administration.	General Sher Mohammad Karimi, Chief of Staff of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Plaque and rug. Rec'd—8/21/2012. Est. Value—$830.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Zibari Babakir Badr-Khan Shawkat al-Zebari, Chief of Defense of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Desk set. Rec'd—9/17/2012. Est. Value—$1,750.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Necdet Ozel, Chief of Defense of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Vase. Rec'd—9/17/2012. Est. Value—$980.00. Disposition—Pending Transfer to General Services Administration.	Mrs. Kamuran Ozel, Spouse of the Chief of Defense of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Wristwatch. Rec'd—9/27/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	University of Toronto, Department of Physics, Toronto, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff.	Necklace, earrings, and ring set. Rec'd—9/27/2012. Est. Value—$1,900.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Hussein Abdullah Al Gobail, Chief of Defense of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michele Flournoy, Under Secretary of Defense, OSD Policy.	Sterling silver on aluminum long Old City tea box. Rec'd—1/12/2012. Est. Value—$490.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Amir Eshel, Commander in Chief of the Israeli Air Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Frank Mora, Deputy Assistant Secretary of Defense, OSD Policy.	Command coin in display box. Book, title: "The Participation of the Armed Forces in the Actual Environment of the Public Security". Rec'd—1/20/2012. Est. Value—$690.00. Disposition—Pending Transfer to General Services Administration.	His Excellency General Augusto Moisés García Ochoa, Chief of Procurement of the Mexican Army of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Schiffer, Deputy Assistant Secretary of Defense, OSD Policy.	Business card holder. Two lacquer boxes. Rec'd—2/22/2012. Est. Value—$392.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Director-General Lee Baek-soon, Ministry of Foreign Affairs and Trade of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael G. Vickers, Under Secretary of Defense, OSD Policy.	Envelope opener with red eye gold eagle head. Rec'd—3/4/2012. Est. Value—$430.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Prince Bandar, the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael G. Vickers, Under Secretary of Defense, OSD Policy.	Knife/silver Jambiya in orange case. Rec'd—3/4/2012. Est. Value—$780.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Ali Muhammad al-Anisi, Director of National Security Bureau of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Peter Lavoy, A/ASD Asian & Pacific Security Affairs, OSD Policy.	Wristwatch. Rec'd—3/21/2012. Est. Value—$375.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Lee Seo-young, Defense Attaché of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michele Flournoy, Under Secretary of Defense, OSD Policy.	Wristwatch. Rec'd—3/21/2012. Est. Value—$375.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Lee Seo-young, Defense Attaché of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Vice Admiral William Gortney, Director, Joint Chiefs of Staff.	Korean lacquer box. Rec'd—4/5/2012. Est. Value—$420.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Admiral Choi Yoon-hee, Chief of Naval Operations of Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Schear, Deputy Assistant Secretary of Defense, OSD Policy.	Pearl necklace, earrings and bracelet set. Rec'd—4/6/2012. Est. Value—$440.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Lieutenant General M.F. Akbar, Commandant of the Bangladesh National Defense College.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael G. Vickers, Under Secretary of Defense, OSD Policy.	Wristwatch. Rec'd—4/11/2012. Est. Value—$3,760.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Ghanim Al-Kubaysi, Director of Qatar State Security.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael G. Vickers, Under Secretary of Defense, OSD Policy.	Qatari tower model. Rec'd—4/11/2012. Est. Value—$520.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Brigadier General Sheikh Ahmed bin Nasser Al-Thank, Assistant Chief of Staff for Intelligence & Security of the Qatar Armed Forces and the Director of Military Intelligence of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael G. Vickers, Under Secretary of Defense, OSD Policy.	Gold necklace. Rec'd—4/11/2012. Est. Value—$1,815.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Ghanim Al-Kubaysi, Director of Qatar State Security.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable William F. Wechsler, Deputy Assistant Secretary of Defense, OSD Policy.	Vase. Rec'd—4/24/2012. Est. Value—$440.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Baz Mohamed Ahmadi, Deputy Minister of Interior for Counternarcotics of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Andy Weber, Office of the Assistant Secretary of Defense (ASD) (NCB).	Two jewelry boxes. Rec'd—5/16/2012. Est. Value—$565.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Seo Pil-Eon, Vice Minister of Public Administration and Security of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David Sedney, Deputy Assistant Secretary of Defense, OSD Policy.	Afghan rug. Rec'd—6/8/2012. Est. Value—$375.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Eklil Hakimi, Ambassador of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Robert Prins, Lieutenant Colonel, U.S. Army, Defense Threat Reduction Agency.	Wristwatch. Rec'd—6/21/2012. Est. Value—$780.00. Disposition—Pending Transfer to General Services Administration.	Brigadier General Ghanem Ibriheem Al-Fudhalah, Director of Joint Operations, Bahrain Defense Force of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Matthew Moakler, Major, U.S. Army, Defense Threat Reduction Agency.	Wristwatch. Rec'd—6/21/2012. Est. Value—$780.00. Disposition—Pending Transfer to General Services Administration.	Brigadier General Ghanem Ibriheem Al-Fudhalah, Director of Joint Operations, Bahrain Defense Force of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton B. Carter, Deputy Secretary of Defense.	Bowl. Rec'd—7/22/2012. Est. Value—$390.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Air Chief Marshal Sukumpol Suwanatat, Minister of Defense of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton B. Carter, Deputy Secretary of Defense.	Rug. Rec'd—10/12/2012. Est. Value—$450.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Sadun Farhan al-Dulaymi, Acting Minister of Defense of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Adm. James A. Winnefeld, Jr., Vice Chairman of the Joint Chiefs of Staff.	Mere Pounamu carving. Rec'd—10/18/2012. Est. Value—$1,080.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Rear Admiral Jack Steer, Chief of the Royal Navy of New Zealand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton B. Carter, Deputy Secretary of Defense.	Rug. Rec'd—10/22/2012. Est. Value—$550.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Brigadier General Abdul Raziq, Unit Commander, 4th Brigade, 203rd Corps of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEFENSE INTELLIGENCE AGENCY

[Report of Tangible Gifts Furnished by the Defense Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
RADM Elizabeth L. Train, Director for Intelligence, Joint Chiefs of Staff J2.	Tissot T3 women's watch. Versace men's cologne. Green and red tie with black imprints. Rec'd—8/21/2012. Est. Value—$660.00. Disposition—Pending Transfer to General Services Administration.	Major General Sheikh Mamun Khaled, Director General of the Directorate General Forces Intelligence of the People's Republic of Bangladesh.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE AIR FORCE

[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Michael Donley, Secretary of United States Air Force.	48″ x 96″ multicolored brown rug. Rec'd—12/29/2012. Est. Value—$2,000.00. Disposition—Displayed in Pentagon Rm 4E878 for Official Use Only.	His Excellendy Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE AIR FORCE—Continued

[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Colonel Andreas Forstner, United States Air Force Military Assistant for NATO.	JBR men's watch. JBR women's watch. Rec'd—3/21/2012. Est. Value—$1,000.00. Disposition—Transferred to General Services Administration.	His Excellency Major General Hamad bin Ali al-Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. John Peterson, United States Air Force Political Advisor for NATO.	JBR men's watch. JBR women's watch. Rec'd—3/21/2012. Est. Value—$1,000.00. Disposition—Transferred to General Services Administration.	His Excellency Major General Hamad bin Ali al-Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Ralph Jodice II, United States Air Force Commander NATO.	Chanel men's watch. Chanel women's watch. Rec'd—3/21/2012. Est. Value—$4,000.00. Disposition—Transferred to General Services Administration.	His Excellency Major General Hamad bin Ali al-Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs Dawn Goldfein, Spouse to Lieutenant General David Goldfein, United States Air Force Commander USAFCENT.	Saint Honore watch. Rec'd—4/28/2012. Est. Value—$1,417.00. Disposition—Transferred to General Services Administration.	Mrs. Al Attiyah, Spouse of the Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Colonel James Breck, 738 AEAC Commander.	Three 5′ x 7′ multi colored rugs. Rec'd—2/2/2011. Est. Value—$450.00. Disposition—Displayed in 738 AEAG, Afghanistan for Official Use Only.	Major General Abdul Raziq Sherzai, Commander of the Kandahar Air Wing of the Afghan Air Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
John Polhemus, Andrews Air Force Base Protocol.	Mont Blanc black pen set. Rec'd—8/23/2012. Est. Value—$900.00. Disposition—Pending Transfer to General Services Administration.	Adi Khair, First Secretary of the Embassy of the Hashemite Kingdom of Jordan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
John Polhemus, Andrews Air Force Base Protocol.	White 64GB 4G iPad. Rec'd—9/3/2012. Est. Value—$700.00. Disposition—Pending Transfer to General Services Administration.	Adi Khair, First Secretary of the Embassy of the Hashemite Kingdom of Jordan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Frank Gorenc, Assistant Vice Chief of Staff United States Air Force.	12″ silver colored falcon statue w/ base. Rec'd—12/20/2012. Est. Value—$1,069.00. Disposition—Displayed in Pentagon Rm 4E944 for Official Use Only.	His Excellency Mohamed Abdullah Al-Rumaihi, Ambassador of the State of Qatar to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Peggy Moore, Assistant to Secretary of United States Air Force.	36″ x 60″ red and blue rug. Rec'd—12/29/2012. Est. Value—$775.00. Disposition—Pending Purchase from General Services Administration.	His Excellendy Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE ARMY

[Report of Tangible Gifts Furnished by the Department of the Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Colonel Maxine Girard, Commander, Area Support Group—Qatar, Camp As Sayliyah, Qatar APO AE 09898.	Valentino women's black dial black lizard watch (style: V38SBQ9909–S009). Rec'd—6/7/2011. Est. Value—$370.00. Disposition—Turn in as excess property.	His Excellency Brigadier General Sheikh Ahmed bin Nasser Al-Thani, Assistant Chief of Staff for Intelligence & Security of the Qatar Amred Forces and the Director of Military Intelligence of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Colonel William J. Carty Jr., Special Operations Task Force—South Kandahar Airfield, Afghanistan.	6′ x 8′ wool oriental rug. Rec'd—7/10/2011. Est. Value—$1,275.00. Disposition—Request to purchase and keep as personal property pending at General Services Agency.	Governor Gul Agha Sherazi, Governor of the Nangahar Province of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE ARMY—Continued

[Report of Tangible Gifts Furnished by the Department of the Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Lieutenant General Curtis M. Scaparrotti, Commander, International Security Assistance Force Joint Command, Kabul Afghanistan.	Ceremonial polish mace. Rec'd—8/10/2011. Est. Value—$499.95. Disposition—Retain for official Display at Headquarters, I Corps, Mail Stop #1, P.O. Box 339500, Joint Base Lewis McChord Washington 98433–9500.	Lieutenant General Edward Gruszka, Commander of the Operational Command of the Polish Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent K. Brooks, Commanding General USARCENT.	One men's and one women's Concord Saratoga watches. Rec'd—9/25/2011. Est. Value—$2,424.00. Disposition—Turn in as excess property.	Lieutenant General Ahmad Al-Khalid al-Hamad al-Sabah, Ministry of Defense and 15th Armored Brigade of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Colonel William J. Carty Jr., Special Operations Task Force—South Kandahar Airfield, Afghanistan.	3′ x 5′ silk oriental rug. Rec'd—1/24/2012. Est. Value—$400.00. Disposition—Request to purchase and keep as personal property pending at General Services Agency.	Brigadier General Haji Gulali, Commander of the Kandahar Airfield Garrison of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Colonel K. Weedon Gallagher, Hattalion Commander, 1297th Combat Sustainment Support Battalion, Regional Command-South, Kandahar, Afghanistan.	Chinese Recoilless Anti-Tank gun, serial number: 5137 30491. Soviet auto cannon, serial number:174458. AK47, serial number: 1964YR7999. AK47, serial number: EB0730. AK 47, serial number: 2537787. Rec'd—3/1/2012. Est. Value—$31,425.00. Disposition—Request to retain for official display at the 1297th Combat Sustainment Support Battalion Headquarters, Havre de Grace, Maryland.	Colonel Mohammad Fazel, Regional Logistics Support Command of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Terry Ferrell, Commanding General, National Training Center (NTC) and Fort Irwin, 92310.	Scuderia Ferrari Ronda 5050 Coronograph watch. Rec'd—6/12/2012. Est. Value—$550.00. Disposition—Turn in as excess property.	Major General Ali Mohammed Al Jabry, Deputy Commander of the United Arab Emirates Land Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Colonel Ralph Arthur Lounsbrough, Commander 840th Transportation Battalion.	Black 32 MB iPhone 4 (MC605B/A). Rec'd—7/18/2012. Est. Value—$400.00. Disposition—Turn in as excess property.	Colonel Yousef A. Al-Duraie, Manager of the Oil and Vital Interests Protection Department of the Ministry of the Interior of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Eric P. Wendt, Deputy Commander, ISAF Regional Command North/U.S. Forces—Afghanistan—North.	4′ x 8′ rectangular "Al Khuja"-style Afghan multicolored rug from the vicinity of Maimaneh in Northern Afghanistan depicting several geometric shapes. A framed commemorative bowl with an inscription of a famous Afghan poet and the name/title of Governor Atta (written in Dari). Rec'd—7/24/2012. Est. Value—$380.00. Disposition—Turn in as excess property.	Govenor Noor Muhammad Atta, Governor of Balkh Province of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Eric P. Wendt, Deputy Commander, ISAF Regional Command North/US Forces—Afghanistan—North.	A rough uncut ruby embedded in a white rock. A commemorative plaque from the Provincial Governor of Kunduz. Rec'd—7/25/2012. Est. Value—$370.00. Disposition—Turn in as excess property.	Govenor Mohammah Anwar Jektalek, Governor of Kunduz Province of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE ARMY—Continued

[Report of Tangible Gifts Furnished by the Department of the Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Brigadier General Timothy P. McGuire, Deputy Commanding General, Support, Regional Command South, Combined Joint Task Force-82, Kandahar Airfield, Afghanistan.	4′ x 6′ wool rug. Rec'd—8/9/2012. Est. Value—$500.00. Disposition—Pending Transfer to General Services Administration.	Mr. Shah Wali Karzai, Leader of the Popalzai tribe of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General James L. Huggins, Commanding General, 82d Airborne Division, Kandahar, Afghanistan.	Rado original automatic gold watch with a hard metal bezel and facetted sapphire chrystals. Rec'd—8/27/2012. Est. Value—$688.92. Disposition—Turn in as excess property.	Mr. Matiullah Khan, Chief of Police of the Uruzgan Provincial of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Timothy P. McGuire, Deputy Commanding General, Support, 82d Airborne Division, Fort Bragg, North Carolina 28310.	4″ x 2″ lapis lazuli blue bowl. Rec'd—8/30/2012. Est. Value—$550.00. Disposition—Pending Transfer to General Services Administration.	General Mirwais Khan Noorzai, Commander of the 404th Maiwand Zone of the Afghan Uniformed Police.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General James L. Huggins, Commanding General, 82d Airborne Division, Fort Bragg, North Carolina.	8′ x 11′ silk Afghan rug. Rec'd—10/1/2012. Est. Value—$500.00. Disposition—Request to retain for official display at the 82d Airborne Division Museum, Fort Bragg, North Carolina.	Brigadier General Haji Gulali, Commander of the Kandahar Airfield Garrison of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Martin P. Schweitzer, Deputy Commanding General, Operations 82d Airborne Division, Fort Bragg, North Carolina, 28310.	8′ x 11′ silk Afghan rug. Rec'd—10/2/2012. Est. Value—$700.00. Disposition—Request to purchase and keep as personal property pending at General Services Administration.	Brigadier General Haji Gulali, Commander of the Kandahar Airfield Garrison of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Ricky L. Waddell, CJIATF-Shafafiyat Commander.	6′ x 6′ high quality rug. Rec'd—10/2/2012. Est. Value—$1,000.00. Disposition—Turn in as excess property.	General Gul Agha Sherazi, Governor of the Nangarhar Province of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Francis J Wiercinski, Commander, U.S. Army Pacific.	Pearl necklace. Rec'd—11/8/2012. Est. Value—$600.00. Disposition—Retain for official display at Headquarters, U.S. Army Pacific, 3rd Floor, Building T100, Fort Shafter, Hawaii 96858.	General Edhie Wibowo and Mrs. Kiki Gayatri Wibowo, Chief of the Army of Indonesia and Spouse.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Stephen R. Lyons, Commander, 8th Theater Sustainment Command, Fort Shafter, HI.	500 ml bottle of Kweichow Moutai alcohol. Wooden pen holder with panda embroidery. One silk scarf. One cashmere scarf. One cashmere shawl. Rec'd—11/28/2012. Est. Value—$470.00. Disposition—Retain for Official Display at the 8th Theater Sustainment command (8th TSC), Fort Shafter, HI.	Major General Tang Fen, Director of the Mass Work Office of the General Political Department and Head of Delegation for People's Liberation Army of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Robert White, Deputy Commanding General—Support, Regional Command (South), 3rd Infantry Division, Kandahar Airfield, Afghanistan.	6′ x 9′ hand-stitched rug. Rec'd—12/24/2012. Est. Value—$700.00. Disposition—Retain for Official Display at the 3rd Infantry Division Headquarters Building, second floor common area, Fort Steward Georgia.	Brigadier General Gulali, Camp Hero Garrison Commander of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Robert B. Abrams, Commander, Regiongal Command (South), 3rd Infantry Division, Kandahar Airfield, Afghanistan.	6′ x 9′ hand-stitched rug. Rec'd—12/24/2012. Est. Value—$700.00. Disposition—Retain for Official Display at the Regional Command South, Shura Room, Headquarters Building, Kandahar Airfield, Afghanistan, APO 09335.	Brigadier General Gulali, Camp Hero Garrison Commander of the Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE ARMY—Continued

[Report of Tangible Gifts Furnished by the Department of the Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Lieutenant General Huntoon, Supt. USMA.	TRAVEL: Lieutennt General Huntoon, Supt. USMA, attended conference. In-kind gift of travel and travel related benefits, i.e, travel, lodging, and meals. Rec'd—3/2–4/2012. Est. Value—$6,000.00.	Brenthurst Foundation for Economic Dimension to Peace Building Conference, Tswalu Kalahri Reserve, the Republic of South Africa.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY

[Report of Tangible Gifts and Travel Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Ray Mabus, Secretary of the Navy.	Three miniture brass nautical instruments. Rec'd—7/14/2012. Est. Value—$465.00. Disposition—Retained by Recipient for Official Use.	Vice Admiral Zahir Uddin Ahmed, Chief of Naval Staff of the Bangladesh Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ray Mabus, Secretary of the Navy.	Model boat of a miniature Korean ''turtle'' warship. Miniature English clock by William & Son of London. Rec'd—8/23/2012. Est. Value—$1,380.00. Disposition—Retained by Recipient for Official Use.	Vice Admiral Jung Hwa Park, Commander Republic of Korea Fleet of the Republic of Korea Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ray Mabus, Secretary of the Navy.	Elephant head, ears and trunk wood. Rec'd—8/29/2012. Est. Value—$435.00. Disposition—Retained by Recipient for Official Use.	His Excellency Philemon Yang, Prime Minister of the Republic of Cameroon.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ray Mabus, Secretary of the Navy.	Red porcelain vase. Rec'd—11/27/2012. Est. Value—$435.00. Disposition—Retained by Recipient for Official Use.	His Excellency Liang Guanglie, Minister of National Defense of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Fukagawa Seiji porcelain. Hagoita doll paddle. Rec'd—10/3/2011. Est. Value—$536.83. Disposition—Retained by Recipient for Official Use.	Admiral Masahiko Sugimoto, Chief of Staff of the Japanese Maritime Self Defense Force of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Weems and Plath clock in wooden box. Rec'd—10/18/2011. Est. Value—$1,500.00. Disposition—Retained by Recipient for Official Use.	Admiral Julio Soares de Moura Neto, Chief of Naval Operations of the Federative Republic of Brazil.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Lomonosov coffee set. Nine Christmas ornaments. Sword replica letter opener. Rec'd—10/18/2011. Est. Value—$1,377.00. Disposition—Retained by Recipient for Official Use.	Admiral Vladimir Vysotskiy, Commander-in-Chief of the Russian Federation Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Ferragamo silk scarf. Delta fountain pen. Rec'd—10/21/2011. Est. Value—$496.00. Disposition—Retained by Recipient for Official Use.	Vice Admiral Bruno Branciforte, Chief of Naval Operations of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Aigner mens watch. Ax swagger stick. Rec'd—10/21/2011. Est. Value—$1,322.00. Disposition—Pending Transfer to General Services Administration.	Brigadier General Ibrahim Al Musharrakh, Chief of Naval Forces of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Tittot crystal. Cuff link and tie bar set. Franz Proud peacock pin. Rec'd—12/6/2011. Est. Value—$423.50. Disposition—Crystal Retained by Recipient for Official Use. All else Pending Transfer to General Services Administration.	Admiral Hsiang-lung Tung, Commander in Chief of the Taiwan Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	S.T. Dupont pen. Hermes silk scarf. Rec'd—3/23/2012. Est. Value—$796.12. Disposition—Retained by Recipient for Official Use.	Admiral Bernard Rogel and Mrs. Christine Rogel, Chief of Naval Operations of the French Republic and Spouse.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Greenert, US Navy, Chief of Naval Operations and Spouse.	Candino men's watch. Candino pen. Candino cufflink set. Cardino wallet. Rec'd—3/26/2012. Est. Value—$595.00. Disposition—Retained by Recipient for Official Use.	His Highness Sheikh Hamad bin Khalifa Al Thani, Amir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Captain Anthony Cowden, US Navy.	Raymond Weill men's watch. Rec'd—7/8/2011. Est. Value—$895.00. Disposition—Transferred to General Services Administration.	Vice Admiral Dakheel Allah Al-Wagdani, The Royal Saudi Naval Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Michael LeFever, US Navy, Commander, Office of the Defense Representive to Pakistan.	Hardwood trunk with brass inlay. Rec'd—7/9/2011. Est. Value—$850.00. Disposition—Purchased by Recipient.	Admiral Noman Bashir, Chief of Naval Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Mark Ferguson, US Navy, Vice Chief of Naval Operations.	Medium sized Bahraini decorative wood trunk. Fuel men's watch. Small camel rug. Gold and pearl ring. 3.33 fl. oz. Bahraini Cologne. 0.36 fl. oz. Banafsaj night perfume 3.33 fl. oz. Banafsaj night perfume. Rec'd—11/23/2011. Est. Value—$1,688.00. Disposition—Retained by Recipient for Official Use.	Brigadier General Abdulla al Monsoori, Royal Bahraini Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Mark I. Fox, US Navy, Commander, U.S. Naval Forces Central Command.	Two 3⅓; fl. oz. Tanelli perfume. 3.4 fl. oz. Attimo perfume. 1.7 fl. oz. Lys perfume. Corneliani tie. Horizon brown leather briefcase. Gift set containing Geovani men's watch, Geovani women's watch, JB Robinson pen, Pierre Cardin pen, Smalto cufflinks and key chain in wood decorative box. Rec'd—11/29/2011. Est. Value—8500.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Scott Edelman, Political Advisor to Vice Admiral Mark Fox, Commander, U.S. Naval Forces Central Command.	Horizon black leather briefcase. GeoVani watch. JBR pen, cufflinks and cologne gift set. 3.25 fl. oz Midnight rain perfume. Collistar cologne. 1.7 fl. oz Tom Ford Grey Vetiver perfume. Rec'd—11/29/2011. Est. Value—$2,874.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Seaman Apprentice Ben Yager, US Navy, Escort, Commander, U.S. Naval Forces Central Command.	Jovial watch. JBR pen and wallet. Smalto cufflinks gift set. Rec'd—11/29/2011. Est. Value—$1,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Alysha Haran, US Navy, Flag Aide, Commander, U.S. Naval Forces Central Command.	Giovani watch. Pierre Cardin pen and key chain charm. JBR perfume gift set. Rec'd—11/29/2011. Est. Value—$1,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Commander Michael Seeberger, US Navy, Executive Assistant, Commander, U.S. Naval Forces Central Command.	JBR watch, pen, cufflinks and wallet gift set. Rec'd—11/29/2011. Est. Value—$1,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Bryan Pinckney, US Navy, Flag Aide, Commander, U.S. Naval Forces Central Command.	JBR watch, pen, cufflinks and wallet gift set. Rec'd—11/29/2011. Est. Value—$1,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Commander Vickie McDonald, US Navy, Flag Aide, Commander, U.S. Naval Forces Central Command.	JBR watch. 1.7 fl. oz. Pierre Cardin cologne, pen, and key chain charm gift set. Rec'd—11/29/2011. Est. Value—$1,200.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Major General Hamad bin Al Attiyah, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General Carl Mundy, U.S. Marine Corps, Executive Officer, U.S. Central Command.	Hand-woven Afghan rug. Rec'd—12/26/2011. Est. Value—$1,100.00. Disposition—Retained by Recipient for Official Use.	Major General Abdul Raziq Sherzai, Commander of the Kandahar Air Wing of the Afghan Air Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral James Stavridis, US Navy, Commander, U.S. European Command.	Montblanc fountain pen. Hjerter heart-shaped necklace. Rec'd—2/24/2012. Est. Value—$890.00. Disposition—Pending Transfer to the National Defense University to Display for Official Use.	General Harald Sunde, Chief of Defense of Norway.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General James Mattis, US Marine Corps, Commander, U.S. Central Command.	Two ammonites (fossilized snails). Rec'd—3/31/2012. Est. Value—$650.00. Disposition—Retained by Recipient for Official Use.	His Excellency Enomali Rahmon, President of the Republic of Tajikistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Ted Carter, US Navy, Commander, Carrier Strike Group TWELVE.	Blue and clear crystal chalice. Rec'd—5/6/2012. Est. Value—$521.00. Disposition—Retained by Recipient for Official Use.	Rear Admiral Abdullah bin Khamis bin Abdullah Al-Raisi, Royal Navy of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Mark I. Fox, US Navy, Commander, U.S. Naval Forces Central Command.	A set of twelve silver spoons with Royal Bahrain Crest imprinted on them. Rec'd—5/15/2012. Est. Value—$526.00. Disposition—Item was lost in shipping, report of loss was documented.	Her Royal Highness Princess Sabika bint Ibrahim Al Khalifa, Chairperson of the Supreme Council for Women and spouse of the King of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral C.M. Gaouette, US Navy, Deputy Commander, U.S. Naval Forces Central Command/U.S. FIFTH Fleet/Combined Maritime Forces.	A set of twelve silver spoons with Royal Bahrain Crest imprinted on them. Rec'd—5/15/2012. Est. Value—$526.00. Disposition—Retained by Recipient for Official Use.	Her Royal Highness Princess Sabika bint Ibrahim Al Khalifa, Chairperson of the Supreme Council for Women and spouse of the King of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Vice Admiral Mark I. Fox, US Navy, Commander, U.S. Naval Forces Central Command.	Big green egg. Large ceramic multi-use cooking unit in the sytle of ancient kamado cookers, with accessories. Rec'd—8/29/2012. Est. Value—$960.00. Disposition—Retained by Recipient for Official Use.	His Royal Highness Prince Salman bin Hamad Al-Khalifa, Crown Prince of the Kingdom of Bahrain and Deputy Supreme Commander of the Bahrain Defense Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General James Mattis, US Marine Corps, Commander, U.S. Central Command.	Montblanc Meisterstuck fountain pen. Rec'd—9/4/2012. Est. Value—$840.00. Disposition—Retained by Recipient for Official Use.	General Jean Kahwagi, Commander-in-Chief of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral James Stavridis, US Navy, Commander, U.S. European Command.	Dagger in box. Statue of a Greek soldier. Ilias Lalaounis brooch. Rec'd—9/4/2012. Est. Value—$431.44. Disposition—Retained by Recipient for Official Use.	General Mikhail Kostarakos and Mrs. Katerina Kostarakos Chief of the Hellenic National Defense General Staff.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral James Stavridis, US Navy, Commander, U.S. European Command.	Silver covered woden box with personal inscription. Rec'd—9/6/2012. Est. Value—$450.00. Disposition—Retained by Recipient for Official Use.	Admiral Giampaolo Di Paola, Minister of Defense of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Harry B. Harris, Jr., Assistant to the Chairman of the Joint Chiefs of Staff.	Book, title: "His Majesty Sultan Haji Hassanal Bolkiah Mui'izzaddin Waddaulah Sultan dan Yang Di-Pertuan of Brunei Darussalam: A Celebration of Forty Glorius Years of Reign." Commemorative ballpoint pen. Rec'd—9/10/2012. Est. Value—$1,500.00. Disposition—Pending Transfer to General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adula Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rearl Sean Buck, US Navy, Commander, Patrol and Reconnaissance Force SEVENTH Fleet.	TRAVEL: Expended for lodgings in Tokushima, Japan. Rec'd—8/12–13/2011. Est. Value—$533.00.	Vice Admiral Hiroo Hatanaka, Commander Fleet air Forces of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Daniel Walker, US Navy, Flag Aide to Comander, Patrol and Reconnaissance Force SEVENTH Fleet.	TRAVEL: Expended for lodgings in Tokushima, Japan. Rec'd—8/12–13/2011. Est. Value—$533.00.	Vice Admiral Hiroo Hatanaka, Commander Fleet air Forces of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Frank Pandolfe, US Navy, Deputy Commandeer, U.S. Naval Forces, Europe/Deputy Commander, U.S. Naval Forces, Africa/Commander, U.S. SIXTH Fleet.	TRAVEL: Expended for lodgings in Cape Town, South Africa. Rec'd—4/10–13/2012. Est. Value—$985.83.	Vice Admiral J. Mudimu, Chief of South African Naval Operations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Bruce W. Clingan, US Navy, Commander, US Naval Forces, Europe/Commander US Naval Forces, Africa and two accompanying staff members.	TRAVEL: Expended for lodgings in Bulgaria. Rec'd—6/12–14/2012. Est. Value—$557.82.	General Simeon Simeonov, Chief of Defense of the Republic of Bulgaria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Kenneth Norton, US Navy, Chief of Staff, Commander, U.S. Naval Forces, Europe/Commander, U.S. Naval Forces, Africa and two accompaning staff members.	TRAVEL: Expended for lodgings in St. Petersburg, Russia. Rec'd—6/28/2012–7/12/2012. Est. Value—$2,304.00.	Captain First Rank Vyacheslav Molochny, Main Naval Staff of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Frank Pandolfe, US Navy, Deputy Commandeer, U.S. Naval Forces, Europe/Deputy Commander, U.S. Naval Forces, Africa/Commander, U.S. SIXTH Fleet.	TRAVEL: Expended for lodgings in Venice, Italy. Rec'd—10/16–18/2012. Est. Value—$774.74.	Vice Admiral Luigi Binelli Mantelli, Chief of the Italian Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Admiral Bruce W. Clingan, US Navy, Commander, US Naval Forces, Europe/Commander US Naval Forces, Africa and two accompanying staff members.	TRAVEL: Expended for lodgings in Venice, Italy. Rec'd—10/16–19/2012. Est. Value—$1,162.11.	Vice Admiral Luigi Binelli Mantelli, Chief of the Italian Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Joseph Rixey, US Navy, Deputy Assistant Secretary of the Navy (International Programs)/Director, Navy International Programs Office.	TRAVEL: Expended for lodgings in Vina Del Mar, Chile. Rec'd—12/3–5/2012. Est. Value—$1,020.00.	Admiral Edmundo González Robles, Commander-in-Chief of the Chilean Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Captain Eduardo E. Wheeler, US Navy, Director, Northern Command/Southern Command Division Security Assistance Directorate Navy International Programs Office.	TRAVEL: Expended for lodgings in Vina Del Mar, Chile. Rec'd—12/3–5/2012. Est. Value—$1,020.00.	Admiral Edmundo González Robles, Commander-in-Chief of the Chilean Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF HOMELAND SECURITY

[Report of Tangible Gifts Furnished by the Department of Homeland Security]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Janet Napolitano, Secretary of Homeland Security.	Daum brand, clear-glass perfume bottle with purple glass stopper in the shape of an iris. Rec'd—5/22/2012. Est. Value—$545.00. Disposition—3801 Nebraska Ave. NW., Bldg 5, Room 5103, Office of the Secretary, Retained for Official Use Only.	His Excellency Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Janet Napolitano, Secretary of Homeland Security.	Hermes silk scarf in green, gray, peach, and black pattern. 2.5″ x 3″ Christofle desk clock, silver metal with white base and black roman numerals. Rec'd—10/8/2012. Est. Value—$905.00. Disposition—3802/3803 Nebraska Ave. NW., Bldg 5, Room 5103, Office of the Secretary, Retained for Official Use Only.	The Honorable Manuel Valls, Minister of Interior of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Janet Napolitano, Secretary of Homeland Security.	8″ tall gold Ibrik pitcher with detailed filigree pattern and matching plate. 6.5″ diameter decorum gold-metal bowl with rounded lid and red and white ''jewel'' detailing. 13.5″ diameter silver metal and porcelain plate with silver edges and floral pattern, with Ministry of Interior seal on the face of the plate. 6″ x 8″ silver-metal oval mirror with hanging chain and a floral design on the back. Rec'd—10/11/2012. Est. Value—$435.00. Disposition—3804/3805 Nebraska Ave. NW., Bldg 5, Room 5103, Office of the Secretary; Retained for Official Use Only; Last Two Items Transferred to General Services Administration.	His Excellency Idris Naim Sahin, Minister of Interior of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF HOMELAND SECURITY—Continued

[Report of Tangible Gifts Furnished by the Department of Homeland Security]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Janet Napolitano, Secretary of Homeland Security.	8″ x 8″ Kutani Yaki porcelain vase with a glass overlay of light and dark greens and silver depicting gold cranes in flights. Rec'd—12/19/2012. Est. Value—$568.82. Disposition—3805 Nebraska Ave. NW., Bldg 5, Room 5103, Office of the Secretary Retained for Official Use Only.	His Excellency Kenichiro Sasae, Ambassador of Japan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Taekuk Cho, Attaché, Homeland Security Investigations, U.S. Immigration and Customs Enforcement.	TRAVEL: Travel to and in-country transportation costs and lodging for official visit to the Republic of Korea to attend the Future Immigration Leaders Conference. Rec'd—4/1/2012. Est. Value—$2,800.00.	Seoul Office Headquarters, Korea Immigration service of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Sikina Hasham, Policy Analyst, Office of International Affairs, Office of Policy.	TRAVEL: Airfare, lodging, meals, and local travel expenses for attendance at the Global Futures Forum on Countering Violent Extremism. Rec'd—9/23–25/2012. Est. Value—$2,196.00.	Emirates Center for Strategic Studies and Research (Invitation Extended by: Ms. Alma Hakirević, +971–2–404–4421).	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Mark Koumans, Deputy Assistant Secretary for International Affairs, Office of Policy.	TRAVEL: Airfare, lodging, meals, and local travel expenses for speaking engagement at the Taiwan International Conference on Homeland Security. Rec'd—12/4–5/2012. Est. Value—$8,204.00.	Mr. Jason Yuan, Representative, Taipei Economic and Cultural Representative Office in the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Clifton Skilbred, Senior Policy Analyst, Office of International Affairs, Office of Policy.	TRAVEL: Airfare and barrack lodging for presentation on Department of Homeland Security policy and border operations to military command and staff college. Rec'd—12/15/2012. Est. Value—$1,736.30.	German Armed Forces Command and Staff College of the Federal Republic of Germany (Invitation Extended by: Colonel Bernhard Altersberger, Class Coordinator).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF JUSTICE

[Report of Tangible Gifts Furnished by the Department of Justice]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Attorney General Eric Holder	Large case with hand-knotted Persian rug. Rec'd—3/13/2012. Est. Value—$600.00. Disposition—Attorney General's Office for official use only.	His Excellency Dr. Ali Bin Fatais Al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Department of Justice	Box with silver ship. Rec'd—6/13/2012. Est. Value—$400.00. Disposition—OAG's office for official use only.	His Excellency Dr. Ali Bin Fatais Al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Department of Justice	Apple mini iPad. Rec'd—12/18/2012. Est. Value—$430.00. Disposition—Accepted on behalf of the Department. Pending determiniation of use by Attorney General or Department of Justice.	His Excellency Yousef Mana Saee Al Otainba, Ambassador of the United Arab Emirates to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF TREASURY

[Report of Tangible Gifts Furnished by the Department of Treasury]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Neal Wolin, Deputy Secretary	Desk set including a paper holder and cup holder, both inlaid with the Philippine flag. Rec'd—1/11/2012. Est. Value—$385.00. Disposition—Pending Transfer to General Services Administration.	His Excellency Cesar Purisima, Secretary of Finance of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lael Brainard, Under Secretary for International Affairs.	Color etching by Mexican artist Sergio Hernandez. G20 pen. Silver Mexican commemorative coin in case. Silver Bicentennial Mexican independence commemorative coin in case. Silver earrings by Mexican artisan Martha Vargas. Nylon G20 laptop case. Rec'd—2/25/2012. Est. Value—$454.00. Disposition—Pending Transfer to General Services Administration.	His Excellency José Antonio Meade Kuribreña, Secretary of Finance of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
David Cohen, Under Secretary for Enforcement.	Gold coin. Rec'd—3/20/2012. Est. Value—$1,665.95. Disposition—Pending Transfer to General Services Administration.	Mr. Riad Salameh, Governor of the Central Bank of the Republic of Lebanon.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Marisa Lago, Assistant Secretary for International Affairs.	Shirt. Scarf. Cup holder. Various food and candies. Plastic briefcase. Thumb drive. Chocolates. Note pad. Plastic cover. Head of delegation pin. Guidebook. CD. Coaster. Pad of paper. Plastic pen. Frame. Rec'd—5/24/2012. Est. Value—$759.69. Disposition—Pending Transfer to General Services Administration.	His Excellency Cesar Purisima, Secretary of Finance of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lael Brainard, Under Secretary for International Affairs.	Talavera decorative ceramic plate in gift box. Leather-bound notebooks. Copy of Mexican etching, title: ''Titi Salva,'' by Olegario Hernandez Mendoza. Two wooden animal ornaments. CD of Mexican Philharmonic Orchestra. G20 coffee mug with a can of Café Punta del Cielo. Rec'd—6/27/2012. Est. Value—$554.00. Disposition—Pending Transfer to General Services Administration.	Mr. Gerardo Rodríguez Regordosa, Under Secretary of Finance of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Vicki Dellarco, Ph.D., Senior Science Advisor, Office of Pesticide Programs.	TRAVEL: To Ispra, Italy. The meeting was from 2/14/2012 to 2/16/2012. Four nights of hotel were reimbursed at 100 Euro/night which equals $134 USD for a total of $536.00. Three days of per diem were reimbursed at 92 Euros/day which equals $123 USD for a total of $369.00. Rec'd—2/12–17/2012. Est. Value—$905.00.	Joint Research Center of the European Commission.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Jennifer Seed, Ph.D., Deputy Division Director, Risk Assessment Division, Office of Pollution Prevention and Toxics.	TRAVEL: To Ispra, Italy. The meeting was from 2/14/2012 to 2/16/2012. Four nights of hotel were reimbursed at 100 Euro/night which equals $134 USD for a total of $536.00. Three days of per diem were reimbursed at 92 Euros/day which equals $123 USD for a total of $369.00. Rec'd—2/12–17/2012. Est. Value—$905.00.	Joint Research Center of the European Commission.	Non-acceptance would cause embarrassment to donor and U.S. Government.
James Quackenboss, Research Scientist, Office of Research and Development, National Exposure Research Laboratory.	TRAVEL: Travel expenses accepted included meals and incidental expenses (e.g., internet access) ($315) and local transportation ($120) while in Kitakyushu, Japan. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—2/26–29/2012. Est. Value—$425.00.	Mr. Eisaku Toda, Director of the Risk Assessment Office of the Environmental Health Department of the Ministry of the Environment of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ronald Crossland, Acting Deputy Assistant, Regional Administrator for Management.	TRAVEL: Travel expenses accepted included meals, transportation, incidental expenses (e.g., internet access) ($964.94) and lodging ($949.26) while in Japan. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—2/26/2012–3/6/2012. Est. Value—$1,914.20.	Post-Conflict and Disasters Management Branch of the Environment Program of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Francisca E. Liem, Chief, Good Laboratory Practice Section, Office of Enforcement and Compliance Assurance.	TRAVEL: Travel expenses accepted included meals ($648), transportation ($210), and lodging ($1,075) while in Tokyo, Japan. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—3/7–18/2012. Est. Value—$1,933.00.	Organization for Economic Cooperation and Development (OECD).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Staci Gatica, Environmental Protections Specialist, Enforcement Liaison, Office of Atmospheric Programs.	TRAVEL: Five days of per diem (M&EI) were reimbursed at $95 per day for a total of $475 while in Dominica. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—3/26–30/2012. Est. Value—$475.00.	Environment Program of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mark C. Segal, Senior Microbiologist, Office of Chemical Safety and Pollution Prevention.	TRAVEL: Travel expenses accepted included meals, local transportation, incidental expenses (e.g., internet access) ($1,163.33) and lodging ($1,971.75) while in Paris, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—3/29/2012. Est. Value—$3,135.08.	Organization for Economic Co-operation and Development.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. David M. DeMarini, Genetic Toxicologist, U.S. EPA, RTP, NC.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($806.20), and lodging ($444.80) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—4/16–19/2012. Est. Value—$1,251.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Jane C. Caldwell, Environmental Health Scientist, U.S. EPA, RTP, NC.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($806.20), and lodging ($444.80) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—4/16–19/2012. Est. Value—$1,251.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Robert J. Kavlock, Deputy Assistant Administrator for Science, EPA Office of Research and Development.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($806.20), and lodging ($444.80) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—4/16–19/2012. Est. Value—$1,251.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mike Wireman, National Groundwater Expert, Region 8.	TRAVEL: Reimbursed expenses included per diem 12 days (approx 960.00); Transportation—(approx. $50.00) Hotels in rural villages—(approx. $70.00) while in Romania. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. §7342(c)(1)(B)(ii). Rec'd—4/16–28/2012. Est. Value—$1,080.00.	The World Bank	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Scott Fulton	TRAVEL: Travel expenses accepted included meals, local transportation, and hotel while in Buenos Aires, Argentina. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. §7342(c)(1)(B)(ii). Rec'd—4/19–24/2012. Est. Value—$2,500.00.	Environment Program of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
David Simpson, Director for Ecosystem Economic Studies, National Center for Environmental Economics, United States Environmental Protection Agency.	TRAVEL: Four nights of hotel were reimbursed at 160 USD per night for a total of 640 USD. Four days of per diem were reimbursed at 60 USD per day for a total of 240 USD while in Trinidad & Tobago. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. §7342(c)(1)(B)(ii). Rec'd—5/22–27/2012. Est. Value—$880.00.	Environment Program of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. David M. DeMarini, Genetic Toxicologist, U.S. EPA, RTP, NC.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($1,427.00), and lodging ($1,100.00) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. §7342(c)(1)(B)(ii). Rec'd—6/4–15/2012. Est. Value—$2,527.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Adele Cardenas Malott, Senior Policy Advisor, U.S. EPA, Dallas, Texas.	TRAVEL: Lodging, per diem and travel expenses incurred outside the U.S. with a value of $1,067.00. Lodging and per diem was $927 plus $140 in transportation expenses. Travel was from June 13–16, 2012 to Mexico City, Mexico. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. §7342(c)(1)(B)(ii). Rec'd—6/13–16/2012. Est. Value—$1,067.00.	Organization of American States (OAS).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
William Luthans, Deputy Director, Multimedia Planning and Permitting Division; Sr. Policy Advisor for Border, Region 6.	TRAVEL: Lodging, per diem and travel expenses incurred outside the U.S. with a value of $1,067.00. Lodging and per diem was $927 plus $140 in transportation expenses. Travel was from June 13–16, 2012 to Mexico City, Mexico. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—6/13–16/2012. Est. Value—$1,067.00.	Organization of American States (OAS).	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Scott Fulton	TRAVEL: Travel expenses accepted included meals, local transportation, and hotel while in Rio de Janeiro, Brazil. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—6/15–23/2012. Est. Value—$1,000.00.	Environment Program of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mike Wireman, National Groundwater Expert, Region 8.	TRAVEL: Reimbursed expenses included per diem days (approx 640.00); Transportation—(approx. $50.00) Hotels—(approx. $900.00) while in China. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—7/26/2012–8/4/2012. Est. Value—$1,590.00.	The World Bank	Non-acceptance would cause embarrassment to donor and U.S. Government.
Matthew A. Loesel, Environmental Protection Specialist, Region 6.	TRAVEL: Nine days of per diem were reimbursed at $125 for a total of $1,125.00 while in Beijing, China. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—8/4–12/2012. Est. Value—$1,125.00.	Asian Development Bank	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mary Ross, Ph.D., Supervisory Health Scientist, National Center for Environmental Assessment, Office of Research and Development.	TRAVEL: Costs for four nights in a hotel and per diem for meals/incidentals (per diem rate $294) in Bonn, Germany. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—8/19–24/2012. Est. Value—$1,208.00.	European Center for Environmental Health of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Matthew A. Loesel, Environmental Protection Specialist, EPA Region 6.	TRAVEL: Per diem was reimbursed at $85 per day for 5 days for a total of $425 as well as hotels for two nights at $75 per night for $150 for a total of $575 while in Tengchong City, China. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—8/27/2012–9/2/2012. Est. Value—$575.00.	Asian Development Bank	Non-acceptance would cause embarrassment to donor and U.S. Government.
William Donovan, Senior Scientist, Office of Pesticide Programs, Health Effects Division, Risk Assessment Branch V.	TRAVEL: Travel expenses accepted included meals, local transportation, and miscellaneous expenses (17 days for total of $ 3,059.00) while in Rome, Italy. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/4–21/2012. Est. Value—$3,059.00.	Food and Agriculture Organization of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vicki Dellarco, Senior Scientist, Office of Pesticide Programs, Immediate Office.	TRAVEL: Hotel (11 nights at $2,088.00), and meals, local transportation, and miscellaneous expenses (13 days for total of $2,253.00) while in Rome, Italy. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/9–21/2012. Est. Value—$4,341.00.	World Health Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
P.V. Shah, Chief Inert Ingredient Assessment Branch, Registration Division, Office of Pesticide Programs.	TRAVEL: Hotel (11 nights at $2,088.00), and meals, local transportation, and miscellaneous expenses (13 days for total of $2,253.00) while in Rome, Italy. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/9–21/2012. Est. Value—$4,341.00.	World Heath Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
Terrence Johnson, Environmental Scientist, United States Environmental Protection Agency.	TRAVEL: Travel expenses accepted included meals, transportation, incidentals ($1,060.50), and lodging ($1,336.50) while in Palau. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/14/2012–10/01/2012. Est. Value—$2,397.00.	Palau Environmental Quality Protection Board.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Michelle Rogow, On Scene Coordinator, Region 9.	TRAVEL: Travel expenses accepted included $54/day for meals for a total of $864 and $89.10/day for lodging for a total of $1,425.60 while in Palau. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/14/2012–10/1/2012. Est. Value—$2,308.00.	Palau Environmental Quality Protection Board.	Non-acceptance would cause embarrassment to donor and U.S. Government.
John Gherardini, Deputy Director, Office of Acquisition Management.	TRAVEL: Travel expenses accepted included meals, local transportation and lodging ($1,343.00) while in Copenhagen, Denmark and Bratislava, Slovakia. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/23–27/2012. Est. Value—$1,343.00.	United Nations Development Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Jane C. Caldwell, Environmental Health Scientist, U.S. EPA, RTP, NC.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($1,116), and lodging ($908) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/30/2012–10/10/2012. Est. Value—$2,024.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Weihsueh Chiu, Supervisory Physical Scientist, Office of Research and Development.	TRAVEL: Travel expenses accepted included meals, transportation, incidental expenses, and lodging (1650 euros, or approx $2,112), while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/30/2012–10/10/2012. Est. Value—$2,112.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Kate Guyton, Acting Deputy National Program Director, Office of Research and Development.	TRAVEL: Travel expenses accepted included meals, transportation, incidental expenses, and lodging (1650 euros, or approx $2,112), while in Lyon France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—9/30/2012–10/10/2012. Est. Value—$2,112.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
James Emery Kaldy III, Ph.D., Ecologist, Office of Research & Development, National Health and Environmental Effects Research Laboratory, Western Ecology Division.	TRAVEL: Travel expenses accepted included meals ($220), transportation ($60), and lodging ($460) while in Tokyo, Japan. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—10/3–9/2012. Est. Value—$740.00.	Mr. Tsukasa Iwashina, Director of the Department of Botany of the Tsukuba Botanical Garden of the national museum of Nature and Science of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Kimberly Nesci, Acting Chief, Microbial Pesticides Branch, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention.	TRAVEL: Travel expenses accepted included transportation to and from airport ($200), meals and other incidental expenses (e.g., internet access) ($803) while in Rome, Italy. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—10/09/2012. Est. Value—$1,003.00.	The Food and Agriculture Organization of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
David J. Miller, Chief, Chemistry and Exposure Branch, Office of Pesticide Programs.	TRAVEL: Travel expenses accepted include reimbursement for meals (4 nights = $500) and hotel ($108) in Parma, Italy while serving as a Panel member on an EFSA Working Group in April 2012. Rec'd—10/23/2012. Est. Value—$607.75.	European Food Safety Authority ..	Non-acceptance would cause embarrassment to donor and U.S. Government.
Eugene Jablonowski, Senior Health Physicist, Region 5 Superfund Emergency Response.	TRAVEL: Travel expenses accepted included meals and incidental expenses ($969.00), lodging ($1,281.76), international phone charges ($141.77) and government purchase card international transaction fees ($13.08) while in Baku, Azerbaijan. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—11/23/2012–12/1/2012. Est. Value—$3,405.61.	Waste Technology Section of the Division of Nuclear Fuel Cycle and Waste Technology of the Department of Nuclear Energy of the International Atomic Energy Agency.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. David M. DeMarini, Genetic Toxicologist, U.S. EPA, RTP, NC.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($541.79), and lodging ($627.53) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—11/24/2012–12/01/2012. Est. Value—$1,169.32.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Dr. Jane C. Caldwell, Environmental Health Scientist, U.S. EPA, RTP, NC.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($726), and lodging ($450) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—11/26/2012–12/01/2012. Est. Value—$1,176.00.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Peter E. Shanaghan, Senior Environmental Engineer, Office of Ground Water and Drinking Water, Office of Water, United States Environmental Protection Agency.	TRAVEL: Travel expenses accepted included meals, ground transportation, incidental expenses (e.g., internet access) ($1,384.17) and lodging ($778.83) while in Belize City, Belize. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—11/27/2012–11/30/2012. Est. Value—$567.00.	United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Robert J. Kavlock, Deputy Assistant Administrator for Science, EPA Office of Research and Development.	TRAVEL: Travel expenses accepted included meals, ground transportation, and incidental expenses ($562.85), and lodging ($611.92) while in Lyon, France. EPA authorized acceptance of the cash reimbursement pursuant to exception in the Foreign Gifts and Decorations Act at 5 U.S.C. § 7342(c)(1)(B)(ii). Rec'd—11/27/2012–12/01/2012. Est. Value—$1,174.77.	International Agency for Research on Cancer of the World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: FEDERAL COMMUNICATIONS COMMISSION

[Report of Travel Furnished by the Federal Communications Commission]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Thomas Sullivan, International Bureau, Assistant Bureau Chief for Management.	TRAVEL: Travel expenses originating and terminating entirely outside of the U.S. for ITU and Ministry of Telecommunications, Colombia, "Role of Telecommunications/ICT in Disaster Management". Rec'd—7/23–26/2012. Est. Value—$482.00.	Ms. Sylvia Juliana Valdivieso Diaz, Chief of the International Office of the Ministry of Telecommunications of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Roxanne McElvane, Senior Counselor, International Development International Bureau.	TRAVEL: Travel expenses originating and terminating entirely outside of the U.S. for ITU Development Bureau Brainstorming Retreat for ITU Officials and Senior Staff to Prep for the 2014 World Telecommunication Development Conference. Rec'd—11/10–14/2012. Est. Value—$5,000.00.	International Telecommunications Union, Director Brahima Sanou, Telecommunication Development Bureau.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Report of Travel Gifts Furnished by National Aeronautics and Space Administration]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
James M. Free, Director, NASA Glenn Research Center (GRC).	Victorinox Swiss Army Chrono Classis XLS watch. Rec'd—12/7/2012. Est. Value—$825. Disposition—Accepted on behalf of agency and placed on display at NASA GRC.	Mr. Konrad Peter, Executive Chairman of RUAG Holding AG (RUAG is owned and controlled by the Swiss Government).	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bryan K. Smith, Director, Space Flight Systems, NASA GRC.	Victorinox Swiss Army Chrono Classis XLS watch. Rec'd—12/7/2012. Est. Value—$825. Disposition—Accepted on behalf of agency and placed on display at NASA GRC.	Mr. Konrad Peter, Executive Chairman of RUAG Holding AG (RUAG is owned and controlled by the Swiss Government).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

[Report of Tangible Gifts Furnished by the Office of the Director of National Intelligence]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
5 U.S.C. 7342(f)(4), as amended ..	19.5″ Algerian coral studded filigree silver scabbard and double edge curved modern sword in a fitted red Moroccan case. Rec'd—12/4/2012. Est. Value—$500.00. Disposition—For Official Use Only.	5 U.S.C. 7342(f)(4), as amended	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE MAYOR OF THE DISTRICT OF COLUMBIA

[Report of Tangible Gifts Furnished by the Office of the Mayor of the District of Columbia]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
Mayor Vincent Gray	Afghan rug. Rec'd—2/27/2012. Est. Value—$500.00. Disposition—Wilson Building, Room 509 5th Floor Display Case for Official Use.	Engineer Muhammad Yunus Nawandish, the Mayor of Kabul and His Excellency Eklil Hakimi, Ambassador of the Islamic Republic of Aghanistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mayor Vincent Gray	Hand-painted ceramic plate. Rec'd—4/5/2012. Est. Value—$350.00. Disposition—Wilson Building, G9 Corridor Ground Floor Display Case for Official Use.	TUSKON US-Turkish Confederation of Businessmen and Industrialists.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mayor Vincent Gray	Small ceramic painted vase. Rec'd—5/18/2012. Est. Value—$350.00. Disposition—Wilson Building, G9 Corridor Ground Floor Display Case for Official Use.	M.R. Sukhumbhand Paribatra, Governor of Bangkok of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mayor Vincent Gray	Model of the Royal Thai barge. Rec'd—5/18/2012. Est. Value—$1,000.00. Disposition—Wilson Building, Room 509 5th Floor Display Case for Official Use.	M.R. Sukhumbhand Paribatra, Governor of Bangkok of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mayor Vincent Gray	Two painting by Madam Zhao Li. Rec'd—6/26/2012. Est. Value—$800.00. Disposition—Wilson Building, Suite 419, hanging on wall for Official Use.	Madam Zhao Li, Director of the Beijing Planning Exhibition Center of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE MAYOR OF THE DISTRICT OF COLUMBIA—Continued

[Report of Tangible Gifts Furnished by the Office of the Mayor of the District of Columbia]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance.
Mayor Vincent Gray	Bronze tripod that was used in ancient times as a container for alcohol. Golden glass sculpture in the shape of a dragon. Chinese scroll picturing a mountain and river landscape. Rec'd—6/26/2012. Est. Value—$500.00. Disposition—Wilson Building, G9 Corridor Ground Floor Display Case for Official Use.	The Honorable Guo Jinlong, Mayor of Beijing, Mr. Li Ruogu of the China EXIM Bank, and Mr. Wang Jianlong of the Wanda Group.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mayor Vincent Gray and Deputy Mayor Hoskins.	Colored glazed glass sculpture for Mayor Gray and silk to Deputy Mayor Hoskins. Rec'd—6/29/2012. Est. Value—$400.00. Disposition—Wilson Building, G9 Corridor Ground Floor Display Case for Official Use.	Mr. Zhang Jian of the Shanghai Zhonghui Investment Holdings.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mayor Vincent Gray, Deputy Mayor Hoskins, Trade Delegation.	Famous Chinese scroll picturing daily life in the Northern territory of the Song Dynasty. Silk tapestries. Ties and scarves for men and women of the Trade Delegation. Rec'd—6/29/2012. Est. Value—$600.00. Disposition—Wilson Building, G9 Corridor Ground Floor Display Case for Official Use.	The Honorable Zhou Naixiang, Mayor of Suzhou of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE U.S. TRADE REPRESENTATIVE

[Report of Travel Furnished by the Office of the U.S. Trade Representative]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Carlos H. Romero, Deputy Assistant United States Trade Representative for Labor.	TRAVEL: Lodging (3 nights). Guest speaker at a government conference. Rec'd—10/26–28/2010. Est. Value—$450.00.	Ministry of Industry Trade and Labor of the State of Israel.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

[Report of Travel Furnished by United States Agency For International Development]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Aura Leticia Teleguario Sincal, Program Assistant Enterprise, Trade and Environment Office, USAID/Guatemala.	TRAVEL: Official duties. USAID/Guatemala paid the plane fare and misc. expenses to and from Israel. Rec'd—11/23/2009–12/19/2009. Est. Value—$3,965.00.	Embassy of the State of Israel	Non-acceptance would cause embarrassment to donor and U.S. Government.
Alan L. Davis, USAID Rep to Cyprus.	TRAVEL: Official duties. Rec'd—6/13–17/2010. Est. Value—$707.00.	Government of the Arab Republic of Egpyt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Patterson W. Brown, USAID Advisor for Humanitian Assistance and Food Security.	TRAVEL: Offical duties. Rec'd—7/7–9/2010. Est. Value—$800.00.	Global Public Policy Institute (GPPI).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT—Continued

[Report of Travel Furnished by United States Agency For International Development]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Lela Jakovlevska	TRAVEL: Participation in two-day Regional Conference: Spot on 3: Reality, Diversity: One Challenge-three Discourses, held in Vienna Austria. Rec'd—2/28–29/2012. Est. Value—$800.00.	KulturKontakt, The Republic of Austria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Giovanni Melendez, HIV/AIDS Prevention Specialist.	TRAVEL: Transportation provided by CODISRA to Giovanni Melendez (HIV/AIDS Prevention Specialist-USAID Guatemala) to disseminate secondary analysis about HIV and indiginous groups in Guatemala in four departments of the country. The dissemination activities had been part of a dissemination plan to raise the importance to focus HIV/AIDS preventions targeting key vulnerable populations, where beyond ethnicity varible, its importance to concentrate recourses and efforts on sexual behaviors. Rec'd—12/11–14/2012. Est. Value—$650.00.	The Government of the Republic of Guatemala.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: U.S. HOUSE OF REPRESENTATIVES

[Report of Tangible Gifts Furnished by the U.S. House of Representatives]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Tom McClintock, Member of Congress.	Australian Senate cufflinks. Rec'd—7/18/2012. Est. Value—Unknown. Disposition—Surrendered on 8/28/2012 to the Clerk of the House.	The Honorable Barnaby Joyce, Shadow Minister for Regional Development, Local Government and Water, Leader of the Nationals in the Senate and Senator for Queensland of the Commonwealth of Australia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: U.S. SENATE

[Report of Tangible Gifts and Travel Furnished by the U.S. Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John McCain, United States Senator.	Shadow box with Dallah and Al-Masmak display. Rec'd—1/24/2012. Est. Value—$410.00. Disposition-Deposited with the Secretary of the Senate.	Sheikh Muhammad al-Issa, Minister of Justice of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, United States Senator.	6′ x 9′ Afghan rug. Rec'd—1/31/2012. Est. Value—$600.00. Disposition-Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Dianne Feinstein, United States Senator.	4′ x 6′ handwoven wool carpet. Rec'd—4/29/2012. Est. Value—$400.00. Disposition-Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: U.S. SENATE—Continued

[Report of Tangible Gifts and Travel Furnished by the U.S. Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Ben Nelson, United States Senator.	Gold-plated sculpture. Rec'd—7/2/2012. Est. Value—$350.00. Disposition-Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Chris Stanley, Senior Legislative Assistant, Office of Senator David Vitter.	Uniq Georgian Armed Forces watch. Rec'd—9/12/2012. Est. Value—$350.00. Disposition-Deposited with the Secretary of the Senate.	His Excellency Dimitri Shashkini, Minister of Defense of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Dianne Feinstein, United States Senator.	4′ x 6′ Afghan rug. Rec'd—12/13/2012. Est. Value—$400.00. Disposition-Deposited with the Secretary of the Senate.	His Excellency Salahuddin Rabbani, Chairman of the High Peace Council of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, United States Senator.	Chivas Brothers scotch whisky. Rec'd—12/21/2012. Est. Value—$480.00. Disposition-Deposited with the Secretary of the Senate.	Her Excellency Shehrbano Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, United States Senator.	TRAVEL: Lodging and meal expenses. Rec'd—1/4/2012. Est. Value—Unknown.	Government of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Perry Cammack, Professional Staff Member, Committee on Foreign Relations, United States Senate.	TRAVEL: Lodging and meal expenses. Rec'd—1/4/2012. Est. Value—Unknown.	Government of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
William Danvers, Staff Director, Committee on Foreign Relations, United States Senate.	TRAVEL: Lodging and meal expenses. Rec'd—1/4/2012. Est. Value—Unknown.	Government of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, United States Senator.	TRAVEL: Lodging and meal expenses. Rec'd—1/12/2012. Est. Value—Unknown.	Government of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
William Danvers, Staff Director, Committee on Foreign Relations, United States Senate.	TRAVEL: Lodging and meal expenses. Rec'd—1/12/2012. Est. Value—Unknown.	Government of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, United States Senator.	TRAVEL: Lodging and meal expenses. Rec'd—5/4–5/2012. Est. Value—Unknown.	Government of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
William Danvers, Staff Director, Committee on Foreign Relations, United States Senate.	TRAVEL: Lodging and meal expenses. Rec'd—5/4–5/2012. Est. Value—Unknown.	Government of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mildred Otero, Chief Education Counsel, Committee on Health, Education, Labor, and Pensions, United States senate.	TRAVEL: Meal expense. Rec'd—8/20–24/2012. Est. Value—Unknown.	Government of the Republic of Finland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Pam Smith, Staff Director, Committee on Health, Education, Labor, and Pensions, United States Senate.	TRAVEL: Meal expense. Rec'd—8/20–24/2012. Est. Value—Unknown.	Government of the Republic of Finland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Beth Buehlmann, Education Policy Director, Committee on Health, Education, Labor, and Pensions, United States Senate.	TRAVEL: Meal expense. Rec'd—8/20–24/2012. Est. Value—Unknown.	Government of the Republic of Finland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lisa Murkowski, United States Senator.	TRAVEL: Lodging expense. Rec'd—9/3–4/2012. Est. Value—Unknown.	Government of the Republic of Iceland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Isaac Edwards, Senior Republican Counsel, Committee on Energy and Natural Resources, United States Senate.	TRAVEL: Lodging expense. Rec'd—9/3–4/2012. Est. Value—Unknown.	Government of the Republic of Iceland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lisa Murkowski, United States Senator.	TRAVEL: Meal and transportation expense. Rec'd—9/6/2012. Est. Value—Unknown.	Government of the Republic of Iceland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Isaac Edwards, Senior Republican Counsel, Committee on Energy and Natural Resources, United States Senate.	TRAVEL: Meal and transportation expense. Rec'd—9/6/2012. Est. Value—Unknown.	Government of the Republic of Iceland.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: U.S. SENATE—Continued

[Report of Tangible Gifts and Travel Furnished by the U.S. Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Daniel K. Inouye, United States Senator.	TRAVEL: Lodging expense. Rec'd—10/8–13/2012. Est. Value—Unknown.	Government of Japan	Non-acceptance would cause embarrassment to donor and U.S. Government.

[FR Doc. 2013–21264 Filed 8–29–13; 8:45 am]

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Part VI

Department of Health and Human Services

45 CFR Parts 147, 153, 155, et al.

Patient Protection and Affordable Care Act; Program Integrity: Exchange, SHOP, and Eligibility Appeals; Final Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Parts 147, 153, 155, and 156

[CMS–9957–F]

RIN 0938–AR82

Patient Protection and Affordable Care Act; Program Integrity: Exchange, SHOP, and Eligibility Appeals

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Final rule.

SUMMARY: This final rule implements provisions of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 (collectively referred to as the Affordable Care Act). Specifically, this final rule outlines Exchange standards with respect to eligibility appeals, agents and brokers, privacy and security, issuer direct enrollment, and the handling of consumer cases. It also sets forth standards with respect to a State's operation of the Exchange and Small Business Health Options Program (SHOP). It generally is finalizing previously proposed policies without change.

DATES: These regulations are effective on September 30, 2013.

FOR FURTHER INFORMATION CONTACT: Leigha Basini at (301) 492–4380, or Noah Isserman at (301) 492–4401 for general information and matters relating to parts 155 and 156.

Seth Schneer at (301) 492–4405 for matters relating to the SHOP.

Jacob Ackerman at (301) 492–4179 for matters relating to part 147.

Jaya Ghildiyal at (301) 492–5149 for matters relating to part 153.

Christine Hammer at (301) 492–4431 for matters relating to part 155 subpart F.

Paul Tibbits at (301) 492–4229 for matters relating to part 156, subpart K.

SUPPLEMENTARY INFORMATION:

Electronic Access

This **Federal Register** document is also available from the **Federal Register** online database through *Federal Digital System (FDsys),* a service of the U.S. Government Printing Office. This database can be accessed via the internet at *http://www.gpo.gov/fdsys.*

Acronyms and Short Forms

Because of the many organizations and terms to which we refer by acronym in this proposed rule, we are listing these acronyms and their corresponding terms in alphabetical order below:

Affordable Care Act The Affordable Care Act (which is the collective term for the Patient Protection and Affordable Care Act (Pub. L. 111–148) and the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152))
AV Actuarial Value
CFR Code of Federal Regulations
CHIP Children's Health Insurance Program
CMP Civil Money Penalty
CMS Centers for Medicare & Medicaid Services
DOI State Department of Insurance
DOL U.S. Department of Labor
EFT Electronic Funds Transfer
EHB Essential Health Benefits
FEHB Federal Employees Health Benefits
FFE Federally-facilitated Exchange
FFE API Federally-facilitated Exchange Application Programming Interface
FF–SHOP Federally-Facilitated Small Business Health Options Program
GAO United States Government Accountability Office
GLBA Gramm Leach Bliley Act
HHS U.S. Department of Health and Human Services
HIPAA Health Insurance Portability and Accountability Act of 1996 (Pub. L. 104–191, as amended) and its implementing regulations
IRS Internal Revenue Service
LEP Limited English Proficiency
MAGI Modified Adjusted Gross Income
MLR Medical Loss Ratio
NAIC National Association of Insurance Commissioners
NPRM Notice of Proposed Rulemaking
OMB Office of Management and Budget
PCIP Pre-existing Condition Insurance Plan
PHI Protected Health Information
PHS Act Public Health Service Act
PII Personally Identifiable Information
PRA Paperwork Reduction Act
QHP Qualified Health Plan
SHOP Small Business Health Options Program
The Code Internal Revenue Code of 1986
TIN Taxpayer Identification Number

Executive Summary

Starting on January 1, 2014, qualified individuals and qualified employees will be able to be covered by private health insurance coverage through competitive marketplaces called Affordable Insurance Exchanges, or ''Exchanges'' (also called Health Insurance Marketplaces). This rule sets forth standards for eligibility appeals, verification of eligibility for minimum essential coverage, and treatment of incomplete applications. It also establishes additional consumer protections regarding privacy and security; clarifies the role of agents, brokers, and issuer application assisters in assisting consumers with obtaining Exchange coverage; provides for the handling consumer cases; and establishes non-discrimination standards for methods of premium payment. Finally, it sets forth provisions regarding a State's operation of the SHOP.

Although many of the provisions in this rule will become effective by October 1, 2013, we do not believe that affected parties will have difficulty complying with the provisions by their effective dates, because the standards are based on existing standards currently in effect in the private health insurance market, were previously addressed in the Exchange Blueprint process, discussed in agency-issued sub-regulatory guidance, or discussed in the preambles to the Exchange Establishment Rule,[1] Premium Stabilization Rule,[2] or the HHS Notice of Benefit and Payment Parameters for 2014.[3] In addition to comments on the substance of the provisions we are now finalizing, we sought input on ways to implement the proposed policies to minimize burden.

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[1] Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers, 77 FR 18310 (March 27, 2012).

[2] Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors and Risk Adjustment, 77 FR 17220 (March 23, 2012).

[3] Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2014 and Amendments to the HHS Notice of Benefit and Payment Parameters for 2014, 78 FR 15410 and 15541 (Mar. 11, 2013).

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I. Background

A. Legislative Overview

The Patient Protection and Affordable Care Act (Pub. L. 111–148) was enacted on March 23, 2010. The Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152), which amended and revised several provisions of the Patient Protection and Affordable Care Act, was enacted on March 30, 2010. In this final rule, we refer to the two statutes collectively as the ''Affordable Care Act.''

Subtitles A and C of Title I of the Affordable Care Act reorganized, amended, and added to the provisions of Title XXVII of the Public Health Service Act (PHS Act) relating to health insurance issuers in the group and individual markets and to group health plans that are non-Federal governmental plans. As relevant here, section 2701 of the PHS Act (fair health insurance premiums) provides that the premium rate charged by a health insurance issuer for non-grandfathered health insurance coverage in the individual or small group market may vary with respect to a particular plan or coverage only based on family size, rating area, age (within a ratio of 3:1 for adults), and tobacco use (within a ratio of 1.5:1).

Starting on October 1, 2013 for coverage starting as soon as January 1, 2014, qualified individuals and qualified employers will be able to enroll in qualified health plans (QHPs)—private health insurance that has been certified as meeting certain standards—through competitive marketplaces called Exchanges or Health Insurance Marketplaces. The Departments of Health and Human Services, Labor, and the Treasury have been working in close coordination to release guidance related to QHPs and Exchanges in several phases. The word ''Exchanges'' refers to both State Exchanges, also called State-based Exchanges, and Federally-facilitated Exchanges (FFEs). In this final rule, we use the terms ''State Exchange'' or ''FFE'' when we are referring to a particular type of Exchange. When we refer to ''FFEs,'' we are also referring to State Partnership Exchanges, which are a form of FFE.

In the proposed rule, we encouraged State flexibility. Sections 1311(b) and 1321(b) of the Affordable Care Act provide that each State has the opportunity to establish an Exchange. Section 1311(b)(1) gives each State the opportunity to establish an Exchange that both facilitates the purchase of QHPs and provides for the establishment of a Small Business Health Options Program (SHOP) that will help qualified employers enroll their qualified employees in QHPs. Section 1311(b)(2) contemplates the separate operation of the individual market Exchange and the SHOP under different governance and administrative structures, permitting the individual market Exchange and SHOP to be merged if States have adequate resources to assist both populations (individual and small employers).

Section 1321(a) of the Affordable Care Act provides general authority for the Secretary of Health and Human Services (referred to throughout this rule as the Secretary) to establish standards and regulations to implement the statutory requirements related to Exchanges, QHPs, and other components of Title I of the Affordable Care Act.

Section 1321(c)(1) requires the Secretary to establish and operate an FFE within States that either: do not elect to establish an Exchange or, as determined by the Secretary, will not have any required Exchange operational by January 1, 2014.

Section 1321(c)(2) of the Affordable Care Act authorizes the Secretary to enforce the Exchange standards using civil money penalties (CMPs) on the same basis as detailed in section 2723(b) of the PHS Act.[4] Section 2723(b) of the PHS Act authorizes the Secretary to impose CMPs as a means of enforcing the individual and group market reforms contained in Title XXVII, Part A of the PHS Act when a State fails to substantially enforce these provisions, as determined by the Secretary.

Section 1311(d)(4)(A) of the Affordable Care Act directs that each Exchange must implement procedures for the certification, recertification, and decertification of health plans as QHPs, consistent with guidelines developed by the Secretary.

Section 1312(c) of the Affordable Care Act directs a health insurance issuer to consider all enrollees in all health plans (other than grandfathered health plans) offered by such issuer to be members of a single risk pool for each of its individual and small group markets. Section 1312(c) of the Affordable Care Act also gives States the option to merge the individual and small group markets within the State into a single risk pool.

Section 1312(e) of the Affordable Care Act directs the Secretary to establish procedures under which a State may permit agents and brokers to enroll qualified individuals and qualified employers in QHPs through an Exchange, and to assist individuals in applying for advance payments of the premium tax credit and cost-sharing reductions.

Section 1313 of the Affordable Care Act, combined with section 1321 of the Affordable Care Act, provides the Secretary with the authority to oversee the financial integrity, compliance with HHS standards, and efficient and non-discriminatory administration of State Exchange activities. Section 1313(a)(6)(A) of the Affordable Care Act specifies that payments made by, through, or in connection with an Exchange are subject to the False Claims Act (31 U.S.C. 3729, et seq.) if those payments include any Federal funds.

Under section 1411 of the Affordable Care Act, the Secretary is directed to establish a program for determining whether an individual meets the eligibility standards for Exchange participation, advance payments of the premium tax credit, cost-sharing reductions, and exemptions from the shared responsibility payment under section 5000A of the Code.

Section 1411(g) of the Affordable Care Act specifies that information provided by an applicant or received from a Federal agency may be used only for the purpose of, and to the extent necessary in, ensuring the efficient operation of the Exchange, including for the purpose of verifying the eligibility of an individual to enroll through an Exchange, to claim a premium tax credit or cost-sharing reduction, or for verifying the amount of the tax credit or reduction.

Section 1411(h) of the Affordable Care Act sets forth civil penalties that any person may be subject to if he or she fails to provide correct information or

[4] Section 1321(c) of the Affordable Care Act erroneously cites to section 2736(b) of the PHS Act instead of 2723(b) of the PHS Act. This was clearly a typographical error, and we have interpreted section 1321(c) of the Affordable Care Act to incorporate section 2723(b) of the PHS Act.

knowingly and willfully provides false or fraudulent information under section 1411(b), or improperly uses or discloses information provided by an applicant or another Federal agency under section 1411(b), (c), (d), or (e).

Sections 1412 and 1413 of the Affordable Care Act and section 1943 of the Social Security Act (the Act), as added by section 2201 of the Affordable Care Act, contain additional provisions regarding eligibility for advance payments of the premium tax credit and cost-sharing reductions, as well as provisions regarding simplification and coordination of eligibility determinations and enrollment with other health programs.

Unless otherwise specified, the provisions in this final rule related to the establishment of minimum functions of an Exchange are based on the general authority of Secretary under section 1321(a)(1) of the Affordable Care Act.

B. Stakeholder Consultation and Input

HHS has consulted with stakeholders on a number of polices related to the operation of Exchanges, including the SHOP, and premium stabilization programs. HHS has held a number of listening sessions with consumers, providers, employers, health plans, and State representatives to gather public input. HHS consulted with stakeholders through regular meetings with the National Association of Insurance Commissioners (NAIC); regular contact with States through the Exchange establishment grant process and the Exchange Blueprint approval process; and meetings with tribal leaders and representatives, health insurance issuers, trade groups, consumer advocates, employers, and other interested parties. We considered all of the public input as we developed the policies in the proposed rule and this final rule.

II. Provisions of the Proposed Regulations and Analysis of and Responses to Public Comments

A proposed rule, titled ''Patient Protection and Affordable Care Act; Program Integrity: Exchange, SHOP, Premium Stabilization Programs, and Market Standards'' (78 FR 37032), was published in the **Federal Register** on June 19, 2013 with a comment period ending on July 19, 2013. In total, we received 99 public comments on the proposed rule from various stakeholders, including States, health insurance issuers, consumer groups, agents and brokers, provider groups, Members of Congress, Tribal organizations, and other stakeholders. Of the comments received, about 22 were substantially identical submissions related to non-discrimination standards, Web-brokers, incomplete applications, and payment method non-discrimination standards for the unbanked. We received a few comments that were outside the scope of the proposed rule. In this final rule, we provide a summary of each proposed provision, a summary of the public comments received and our responses to them, and the policies we are finalizing. We are not finalizing all the provisions from this proposed rule. This final rule includes those provisions that need to be effective for the beginning of open enrollment on October 1, 2013. We will finalize the other provisions at a later date.

Another proposed rule, entitled ''Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing, and Appeal Processes for Medicaid and Exchange Eligibility Appeals and Other Provisions Related to Eligibility and Enrollment for Exchanges, Medicaid and CHIP, and Medicaid Premiums and Cost Sharing'' (78 FR 4594), was published in the **Federal Register** on January 22, 2013 with a comment period ending on February 13, 2013. We received a total of 741 comments from various stakeholders including individuals, State Medicaid agencies, advocacy groups, and Tribal organizations. In this final rule, we are only addressing from that proposed rule the provisions related to appeals in Part 155 Subpart F and § 155.740. Other provisions from the January 22, 2013 proposed rule were finalized in a final rule, titled ''CMS–2234–F: Medicaid and Children's Health Insurance Programs: Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes, and Premiums and Cost Sharing; Exchanges: Eligibility and Enrollment'' (78 FR 42160) published in the **Federal Register** on July 15, 2013.

A. Part 147—Health Insurance Reform Requirements for the Group and Individual Health Insurance Markets

1. Fair Health Insurance Premiums (§ 147.102)

We proposed two clarifications in § 147.102, which implements section 2701 of PHS Act regarding fair health insurance premiums. In paragraph (a), we proposed to add a reference to the single risk pool standard codified in § 156.80 to clarify the connection between section 1312(c) of the Affordable Care Act and section 2701 of the PHS Act with respect to the development of rates and premiums for health insurance coverage in the individual and small group markets.

In paragraph (a)(1)(ii), we proposed to clarify that for rating purposes under section 2701 of the PHS Act, the geographic rating area is determined in the small group market using the principal business address of the group policyholder, and in the individual market using the address of the primary policyholder, regardless of the location of other individuals covered under the plan or coverage. These proposed standards would apply both inside and outside of the Exchanges and are consistent with previously released guidance describing our intended approach.[5] We solicited comments on this proposal.

Comment: While some commenters supported our proposal that issuers in the small group market apply rates based on the employer's principal business address, other commenters noted that issuers in some States have already developed administrative systems and rates for 2014 based on guidance from State regulators to use each employee's place of residence. These commenters requested that States have flexibility to use either employer or employee address when rating for geography.

Response: We believe it is important that all issuers offering coverage within a State, both through the Exchanges and outside of the Exchanges, use a consistent geographic rating methodology to promote the accuracy of the risk adjustment program established under section 1343 of the Affordable Care Act. Further, we believe that rating based on the employer's principal business address is consistent with current prevailing industry practice and will simplify administration of the geographic rating factor. We recognize, however, that issuers in some cases may have relied in good faith on guidance or instructions from States to rate based on employee address for 2014. Thus, while we are finalizing our proposed policy that geographic rating be based on the employer's principal business address generally for plan years beginning on or after January 1, 2014, we are also providing in this final rule that where issuers can demonstrate that they have relied in good faith on different guidance from a State insurance regulator prior to the issuance of this final rule, the amendments to § 147.102(a)(1)(ii) will not apply until the first plan year beginning on or after

[5] Questions and Answers Related to Health Insurance Market Reforms (April 26, 2013). Available at: *http://www.cms.gov/CCIIO/Resources/Fact-Sheets-and-FAQs/qa_hmr.html.*

January 1, 2015 with respect to coverage in the small group market. We believe this approach promotes consistency in rating, while affording issuers in certain circumstances a reasonable period of time to transition to the geographic rating methodology in this final rule. We note that this flexibility will not apply to plans offered through the Federally-facilitated Small Business Health Options Program (FF–SHOP), which will apply rates based on the employer's principal business addressing beginning in 2014.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 147.102 of the proposed rule with the addition of a transition period for issuers in certain circumstances.

B. Part 153—Standards Related to Reinsurance, Risk Corridors, and Risk Adjustment Under the Affordable Care Act

1. Subpart F—Health Insurance Issuer Standards Related to the Risk Corridors Program

a. Definitions (§ 153.500)

In the proposed rule, we sought comment on our proposed amendment to § 155.20 that for a plan offered outside the Exchange to be considered the same plan as one that is certified as a QHP and offered through the Exchange, the benefits package, provider network, service areas, and cost-sharing structure of the two offerings would have to be identical. As discussed below in Part C(1)(a) of this final rule, we are finalizing this policy as proposed. In the proposed rule, we also proposed that this standard be used to determine which off-Exchange plans would be subject to the risk corridors program. As discussed below in Part C(1)(a) of this final rule, many commenters suggested that, in addition to the plans described in our proposal, plans that differ from a QHP offered through the Exchange only as a result of Federal or State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside an Exchange, should be afforded the protection of risk corridors.

For example, several commenters suggested that a plan offered outside the Exchange that differs from a QHP offered through an Exchange solely based on inclusion of the required pediatric dental EHB should be included in the risk corridors program. Because health insurance issuers may sell a QHP without the pediatric dental EHB through an Exchange if a stand-alone dental plan that covers the pediatric dental EHB is offered on that Exchange, commenters argued that plans that differ solely due to coverage of the pediatric dental EHB differ only because of a Federal requirement, and that this requirement should not prevent the plans from receiving risk corridors protections when offered outside the Exchange. Another commenter suggested that the network requirements for multi-state plan (MSP) issuers set by the Office of Personnel Management (OPM) could conflict with comparable State requirements, similarly potentially disqualifying plans offered outside the Exchanges that are comparable to MSP options from participating in the risk corridors program.

We agree with these commenters that the risk corridors program should also cover plans offered outside the Exchanges that differ from a QHP only as a result of Federal or State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside the Exchange; therefore, we are not finalizing this risk corridors policy as proposed. Rather, we are reiterating our policy, previously finalized in the preamble to the Premium Stabilization Rule (77 FR 17237), where we stated that health plans that are substantially the same as a QHP will be subject to the risk corridors program and signaled an intent to clarify this standard in future rulemaking. Here, we clarify that a plan offered by an issuer outside the Exchange that differs from a QHP offered by the issuer through the Exchange only as a result of Federal or State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside the Exchange, is ''substantially the same'' as the QHP and will, therefore, participate in the risk corridors program. To effectuate this change, we are amending the definition of ''qualified health plan'' at § 153.20 and moving it to § 153.500 to apply solely for purposes of the risk corridors program. Here, we are also clarifying that, when reading the regulations at 45 CFR part 153, subpart F regarding risk corridors, any reference to a ''qualified health plan'' or ''QHP'' includes plans that are the ''same'' as a QHP, as specified below in Part C(1)(a) of this rule, and plans that are ''substantially the same'' as a QHP, as specified above. We note that changes in service area, and changes in benefits, cost-sharing structure, premium, or provider network that are not tied directly and exclusively to the Federal or State requirements or prohibitions on the coverage of benefits that apply differentially to a plan depending on whether it is offered through the Exchange, disqualify the plan offered outside the Exchange from participation in the risk corridors program. Additionally, we recognize that OPM may issue additional standards for MSP issuers in the future (for example, standards related to provider networks) that could create situations analogous to the ones we discuss above. We will consider whether a plan that differs from a QHP (as defined at § 155.20) based on these standards would be considered to be ''substantially the same'' as a QHP for purposes of participating in the risk corridors program, and may address this topic in future rulemaking.

We intend to issue guidance on the operational aspects of this standard, including how HHS and issuers will identify plan submissions (including those submitted for the 2014 benefit year) that are ''substantially the same'' as a QHP offered through an Exchange for the purposes of determining whether the plan will participate in the risk corridors program. We note that this amendment is limited to the risk corridors program, and does not expand the definition of a QHP for other purposes, including for purposes of parts 155 and 156.

Summary of Regulatory Changes

We are adding a definition of ''qualified health plan'' at § 153.500 to specify which plans will be subject to the risk corridors program. We are deleting the definition of ''qualified health plan'' at § 153.20.

C. Part 155—Exchange Establishment Standards and Other Related Standards Under the Affordable Care Act

1. Subpart A—General Provisions

a. Definitions (§ 155.20)

We proposed to amend 45 CFR 155.20 to reflect new flexibility permitting a State to elect to establish and operate just a SHOP, and not both a SHOP and an individual market Exchange, by modifying the definition of ''Exchange.''

Exchange

We proposed to amend the term ''Exchange'' to mean a governmental agency or non-profit entity that meets the applicable standards of Part 155 and makes QHPs available to qualified individuals and/or qualified employers. Unless otherwise identified, under the proposed definition this term would include an Exchange serving the

individual market for qualified individuals and a SHOP serving the small group market for qualified employers, regardless of whether the Exchange is established and operated by a State (including a regional Exchange or subsidiary Exchange) or by HHS.

Although we received no direct comment on this proposed change, we received several general comments to the proposed amendments to § 155.100 in support of permitting a State to elect to establish just a SHOP while HHS operates the individual market Exchange. These comments are addressed in conjunction with the comments to §§ 155.100.

Issuer Application Assister

We proposed to define a new term, ''issuer customer service representative'' to mean an employee, contractor, or agent of a QHP issuer that provides assistance to applicants and enrollees, but is not licensed as an agent, broker, or producer under State law. However, for the same reasons specified in the preamble to § 155.415 below, we will use the term ''issuer application assisters'' in place of ''issuer customer service representatives'' to more clearly articulate the role of such individuals. Moreover, as also specified in the preamble to § 155.415 below, we are finalizing a modified definition in this section to reflect in more detail the role of issuer application assisters as defined in § 155.415.

Qualified Health Plan

In the proposed rule, we proposed to specify that, for a plan offered outside an Exchange to be considered the same plan as one that is certified as a QHP and offered through the Exchange, the benefits package, provider network, service areas, and cost-sharing structure of the two offerings would have to be identical. We noted that nothing in that proposal would relieve an issuer of a plan that has been certified as a QHP by an Exchange from the requirement to charge the same premium for the QHP sold to consumers outside of an Exchange pursuant to sections 1301(a)(C)(iii) of the Affordable Care Act and 45 CFR 156.255(b) and 45 CFR 147.104. We also proposed to clarify that a plan sold to consumers outside of an Exchange would only be subject to the risk corridors program if it is the same plan as a QHP *actually offered* by that issuer on the Exchange. We requested comment on all aspects of this approach.

In this final rule, we are finalizing the proposed policy regarding when a plan is the same plan as a QHP for purposes of the same premium requirement. However, as discussed above in Part B(1)(a) of this final rule, in response to many of the comments we received on this policy with regard to the risk corridors program, we are not finalizing our proposed policy that would have required a plan sold to consumers outside of an Exchange to be the same plan as a QHP offered through an Exchange for purposes of participating in the risk corridors program. We further discuss this policy with respect to the risk corridors program above in Part B(1)(a) of this final rule.

Comment: A number of commenters stated that requiring a plan offered outside of an Exchange to be identical to a QHP offered through an Exchange with respect to the characteristics described above in order to be considered the same plan was too restrictive. As discussed above in Part B(1)(a) of this final rule, commenters were particularly concerned about the effect of such a standard on plans that differ from Exchange QHPs solely as a result of Federal and State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside the Exchange.

Response: Although we understand the commenters' concern that Federal or State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside the Exchange could deprive plans offered outside the Exchange of the protections of risk corridors, we do not believe that this policy concern should result in our considering plans that are ''substantially the same'' as a QHP to be the ''same plan'' as the QHP.

In the Premium Stabilization rule (77 FR 17220), we stated that a plan offered outside of an Exchange that is ''substantially the same'' as a QHP would qualify for the risk corridors program, and stated that we might clarify that standard in future guidance. In response to comment, in Part B(1)(a) of this final rule we are clarifying which plans are ''substantially the same'' as a QHP, and will therefore be subject to the risk corridors program.

We believe that, for plans that are substantially the same as a QHP, any variations in benefits and cost-sharing structure that are directly tied to Federal or State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside the Exchange could affect QHP premium rating. Therefore, we are clarifying that a plan offered by a QHP issuer outside an Exchange would be the same as a QHP offered by that same QHP issuer through the Exchange, only if they are identical with respect to benefits, provider network, service area, and cost-sharing structure, and that, in contrast to our statement in the Exchange Establishment rule, only plans that are the same as a QHP offered through an Exchange must have the same premium as the QHP offered through the Exchange, pursuant to 45 CFR 156.255(b). We also note that this definition of what constitutes the same QHP defines identical plan offerings based only on the criteria set forth above. Accordingly, plan offerings that differ only in other respects (for example, plans' appeals processes or plan name) would not be considered different plans for purposes of the requirement that the same premiums be charged both through and outside the Exchange.

Comment: A few commenters expressed concern that issuers would have already submitted their QHPs to Exchanges for approval for 2014 without the benefit of knowing how to align plans offered outside the Exchanges with QHPs offered through the Exchanges. They asserted that issuers were relying on a ''substantially the same'' standard when they filed their rates and designed their plan offerings for the 2014 benefit year, and that implementation of the proposed definition in the 2014 benefit year could have a destabilizing effect on the market. Although some commenters recommended that HHS adopt a ''substantially the same'' standard for QHPs offered outside the Exchanges for the duration of the temporary risk corridors program, others believed that a one-year transition period would provide issuers sufficient time to develop 2015 benefit year offerings that would be eligible for risk corridors. Most commenters did not attempt to clarify how they would decide which plans were ''substantially the same'' as a QHP; however, one commenter suggested that any plan offered outside the Exchange that could qualify as a QHP be considered ''substantially the same'' as a QHP.

Response: In Part B(1)(a) of this final rule, we are revising the risk corridors regulations at Part 153 to set forth standards for plans offered outside of an Exchange that are ''substantially the same'' as a QHP and that will be subject to the risk corridors program. We believe that the regulation text we codify in this rule reflects the standard set forth in the Premium Stabilization Rule, provides flexibility for plans that were relying on an undefined ''substantially the same'' standard prior to the 2014 rate filing deadline, and also

helps to ensure the integrity of the risk corridors program so that it is clear, prior to the end of 2014 when data for the risk corridors calculation become available, which off-Exchange plans are subject to risk corridors, and which off-Exchange plans are not. We note that we intend to issue guidance on the operational aspects of this standard, including how HHS and issuers will identify plans submissions (including those submitted for the 2014 benefit year) that are ''substantially the same'' as a QHP offered through an Exchange for the purposes of determining whether the plan will participate in the risk corridors program.

Comment: In the proposed rule, we indicated our intention to clarify that, in order to be the same plan as a QHP, the off-Exchange plan must be offered by the same issuer that offers a QHP inside of an Exchange. Two commenters stated that requiring plans offered through the Exchange and plans offered outside of the Exchange to be offered by the same issuer could present significant operational challenges for issuers that organize their corporate structures so that Exchange offerings are provided by one entity and offerings outside of an Exchange are provided by another. One of the commenters was also concerned that the requirement could restrict the range of products that would be available outside of an Exchange, and recommended that we revise our proposed policy to clarify that an off-Exchange QHP would be subject to the risk corridors program if it met the criteria in our proposed policy and was offered on an Exchange by the same ''issuer group,'' as defined at 45 CFR 156.20, instead of the same issuer.

Response: While we recognize that the structure of some organizations may result in Exchange offerings and offerings outside of an Exchange that are offered by different issuers within the same issuer group, we believe that expanding this definition beyond the issuer level is inconsistent with how pricing is developed pursuant to the single risk pool provision at 45 CFR 156.80, which applies at the issuer level to all non-grandfathered plans in the individual and small group markets within a State. Expanding the risk corridors program to plans that are the same or substantially the same as QHPs offered outside the Exchange by a different issuer within an issuer group could result in a risk corridors calculation that must take into account total claims costs and total premiums for the entire risk pool for all the relevant issuers in the issuer group. We believe the risk corridors program properly considers claims and premiums only for the risk pool applicable to the single issuer.

Comment: One commenter supported our proposal requiring a plan offered outside of an Exchange to have an identical provider network and service area as a QHP offered through an Exchange in order to be the same plan as the QHP offered through the Exchange. Another commenter opposed these requirements, arguing that the proposed standard should only include EHB, actuarial value (AV), and cost-sharing structure. The commenter believed that requiring identical networks and service areas was too restrictive because it would not allow for differences in network and service areas that result from licensure restrictions.

Response: As stated above, a plan is the same as a QHP only if it is identical with respect to benefits, provider network, service area, and cost-sharing structure to a QHP offered by the same issuer through the Exchange. We believe that certification of a plan's service area is an integral part of the QHP certification process, and so believe it is integral to what it means to be the same QHP. We also believe it important that Exchange enrollees enjoy access to the same service areas (and networks) as enrollees in the same plans when offered outside the Exchanges.

Summary of Regulatory Changes

We are finalizing the definition of ''Exchange'' as it was proposed. We are not codifying changes to the definition of ''qualified health plan'' in this section. For purposes of clarity, in finalizing this policy, we will use the term ''issuer application assisters'' in place of ''issuer customer service representatives'' to more clearly articulate the role of such individuals and we are finalizing a modified definition of ''issuer application assisters'' to reflect in more detail the role of issuer application assisters as defined in § 155.415.

2. Subpart B—General Standards Related to the Establishment of an Exchange

a. Establishment of a State Exchange, Approval of a State Exchange, (§§ 155.100, 155.105, and 155.140)

Consistent with our proposed amendment to the definition of ''Exchange'' in § 155.20, we proposed to amend § 155.100 to permit a State to establish and operate only a State-based SHOP while the individual market Exchange is established and operated as an FFE. We proposed that pursuant to the proposed amendment, States would not be permitted to establish and operate only the individual market Exchange.

We proposed in § 155.100(a)(3) that a State that has timely applied for certification of an Exchange for 2014, and that has received conditional approval for its application, would be able to modify its Exchange Blueprint pursuant to 45 CFR 155.105(e) to exclude the operation of the individual market Exchange functions for 2014. We explained in the preamble to the proposed rule that such States have been preparing to establish and operate both the individual market and SHOP Exchanges for 2014, and would be in a position to establish and operate just the SHOP in 2014. We sought comment on this approach.

We proposed to amend § 155.105 so that the Exchange approval criteria set forth therein would be consistent with the Exchange operational models proposed in §§ 155.20, 155.100, and 155.200, and to permit HHS to operate only a FFE that will make QHPs available to qualified individuals when a State has elected to operate only an Exchange providing for the establishment of a SHOP pursuant to proposed § 155.100(a)(2).

We also proposed an amendment to § 155.105(f) to clarify that the regulatory provisions that will apply in an FFE include the nondiscrimination requirements of § 155.120(c). Section 155.120(c), as written, applies to all Exchanges, and its previous omission from the list of provisions referenced in § 155.105(f) was inadvertent.

We also proposed to amend § 155.140 to clarify how a subsidiary or regional Exchange may operate in light of the proposed amendments to permit a State to establish and operate an Exchange only providing for the establishment of a SHOP.

Comment: We received several general comments in support of permitting a State to elect to establish and operate only a SHOP. Some commenters supported the additional flexibility provided for States to establish and operate only a SHOP in 2014 and recommended expanding the provision further to allow other States, such as States that timely submitted a complete Blueprint, to establish and operate only a SHOP in 2014. One commenter supported allowing any State that believes it would be ready to establish and operate only a SHOP to do so in 2014. Other commenters opposed allowing a State to establish and operate only a SHOP, noting potential adverse consequences to consumers due to a loss of efficiencies and coordination by having different entities administering

the individual market Exchange and the SHOP. One commenter supported the proposed policy of not allowing a State to establish and run only an individual market Exchange and the while the SHOP is established and operated as an FF–SHOP. This commenter noted that in this scenario, there would be less leverage for attracting issuer participation in the SHOP and the SHOP would suffer diminished operational efficiencies if it is not accompanying an individual market Exchange.

Response: We agree with the commenters who suggested that we should extend the opportunity to establish and operate only a SHOP in 2014 to more than just those States that have a conditionally approved Exchange Blueprint in place for 2014. As we explained in the preamble to the proposed rule, our intent in limiting the option in 2014 was to make sure that only those States that would be in a position to establish and operate just the SHOP in 2014 do so. We are convinced by the commenters who suggested that these States might include more than just those States with a conditionally approved Exchange Blueprint. Accordingly, we have modified the proposed language to extend the option of establishing and operating only a SHOP Exchange for 2014 to any State that provides reasonable assurances, through the Exchange Blueprint submission and/or amendment process, to CMS that it will be in a position to establish and operate just a SHOP in 2014.

Comment: A number of commenters expressed support for our clarification in § 155.105(f) that the regulatory provisions that apply in FFEs include the nondiscrimination requirements of § 155.120(c). Commenters recommended including in § 155.105(f) a reference to section 1557 of the Affordable Care Act, and one commenter asked CMS to identify prohibited practices under section 1557 of the Affordable Care Act. Commenters also requested further clarification on the application of these antidiscrimination protections to consumer assistance entities receiving funds associated with implementation and operation of the Federally-facilitated Exchanges.

Response: We are finalizing this clarification as proposed. We note that § 155.120(c)(1) already specifies that the State and the Exchange, which would include FFEs and State Partnership Exchanges through this amendment to 155.105(f), must comply with applicable nondiscrimination statutes. Section 1557 of the Affordable Care Act applies to all Exchanges as entities created under Title I of the Affordable Care Act. Therefore, we do not think it is necessary to refer to any specific nondiscrimination statutes in this regulation text. Further clarification of prohibited practices under section 1557 of the Affordable Care Act is beyond the scope of this rulemaking. For a more detailed discussion of the application of § 155.120(c) to Exchange consumer assistance entities, please see the recent final rule, Patient Protection and Affordable Care Act; Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel; Consumer Assistance Tools and Programs of an Exchange and Certified Application Counselors, 78 FR 42824, 42829–42830, 42844 (July 17, 2013).

Comment: One commenter sought clarification in proposed § 155.140 on the provision relating to the geographic area covered by subsidiary SHOPs in a State operating only a SHOP. The commenter wanted to ensure that if a State establishes subsidiary SHOPs that it must provide access to a SHOP in all geographic areas of the State.

Response: We clarify here that the proposed provision on subsidiary SHOPs in a State operating only a SHOP requires the combined geographic area of all subsidiary SHOPs established by the State to encompass all geographic areas of the State. In such circumstances, HHS would establish an individual market Exchange that covers all geographic areas of the State. Thus, the combined geographic areas of any subsidiary SHOPs would also be required to encompass all geographic areas of the State.

Summary of Regulatory Changes

We are finalizing these provisions as follows. We are finalizing § 155.100(a)(3) at 155.100(b) and redesignating § 155.100(b) as § 155.100(c) to ensure parallel structure in the regulatory text. We are modifying § 155.100(b) to expand the opportunity to operate only a SHOP in 2014 to States that provide reasonable assurances, through the Exchange Blueprint submission and/or amendment process, to CMS that they are prepared to establish and operate only a SHOP in 2014. We are also modifying § 155.105(b)(1) and (f) to include cross-references to the Exchange minimum functions concerning eligibility appeals and exemptions from the shared responsibility payment that are being finalized at the time of this rule.

3. Subpart C—General Functions of the Exchange

a. Functions of an Exchange (§ 155.200)

Consistent with the amendments described above to §§ 155.20, 155.100, 155.105, and 155.140, which permit a State to operate only an Exchange providing for the establishment of a SHOP, we proposed amending § 155.200 so that a State operating an Exchange which provides only for the establishment and operation of a SHOP need perform only the minimum functions described in subpart H and all applicable provisions of other subparts referenced therein. Under such circumstances, the Exchange operated by HHS need not perform the minimum functions related to the establishment of a SHOP.

Although we received no direct comment on this proposal, we received several general comments and comments to § 155.100 in support of permitting a State to elect to establish just a SHOP.

Summary of Regulatory Changes

We are finalizing the provision, with a modification to include cross-references to the Exchange minimum functions concerning eligibility appeals and exemptions from the shared responsibility payment that are being finalized at the time of this rule.

b. Ability of States To Permit Agents and Brokers To Assist Qualified Individuals, Qualified Employers, or Qualified Employees Enrolling in QHPs (§ 155.220)

We proposed amending § 155.220(c)(3)(i), which currently requires that a Web-broker meet all standards for disclosure and display of QHP information contained in § 155.205(b)(1) and § 155.205(c). We sought comment on whether we should instead remove § 155.220(c)(3)(ii).

We proposed adding a new paragraph (c)(3)(vii) that would require a disclaimer be used by Web-brokers on their Web sites.

We proposed to add a new § 155.220(c)(4) that would require any Web-broker who makes an Internet Web site available to other agents and brokers to enroll consumers in QHPs through the FFE to require as a condition of agreement or contract that the agent or broker accessing and using the Internet Web site complies with § 155.220(c) and (d). We also proposed that a Web-broker that makes an Internet Web site available for this purpose would be required to provide to HHS a list of agents and brokers who are under such arrangements, and that the Web-broker

be required to ensure that the agent or broker accessing or using the Internet Web site would be required to comply with the policies that the Web-broker would be required to develop under proposed § 155.220(d)(4).

We further proposed adding a new § 155.220(d)(4) requiring agents and brokers assisting or enrolling consumers in the individual market of an FFE to establish policies and procedures implementing the privacy and security standards pursuant to § 155.220(d)(3). We proposed such standards to include training employees, representatives, contractors, and agents with regard to those policies and procedures on a periodic basis, and to ensure such individuals comply with those policies and procedures. We sought comment on the appropriate frequency of retraining requirements.

We also proposed adding a new § 155.220(f), which would require agents and brokers who wish to terminate their agreement with an FFE to send to HHS a 30-day advance written notice of the intent to terminate, and invited comment on whether we should additionally require agents and brokers to also directly notify their clients of the termination.

We proposed adding a new § 155.220(g), which would set forth standards under which HHS may terminate an agent's or broker's agreement with an FFE for cause. In § 155.220(g)(1), we proposed that HHS may pursue termination with notice of an agent's or broker's agreement with an FFE executed pursuant to § 155.220(d) if, in HHS's determination, a specific finding of noncompliance or pattern of noncompliance is sufficiently severe. In § 155.220(g)(2), we set forth the violations that could lead to a termination for cause. We explained that we were also considering implementing informal procedures to resolve certain compliance issues that would take place prior to HHS's termination of an agent's or broker's agreement for cause. Notwithstanding the fact that we were also contemplating an informal resolution procedure, we also proposed that upon identification of a sufficiently severe violation, HHS would formally notify the agent or broker of the specific finding of noncompliance or pattern of noncompliance, as proposed in § 155.220(g)(3). The agent or broker would then have a period of 30 days from the date of the notice to correct the noncompliance to HHS's satisfaction, through good faith efforts. If after 30 days, the noncompliance is not appropriately addressed, we proposed HHS may terminate the agreement for cause.

We proposed adding a new § 155.220(h) to provide an agent or broker whose agreement with the FFE was terminated for cause with a process to request reconsideration of the termination. We proposed that the agent or broker must submit a request for reconsideration to the HHS reconsideration entity within 30 calendar days of the date of the written notice from HHS, after which the HHS reconsideration entity would provide the agent or broker with a written notice of a final reconsideration decision within 30 calendar days of the date the request was received.

Comment: Many commenters offered feedback on the proposed amendment to § 155.220(c)(3)(i). Some commenters expressed support for the amendment while several other commenters opposed any changes to the requirement for Web-brokers to display QHP information. In expressing their opposition to the amendment of § 155.220(c)(3)(i), some commenters offered recommendations in the event we finalized the amendment. Some commenters suggested that a Web-broker prominently display a standardized disclaimer provided by HHS if the Web-broker is not able to display the required QHP information for a given plan, and that the Web-broker provide a Web link to the Exchange Web site.

Response: We did not accept the comments which suggested that we not finalize the proposed amendment to § 155.220(c)(3)(i) because there may be circumstances beyond the control of Web-brokers that will preclude them from displaying all of the information required under § 155.205. For instance, Web-brokers currently obtain plan data directly from issuers, and generally only obtain data from issuers if they have contractual arrangements and/or appointments to sell the issuer's plans. Thus Web-brokers may be restricted from displaying all plan data, including premium and rate information, if they do not have agreements or appointments with some issuers. Similarly, the Exchange may be precluded by trade secret and confidentiality considerations from providing all Web-brokers with certain data elements necessary to meet the § 155.205(b)(1) standards. As a result, we continue to believe that the amendment to § 155.220(c)(3)(i) is necessary. In such circumstances, it is important that Web-brokers ensure applicants are aware that not all QHP information may be available on their Web sites by displaying required disclaimers under § 155.220(c)(3)(i) and (vii).

Comment: The proposed amendment to § 155.220(c)(3)(i) also added to the standards for Web-brokers' Web sites by requiring a link to the Exchange Web site. In addition, proposed § 155.220(c)(3)(vii) required a disclaimer that included acknowledgement that the Web-broker's Web site might not display all QHP data available on the Exchange Web site. A number of commenters proposed combining these two concepts, recommending that HHS provide a standardized disclaimer and a link to the Exchange Web site to the extent that not all QHP information required under § 155.205(b)(1) is displayed on a Web-broker's Web site. Conversely, other commenters suggested that this disclaimer should be separate from the disclaimer proposed in § 155.220(c)(3)(vii) informing the consumer that the Web-broker's Web site is not the Exchange Web site. Commenters suggested that a standardized disclaimer would provide a uniform and consistent way to notify the consumer regarding how to obtain the available QHP information in the event that such information is not available on the Web-broker's Web site.

Response: We found these comments regarding the need for a standardized disclaimer and Web-link to be persuasive so applicants are aware of the incompleteness of the information available on these Web sites. As a result, we have modified the amendment to § 155.220(c)(3)(i) by requiring Web-brokers to prominently display a standardized disclaimer and to provide a Web link to the Exchange Web site. We will make available a HHS-approved standardized disclaimer that Web-brokers can use to meet this requirement, stating that information required under § 155.205(b)(1) for the QHP is available on the Exchange Web site.

We considered, but did not accept, other recommendations provided by commenters if the amendment were to be retained, including consideration of an inline frame or ''I-frame'' approach to presenting QHP information, requiring that Web-brokers refer consumers to Navigators and certified application counselors if unable to display all QHP information, and to have HHS release all plan information for a particular QHP to Web-brokers if the issuer of the QHP requests that HHS do so. We recognize that each of these suggestions may help provide additional information to consumers about their QHP options, but may be difficult to implement prior to the start of open enrollment.

Comment: Many commenters offered recommendations about whether to remove § 155.220(c)(3)(ii), which requires Web-brokers to provide consumers with the ability to view all QHPs offered through the Exchange, as an alternative to amending § 155.220(c)(3)(i). Several commenters expressed support for retaining § 155.220(c)(3)(ii) as a key consumer protection, while other commenters recommended removing the requirement in lieu of amending § 155.220(c)(3)(i).

Response: We agree with commenters that the requirement for Web-brokers to provide consumers with the ability to view all QHPs offered through the Exchange is an important consumer protection, even if the Web-broker is not able to display all plan details for each QHP. We are retaining § 155.220(c)(3)(ii) without modification.

Comment: A number of commenters expressed support for proposed § 155.220(c)(3)(vii) so consumers would be informed that the Web-broker's Web site is not the Exchange Web site, and that the Web-broker has agreed to comply with applicable regulations as a condition of their agreements with HHS. Some commenters recommended that HHS provide a standardized disclaimer that could be used by all Web-brokers to meet this requirement, to ensure uniform and consistent communication to consumers across all Web-broker Web sites. Commenters recommended specific elements that should be included in the disclaimer. Other commenters suggested that Web-brokers be required to display the disclaimer in specific locations or on every page of the Web-broker's Web site. One commenter recommended that the disclaimer not reference the Web-broker's agreement with HHS, but rather the standards to which the Web-broker must comply. To provide for greater consumer protection, several commenters also suggested that HHS standardize the notification by providing a standardized disclaimer, which would provide for uniform and consistent communication to consumers across all Web-broker Web sites.

Response: The proposed § 155.220(c)(3)(vii) added to the standards for Web-broker's Web sites in FFEs by requiring prominent display of language notifying consumers that the agent's or broker's Web site is not the FFE Web site, that the agent or broker's Web site might not display all QHP data available on the FFE Web site, that the agent or broker has entered into an agreement with HHS pursuant to paragraph (d) of this section, and that the agent or broker agrees to conform to the standards specified in paragraphs (c) and (d) of this section. While the proposed § 155.220(c)(3)(vii) specified the elements to be included in the notification, it would have permitted Web-brokers to independently develop their own notifications.

To provide for greater consumer protection, we agree with commenters that a standardized disclaimer should be used for the FFEs, and we have modified the final § 155.220(c)(3)(vii) to require Web-brokers to use a standardized disclaimer provided by HHS, which would distinguish the Web-broker's Web site from the FFE Web site. The standardized disclaimer would include the following notifications: (1) That the Web-broker's Internet Web site is not an FFE Web site, (2) that the Web-broker's Web site may not contain all QHP data available on the FFE Web site, (3) that the Web-broker is required to conform to the standards specified in paragraphs (c) and (d) of § 155.220, and (4) the Web-broker is subject to privacy and security standards established by HHS pursuant to § 155.260.

We also recognize that commenters provided other suggestions for topics to include in the disclaimer, including information about whether the Web-broker's Web site contains all information for QHPs in a given State, or information about how consumers can contact HHS if the Web-broker does not comply with the requirements for display of QHPs. Although we are not adopting these suggestions at this time, HHS may adjust the disclaimer in the future to meet the needs of the FFE and its consumers.

We believe that requiring the disclaimer to be posted on every Web page of a Web-broker's Web site may be repetitive and burdensome. However, we agree that the disclaimer should be prominently displayed, and that display on more than a single Web page may be warranted so that the consumer may be fully informed. We plan to address how the disclaimer should be displayed in future guidance.

Comment: Several commenters recommended that we clarify the process that Web-brokers must follow when a consumer (or a member of that consumer's family) using a Web-broker's Web site is determined or assessed to be eligible for Medicaid or CHIP.

Response: As indicated in CMS's guidance titled ''Role of Agents, Brokers, and Web-brokers in Health Insurance Marketplaces,'' [6] we expect agents and brokers, including Web-brokers, to work with all consumers, including individuals who are ultimately determined to be eligible for Medicaid or CHIP. In such cases, we expect that agents, brokers and Web-brokers will refer the individual to the appropriate State agency for enrollment in health coverage.

Comment: Some commenters recommended that we apply § 155.220(c)(3)(vii) to State Exchanges. Other commenters requested that we clarify that State Exchanges are not required to contract with Web-brokers, and that they may set more stringent standards than the FFE.

Response: While we did not accept the comment to apply § 155.220(c)(3)(vii) to State Exchanges, we note that State Exchanges have discretion to apply a similar or more stringent requirements.

Comment: We received substantial feedback on proposed § 155.220(c)(4). Many commenters expressed support for allowing arrangements under which agents and brokers would be able to enroll qualified individuals in an FFE through a Web-broker's Internet Web site, even if the agent or broker were not an employee or subcontractor of the Web-broker. Such commenters noted that requiring independent agents and brokers to subcontract with Web-brokers is not standard in the industry. Some commenters recommended that we clarify the types of arrangements that would be permitted between Web-brokers and other agents and brokers. Other commenters recommended prohibiting agents and brokers from accessing Web-brokers' Web sites altogether, unless they were an employee or subcontractor of the Web-broker. Such commenters believed that such arrangements bring additional complexity, noting that Web-brokers' Web sites may not display all required QHP information, and were concerned that these agents and brokers might not be subject to the same level of oversight as other agents and brokers in the FFE, since they are not party to HHS' agreement with the Web-broker.

Some commenters responded to our concerns regarding oversight of other agents and brokers that access the Web-broker's Web sites, objecting to the provision requiring Web-brokers to ensure that agents and brokers accessing their Web sites comply with § 155.220(c) and (d). These commenters noted that it could result in a Web-broker and all agents and brokers accessing its Web site to have their connection to the Federally-facilitated Exchange terminated based upon violations by a single agent or broker.

[6] Role of Agents, Brokers, and Web-brokers in Health Insurance Marketplaces (May 1, 2013), available at: *http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/agent-broker-5-1-2013.pdf.*

Other commenters provided specific recommendations for Web-broker requirements if agents and brokers are permitted to use Web-brokers' Web sites to enroll consumers in QHPs through the Exchange, including ensuring agents and brokers provide unique identifiers such as FFE User ID numbers or National Producer Numbers (NPNs), and other documentation to the Web-broker proving they are trained and registered to sell products on the Exchange, and have entered into agreements with CMS to abide by the terms of § 155.220. Commenters stated there should be a way for CMS to identify and notify Web-brokers providing access to other agents and brokers, if the other agent or broker commits a material breach of their agreements with HHS, so that the Web-broker may limit the agent's or broker's access as needed.

Response: While we recognize that agents and brokers may be able to reach and enroll significant number of consumers through Web-broker's Web sites, we are also concerned about ensuring that such agents and brokers comply with the standards in § 155.220(c) and (d). We note that agents or brokers who carry out the functions authorized under § 155.220(a)(2) and (3) are required to comply with the standards in § 155.220(c) and (d), regardless of whether they use a Web-broker's Web site, and that they ultimately remain responsible for their own compliance. Many agents and brokers currently use Web sites and other systems technology provided by Web-brokers to help significant numbers of consumers compare and purchase individual market coverage across multiple issuers. If Web-brokers are able to provide a way for other agents and brokers to leverage their Web sites and connection to HHS when the Exchanges begin operating, these agents and brokers would be able to reach additional individuals currently without coverage. As a result, we did not accept comments that agents and brokers be prohibited from entering into arrangements that would enable them to use a Web-broker's Web site to assist a consumer in enrolling in a QHP through the Exchange. While we recognize that some Web-brokers might be willing to be responsible for overseeing the actions of other agents and brokers who access their Web sites, we also did not want to limit the permissible arrangements to those in which the agent and broker can only use the Web-broker's Web site as a subcontractor so as to maximize opportunity for agent and broker participation.

We also recognize the concerns of Web-brokers that they, along with other agents and brokers who access their Web sites, might be held accountable for the non-compliance of a single agent or broker. However, we also want to ensure that HHS can take action against the single non-compliant agent or broker if necessary, and that the Web-broker and HHS can terminate that agent's or broker's ability to transact eligibility and enrollment information through the Web-broker's Web site. We also want to ensure that HHS has a way to contain privacy and security incidents and breaches, should they be caused by agents and brokers accessing the Web-brokers' Web sites. As a result, we have modified the proposed § 155.220(c)(4) so that the Web-broker is no longer the entity that must ensure that agents and brokers accessing its Web site comply with the standards in § 155.220(c) and (d). We accept commenters' recommendations that the Web-broker must verify that any other agent or broker accessing its Web site is licensed by the applicable State(s), has completed training, has signed all required agreements with the FFE, and is registered with the FFE pursuant to § 155.220(d). The Web-broker must cooperate with HHS in taking compliance actions against a non-compliant agent or broker, including facilitating a shut-down of any connection to HHS systems while privacy and security incidents and breaches are investigated, ensuring compliance with applicable standards by all agents and brokers accessing its Web site, and performing necessary actions to assist HHS with overseeing the actions of agents and brokers using its Web site. In response to the comments, we believe that requiring the Web-broker to display its name and identifier on the Web site when it is made available to another agent or broker, will increase transparency regarding the relationships between the other agents and brokers and the Web-broker, and facilitate CMS and/or State enforcement actions against an agent or broker accessing its Web site, in the event of a breach or violation.

In response to all of these comments, we are modifying the final § 155.220(c)(4) to clarify the requirements that apply to a Web-broker that permits other agents or brokers to access its Web site pursuant to a contractual arrangement. In response to comments recommending clarification of the types of permissible arrangements between Web-brokers and other agents and brokers under this provision, we clarify that the provision applies to contractual or other arrangements in which an agent or broker accesses the Web-broker's Web site to enroll consumers through the FFE. We have also added language to the final rule clarifying that in such arrangements, the agent or broker is the agent of record on the enrollment. As finalized, § 155.220(c)(4) would allow HHS to identify Web-broker's Web sites and take appropriate action if the agent or broker who uses the Web-broker's Web site violates the terms of the agent's or broker's agreement with HHS. Section 155.220(c)(4)(i) applies the following requirements on Web-brokers that allow other agents and brokers to access their Web sites: (1) The Web-broker must provide the FFE with a list of agents or brokers who enter into such an arrangement if requested by HHS; (2) the Web-broker must verify that the agent or broker using the Web site is licensed in the FFE's State, has completed training and registration, and has signed all applicable agreements with the Federally-facilitated Exchange; (3) the Web-broker must ensure that its name and any identifier required by HHS, such as the Web-broker's National Producer Number (NPN), appears on the Internet Web site and written materials containing QHP information that can be printed from the Web site, even if the agent or broker that is accessing the Internet Web site is able to customize the appearance of the Web site; (4) terminate the other agent or broker's access to its Web site if HHS determines that the agent or broker is in violation of the provisions of § 155.220 and any required agreement between HHS and the agent or broker is terminated; and (5) report to HHS and applicable State Department of Insurance any potential material breach of the standards in § 155.220(c) and (d) by the agent or broker accessing the Internet Web site, should the Web-broker become aware of any such potential breach.

This approach would ensure that agents and brokers that access Web-broker's Web sites must meet the same registration and training requirements and be subject to the same oversight requirements as other agents and brokers in the FFE. This approach would also ensure that agents and brokers whose agreements with HHS are terminated are no longer able to access HHS systems through a Web-broker's connection. In addition, this requirement would also help provide transparency and traceability back to the Web-broker making the Web site available, if HHS or a State department of insurance needed to take action with respect to an agent or broker using a Web-broker's Web site.

Section 155.220(c)(4)(ii) clarifies that HHS retains the right to temporarily

suspend the Web-broker's connection to HHS' systems in the event of a privacy and security incident or breach involving a Web-broker that makes its Web site available to third party agents and brokers under previously described arrangements. In the case of an incident or breach, HHS must follow its incident response plan to address privacy and security incidents and breaches. In adhering to its incident response plan, HHS may need to temporarily suspend a Web-broker's connection to HHS' systems to contain further damage from the incident or breach if the incident or breach is related to the Web-broker and its connection to HHS' systems. The temporary suspension would provide HHS with the ability to conduct an investigation and work with the Web-broker to remedy the breach or incident.

Comment: Several commenters recommended that Web-brokers not be permitted to use data collected for Exchange enrollment purposes for any other purpose.

Response: Data collected for Exchange application purposes may be used only in accordance with section 1411(g) of the Affordable Care Act. Consistent with section 1411(g), in the agreements that HHS will enter into with Web-brokers, HHS will permit Web-brokers to use personally identifiable information (PII) collected through the Exchange application and enrollment process only for certain functions related to the efficient operation of the Exchange, such as assisting with applications for QHP eligibility, supporting QHP selection and enrollment by assisting with plan selection and plan comparisons, and assisting with applications for the receipt of APTCs or CSRs, and selecting an APTC amount.

Comment: Several commenters expressed support for proposed § 155.220(d)(4), which proposed requiring agents and brokers participating in the FFE individual market to implement policies to train their workforce in privacy and security standards pursuant to § 155.220(d)(3). Some commenters further recommended that such training occur on an annual basis, at a minimum. One commenter also recommended that HHS clarify that agents and brokers could only use PII accessed from individuals during the QHP eligibility and enrollment process for FFE-related functions that agent or broker is authorized to carry out under the terms of its agreement with HHS, and several others stressed that agents and brokers should be required to destroy any PII obtained during the eligibility and enrollment process after the termination of an agent or broker's relationship with an FFE.

Response: We believe it is critical to ensure that agents and brokers implement appropriate safeguards and procedures, including privacy and security training to protect the PII of individuals whom they assist with applications for Exchange coverage, advance payments of the premium tax credit, and cost sharing reductions, and with QHP enrollment through the FFE. We note that § 155.260(b) requires non-Exchange entities, including agents and brokers, to abide by the privacy and security policies adopted by the FFE as a condition of contract or agreement with the FFE. Because obligations regarding compliance with privacy and security standards will be imposed on agents and brokers through agreements executed pursuant to § 155.260(b), we are not finalizing § 155.220(d)(4), or additional privacy and security requirements for agents and brokers in this rule. Instead we clarify here that in the FFEs, agents and brokers will agree to comply with the Exchange's privacy and security standards as required by § 155.220(d)(3) through separate agreements that the FFE will execute with agents and brokers under § 155.260. Such agreements will specify the authorized functions for which agents and brokers may use PII, and will set forth the agent's or broker's duties to protect and maintain the privacy and security of PII for such functions, including developing privacy and security training programs for members of their workforces who access PII while carrying out such authorized functions. The agreements will also prohibit agents and brokers from using PII accessed through the Exchange application and enrollment process for any purpose other than the specific functions authorized by the agreements.

HHS seeks to minimize burdensome duplication of existing laws and any Exchange-specific requirements and standards for protecting PII pursuant to section 1411(g) and § 155.260. We recognize that agents and brokers are also required to adhere to other Federal laws safeguarding certain kinds of information, such as HIPAA and the Gramm-Leach-Bliley Act (GLBA), in addition to any applicable State laws, and may leverage existing compliance infrastructures as appropriate to implement Exchange privacy and security requirements to protect PII.

Comment: We received broad support from commenters for proposed § 155.220(f), which provided for a 30-day advance written notice of termination from agents and brokers to HHS. A few commenters stressed it would be appropriate for all agents or brokers that receive a 30-day advanced notice of termination to be immediately suspended from assisting individuals to enroll in a QHP offered through the FFE and/or the ability to securely exchange information with HHS, at least temporarily. In response to our request for comments, commenters expressed support for a requirement that agents and brokers notify clients of such termination. Commenters recommended that agents and brokers should continue to assist existing clients with completion of QHP applications and/or enrollment until the agent's or broker's intended date of termination, and to inform clients that additional assistance is available through the FFE.

Response: We agree with commenters' recommendations to also require agents and brokers to notify consumers if the agent or broker plans to terminate its agreement with an FFE under § 155.220(f). Further, we agree that agents and brokers should continue assisting consumers throughout the pre-termination period, and should inform consumers that they can continue to obtain additional assistance through an FFE. We have modified the final rule to include provisions reflecting these comments.

Comment: Several commenters supported proposed § 155.220(g) and suggested that we specify that HHS may terminate an agent's or broker's agreement for violations of specific State laws, including patterns of steering or unfair and deceptive trade practices. Other commenters that expressed support for § 155.260(g) also recommended HHS immediately suspend an agent's or broker's agreement, if findings of noncompliance were sufficiently egregious, until the cure period is completed to HHS' satisfaction.

Response: We will look to State authorities to enforce their own State laws regulating agents and brokers. In response to the comments regarding immediate and temporary suspensions or terminations from the FFE, we believe the implementation of an informal resolution procedure prior to terminating an agent's or broker's agreement that was discussed in the preamble and contemplated under the cure period in § 155.220(g), addresses the range of potential responses and recognizes that nothing would preclude HHS from retaining the right to bypass these informal procedures. We also note that HHS retains the ability to terminate an agent's or broker's relationship with an FFE for cause, including based on termination of the separate agreement executed pursuant to § 155.260(b).

Comment: Several commenters also recommended HHS should be required to inform State departments of insurance (DOIs) of any administrative or disciplinary actions taken against licensed agents and brokers for violations of FFE rules under § 155.220. One commenter also suggested HHS should not take any action based on an FFE violation until the State takes action.

Response: As we emphasized in the preamble to the proposed rule, we expect that States will continue to oversee and regulate agents and brokers within their States, both inside and outside of the Exchange. This applies whether the Exchange is an FFE, including a State Partnership Exchange, or a State Exchange. To avoid duplication of oversight activities related to agents and brokers enrolling or assisting consumers through an FFE, HHS will focus its oversight activities primarily on ensuring that agents and brokers in an FFE meet the standards outlined in § 155.220, including the requirements set forth in the agreements entered into under § 155.260(b). Thus, we intend to defer to States in all areas where the State DOIs are the primary regulators of agent and broker conduct, which will entail open communication and collaboration with State DOIs.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.220(c)(3) of the proposed rule as follows: in paragraph (c)(3)(i), we amend the provision to require the prominent display of a standardized disclaimer provided by HHS stating that QHP information required under § 155.205(b)(1) is available on the Exchange Web site and providing Web link to the Exchange Web site, for use when not all QHP information required under § 155.205(b)(1) is displayed on the Web-broker's Web site. In paragraph (c)(3)(vii), we modify the provision to require the display of a standardized disclaimer provided by HHS, and provision of a Web link to the Exchange Web site. In paragraph (c)(4), we clarify that the provisions in this paragraph are applicable to a Web-broker when it permits other agents and brokers to use its Internet Web site to enroll individuals in an FFE through a contract or other arrangement, and the agent or broker accessing the Web site pursuant to the arrangement is listed as the agent of record on the enrollment. We also require that such a Web-broker must: (1) Provide HHS a listing of agents and brokers entering into such arrangements if requested by HHS; (2) ensure that the agent or broker is licensed in the State in which the consumer is selecting the QHP; (3) verify that the agent or broker has completed training, registration and has signed all required agreements with the FFE; (4) ensure that its name and any identifier required by HHS prominently appears on the Internet Web site and on written materials containing QHP information that can be printed from the Web site, (5) terminate the agent's or broker's access to its Web site if HHS determines that the agent or broker is in violation of the provisions of this section and/or HHS terminates any required agreement with the agent or broker, and (6) report to HHS and the applicable State DOI any potential material breach of the standards in § 155.220(c) and (d), or the agreement entered into pursuant to § 155.260(b), by the agent or broker accessing the Internet Web site. Furthermore, paragraph (c)(4)(ii) also permits HHS to temporarily suspend the Web-broker's ability to transact information with HHS in the event of a severe privacy and security incident or breach, for the period in which HHS conducts an investigation and the incident or breach is remedied.

Additionally, we are not finalizing § 155.220(d)(4) and are amending § 155.220(f) to require agents and brokers to also notify consumers that they plan to terminate their agreement with an FFE. We revised § 155.220(f) and (g) to refer to the agreements that the FFE will enter into with agents and brokers pursuant to 155.260(b), and are making a technical correction to correct a typographical error in § 155.220(h)(3).

c. Electronic Information Exchange With Covered Entities (§ 155.270)

Section 155.270 of 45 CFR directs Exchanges that perform electronic transactions with a HIPAA-covered entity to use standards, implementation specifications, operating rules, and code sets adopted by the Secretary in 45 CFR parts 160 and 162. When 45 CFR 155.270 was finalized in its current form, HHS believed that the HIPAA standard transactions, adopted pursuant to 45 CFR Parts 160 and 162, were the most appropriate standards for transmitting information electronically between Exchanges and issuers. Since then, the Accredited Standards Committee X12,[7] which governs the electronic transactions addressed in 45 CFR 160 and 162, has determined that the currently approved transaction used to communicate payment-related information, the HIPAA ASC X12 005010X218, will not provide the program-level payment information necessary for the risk adjustment, reinsurance, and risk corridors programs, and therefore does not meet the business requirements of the Affordable Care Act programs. As a result, HHS has worked with the Accredited Standards Committee X12 to develop and finalize the ASC X12 005010X306, referred to as the ''HIX 820.'' The HIX 820 meets the same HIPAA technical requirements as the currently approved ASC X12 005010X218, but it is a new implementation of the transaction, so it has not yet been adopted by the Secretary pursuant to 45 CFR parts 160 and 162. We believe that the HIX 820 is another appropriate method for transmitting payment-related information between the Exchange and a covered entity. We note that the HIX 820 is the only method that provides the program-level payment information necessary for the risk adjustment, reinsurance, and risk corridors programs. HHS intends to use the HIX 820 for those reasons. To provide for flexibility should similar situations arise in the future, we proposed to amend § 155.270 to specify that to the extent that an Exchange performs electronic transactions with a HIPAA-covered entity, an Exchange must use standards, implementation specifications, operating rules, and code sets that are adopted by the Secretary pursuant to 45 CFR parts 160 and 162 or that are otherwise approved by HHS. We further proposed to approve the HIX 820 transaction for transmitting payment-related information between the Exchange and a HIPAA-covered entity. We note that the choice of transaction protocol does not implicate privacy or security concerns.

After considering the comments below, we are finalizing the amendment to this provision as proposed. We are also finalizing in the preamble approval of the HIX 820 transaction, and we are identifying the NACHA CCD with Addenda Record (CCD+) as the HIPAA standard for healthcare electronic funds transfer when a HIX 820 transaction is transmitted between an Exchange and a covered entity.

Comment: One commenter asked HHS to require all Exchanges to use the HIX 820 transaction as a condition of participation with the Federal data services hub because a uniform standard would streamline data processes for multi-State issuers.

Response: HHS will not require Exchanges to use the HIX 820 transaction. Many State Exchanges are deploying systems using the currently

[7] The Accredited Standards Committee is chartered by the American National Standards Institute. See, *http://www.x12.org/*.

approved HIPAA ASC X12 005010X218 standard, and we do not wish to require States to rework existing implementations.

Comment: Several commenters asked that HHS commit to working through existing standards organizations and attempt to leverage existing standards, or those derived from existing standards, for approving electronic transactions. Those commenters asked HHS to engage the affected stakeholders or trading partners in a formalized advisory process to develop an appropriate proprietary transaction standard with the goal of minimizing trading partner system disruptions or burdens.

Response: In the future, we anticipate consulting with stakeholders and standards bodies prior to approving a new electronic transaction, as we did with the HIX 820 and as we do now with the NACHA CDD with Addenda Record (CCD+).

Comment: One commenter requested that Exchanges that have adopted their own transaction standards be permitted to use those standards given the limited time period to implement Federal standards.

Response: In adopting the HIX 820, we are providing Exchanges with the flexibility to use a transaction format developed with the Affordable Care Act provisions in mind. However, in the interests of standardization, we are not permitting States additional flexibility, in order to simplify issuers' implementation.

Comment: One commenter recommended that the Secretary clarify in the final rule that the healthcare EFT standard under HIPAA should be used as the electronic funds transfer when an HIX 820 transaction is transmitted between an Exchange and a HIPAA-covered entity. One commenter recommended that the Secretary ''otherwise approve'' the use of the Corporate Trade Exchange (CTX) Automated Clearing House (ACH) standard as an alternative healthcare electronic funds transfer standard for use when an Exchange and a covered entity need to transmit a HIX 820.

Response: We are clarifying that the NACHA CCD with Addenda Record (CCD+) is the healthcare electronic funds transfer standard when a HIX 820 transaction is transmitted between an Exchange and a covered entity. We are not approving use of the CTX ACH standard because the CCD+ is the healthcare electronic funds transfer standard adopted pursuant to 45 CFR 162.1602 (77 FR 1556) for the period on and after January 1, 2014.

Summary of Regulatory Changes

At 45 CFR 155.270, we are finalizing this provision related to the use of standards and protocols for electronic transactions as proposed.

d. Oversight and Monitoring of Privacy and Security Requirements (§ 155.280)

In § 155.280, consistent with section 1411(g) and (h) of the Affordable Care Act, we proposed that HHS will monitor any individual or entity who would be subject to the privacy and security requirements as established and implemented by an Exchange under § 155.260. We proposed in § 155.280(a) that HHS will oversee and monitor the FFEs and non-Exchange entities associated with FFEs for compliance with the privacy and security standards established and implemented by the FFEs pursuant to § 155.260 for compliance with those standards. We proposed that HHS will monitor State Exchanges for compliance with the privacy and security standards established and implemented by the State Exchanges pursuant to § 155.260. In addition, we proposed that State Exchanges will oversee and monitor non-Exchange entities associated with the State Exchange for compliance with the standards implemented by the State Exchange pursuant to § 155.260.

In § 155.280(b), we proposed the oversight activities that HHS may conduct in order to ensure adherence to the privacy and security requirements in § 155.260. These may include, but are not limited to, audits, investigations, inspections and any reasonable activities necessary for appropriate oversight of compliance with the Exchange privacy and security standards as permitted under sections 1313(a)(2) and (a)(3) of the Affordable Care Act.

In § 155.280(c)(1)(i) and (ii), we proposed definitions for the terms ''incident'' and ''breach'' as they apply to the privacy and security of PII in the Exchanges. In § 155.280(c)(2) we proposed that in the event of an incident or breach, the entity where the incident or breach occurs would be responsible for reporting and managing it according to the entity's documented incident handling or breach notification procedures.

In § 155.280(c)(3), we proposed that FFEs, non-Exchange entities associated with FFEs, and State Exchanges must report all privacy and security incidents and breaches to HHS within one hour of discovering the incident or breach. We also proposed that a non-Exchange entity associated with a State Exchange must report all privacy and security incidents and breaches to the State Exchange with which they are associated.

Comment: We received comments expressing concern about the requirements of § 155.280 that would apply to entities that are already required to be HIPAA-compliant. Commenters noted that there are existing State-based insurance regulations as well as existing Federal laws that apply to the various types of the non-Exchange entities that will be associated with FFEs. These commenters were concerned that HHS was proposing to implement an additional regulatory regime with largely the same goals as HIPAA and other laws and regulations, which would be overly burdensome. Commenters suggested relying on compliance with existing HIPAA regulations and standards, or accountability under State-based insurance regulation, to provide adequate oversight and monitoring to ensure compliance.

Response: Section 155.260 was implemented to create a uniform set of privacy and security principles that would apply to Exchanges and non-Exchange entities. Section 155.280 permits Exchanges to conduct oversight to ensure compliance with the standards established pursuant to § 155.260. We believe that a single comprehensive framework is needed for oversight and monitoring of all Exchanges and non-Exchange entities for compliance with the standards established pursuant to § 155.260. Section 155.280 is necessary because not all entities that are subject to § 155.260 and § 155.280 are currently covered under another single set of oversight regulations, such as HIPAA or State insurance regulations.

HIPAA does not provide comprehensive safeguards because the privacy, security, and breach notification rules issued under HIPAA will not apply to all actors who are subject to §§ 155.260 and 155.280, or to all information that will be protected under those provisions. HIPAA requirements apply only to covered entities (defined under HIPAA as certain health care providers, health plans, health care clearinghouses, 45 CFR 160.103) and their business associates (defined under HIPAA generally as a person or entity who performs functions or activities on behalf of, or certain services for, a covered entity that involve the use or disclosure of protected health information (45 CFR 160.103). The HIPAA Omnibus Final Rule (78 FR 5566, January 25, 2013) added to the definition of ''business associate'', a

subcontractor that creates, receives, maintains or transmits protected health information on behalf of a business associate).

Similarly, State insurance regulations will not provide comprehensive safeguards because they do not apply to all entities subject to §§ 155.260 and 155.280. State insurance regulations will vary from State to State and will often apply to agents, brokers, QHP issuers, and issuers of health plans.

We recognize that Exchanges and non-Exchange entities may be subject to other regulations and oversight frameworks that are similar to the framework outlined in §§ 155.260 and 155.280. However, we believe that §§ 155.260 and 155.280 are necessary to safeguard the information that section 155.260 was implemented to protect. We intend to implement § 155.280 without significantly increasing the burden on already regulated entities.

Comment: Several commenters requested clarification on the definition of ''non-Exchange entities.'' One commenter was concerned that the definition for a non-Exchange entity was too broad. Another commenter requested that since QHP issuers are HIPAA covered entities and comply with HIPAA standards, they should not be included in the definition of non-Exchange entities under § 155.260(b).

Response: We intend to further clarify the scope of applicability of § 155.260(b) in future rulemaking.

Comment: Commenters raised points regarding the definitions for incident and breach established within proposed §§ 155.280(c)(1)(i) and 155.280(c)(1)(ii). The majority of comments noted that these definitions were different from what has been established for HIPAA, and raised concerns that this difference created the potential for conflicting standards. Additionally, there were comments regarding the breadth of the definitions and the types of events that would fall under each of the definitions, which generated a concern about administrative burden.

Response: The definitions for incident and breach that we proposed to codify in this regulation have been included in the computer matching, information exchange and other data sharing agreements, as authorized under sections 1413(c) and 1413(d) of the Affordable Care Act. CMS has executed these agreements with other Federal agencies (Internal Revenue Service, Social Security Administration, Department of Homeland Security, Department of Defense and Veterans Health Administration, Office of Personnel Management, and Peace Corps), administering entities and State agencies (State Exchanges, Medicaid and CHIP agencies), and non-Exchange entities. In addition, the requirements regarding incident and breach management proposed in § 155.280(c)(2) are also included in the various data sharing agreements enumerated above. In these agreements, the definition for ''breach'' is taken from OMB's Memorandum on Safeguarding Against and Responding to the Breach of Personally Identifiable Information, dated May 22, 2007 (OMB M–07–16), which provides guidance to Federal agencies for safeguarding against and responding to the breach of PII. The definition for ''incident'' is set forth by the Federal emergency response center, United States Computer Emergency Readiness Team (US–CERT), and is derived from the definition of incident in the National Institute of Standards and Technology Special Publication 800–61, Revision 2, dated August 2012. US–CERT is used as the source of the definition, because the Federal Information Security Management Act of 2002 (Pub. L. 107–347) requires Federal agencies to report incidents involving PII to US–CERT. We recognize that these definitions are based on Federal laws, regulations and guidance that typically do not extend to States. However, the information that State exchanges, State agencies, and non-Exchange entities will receive pursuant to their agreements with CMS is derived from Federal sources and requires safeguarding that complies with Federal standards. CMS acknowledges the volume of reports that is anticipated will be generated by these definitions and will continue to evaluate and analyze the definitions as the program evolves. Therefore, because uniform definitions for incident and breach and the requirements for incident or breach management have been included in all the data sharing agreements required under the Affordable Care Act, we are not finalizing the definitions for incident and breach nor the requirements for incident or breach management that we had proposed in § 155.280(c)(1)(i), § 155.280(c)(1)(ii), and § 155.280(c)(2).

Comment: We received many comments supporting the proposed regulation and requesting additional rulemaking to either increase transparency for the public at large, or further protect the PII of individuals applying for eligibility determinations and enrolling in insurance affordability programs as various individuals or entities (such as agents, brokers, Navigators, etc.) who provide assistance come into contact with the individual's information. To further increase transparency for the public, several commenters requested that CMS require the privacy and security practices established by either an FFE or State Exchange, which implement the requirements of § 155.260, be made publicly available. One commenter recommended that the final rule should state explicitly that there is an incident handling protocol for the FFEs. There was also a request that § 155.280 ensure that consumers are informed when a security breach occurs that may affect them and their PII. Additionally, one commenter requested that annual summary reports be made public regarding the results of the audit and investigatory activities defined under § 155.280(b).

Response: With respect to requiring Exchanges to make privacy and security standards publicly available, CMS intends to publish the FFE privacy and security standards and encourages State Exchanges to publish their standards in an effort to increase transparency. In response to the comment requesting that the FFEs have an incident handling protocol, we note that the FFEs, as part of a CMS-run program, will follow the CMS incident handling protocol. Non-Exchange entities subject to the FFE privacy and security standards will be required through agreement with CMS to implement incident handling and breach notification procedures that are consistent with CMS' incident handling and breach notification procedures and will be required to memorialize them in the non-Exchange entity's own written policies and procedures.

In response to the comment requesting that annual summary reports be made public, we anticipate future rulemaking related to oversight and monitoring of privacy and security as it relates to both Exchanges and non-Exchange entities, and will consider this comment at that time. Finally, in response to the comment requesting consumer notification when a security breach occurs, we note that the FFEs' incident handling procedures will require CMS to determine whether a risk of harm exists and if individuals need to be notified. State Exchanges would be expected to follow the breach notification laws for the State in which they operate.

Comment: Many commenters were concerned that the requirement in proposed § 155.280(c)(3) that all privacy and security incidents and breaches be reported to HHS within one hour of discovering the breach or incident was not practical or workable in the Exchange environment. Concerns were raised regarding the volume of the

reports the requirement would generate and whether over-reporting would undermine the ability to present a thoughtful, comprehensive plan of action and result in an overall lowering of the security visibility of the system.

The commenters suggested a range of recommended alternatives to allow more flexibility in what was reported. Additional suggestions for alternatives from commenters included aligning the proposal with a variety of other Federal standards for reporting incidents such as the IRS standards, the Medicare two day standard, or HIPAA, which allows up to 60 days to publicly report an incident.

A number of State Exchanges asked for clarification on what the reporting requirement meant in terms of their obligation to require adherence from the non-Exchange entities associated with their State Exchange. State Exchanges suggested that requirements for States should be set as part of the framework of the system security template developed by HHS.

Response: Similar to our response to the comments regarding the definitions of incident and breach above, we note that the timeline for reporting privacy and security incidents and breaches that we proposed to codify in this regulation has also been included in the computer matching, information exchange and other data sharing agreements, as authorized under sections 1413(c) and 1413(d) of the Affordable Care Act. In addition, legal agreements executed pursuant to § 155.260(b) between CMS and non-Exchange entities required to comply with the privacy and security standards established and implemented by an FFE pursuant to § 155.260 include the one hour timeframe for reporting all privacy and security incidents and breaches. Because the one hour incident response timeline has been included in all the data sharing agreements required under the Affordable Care Act, we have deleted the timing for incident reporting from regulation, proposed in § 155.280(c)(3), and expect it to be addressed through separate agreement.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.280 of the proposed rule regarding oversight and monitoring of privacy and security requirements with the following modifications: To improve the precision of the language used, we are removing references to ''non-Exchange entities associated with the Federally-facilitated Exchanges'' in § 155.280(a) and are instead referring to these entities as ''non-Exchange entities required to comply with the privacy and security standards established and implemented by a Federally-facilitated Exchange pursuant to § 155.260.'' Because these standards are included in other legal documents, we are not finalizing §§ 155.280(c)(1)(i) and 155.280(c)(1)(ii), which would have defined the terms incident and breach; § 155.280(c)(2) which would have required an entity where an incident or breach occurs to manage the incident or breach in accordance with the entity's documented incident handling and breach notification procedures; and § 155.280(c)(3), which would have required that incidents and breaches be reported within one hour of discovery.

4. Subpart D—Exchange Functions in the Individual Market: Eligibility Determinations for Exchange Participation and Insurance Affordability Programs

a. Eligibility Process (§ 155.310)

In § 155.310(k), we proposed a standardized process for handling applications that are submitted without information that is necessary for determining eligibility. We noted that we intended to work with States to implement these procedures and in 2014 to accommodate States with processes established for handling incomplete applications that did not match the process described in these regulations.

Specifically, we proposed that if an application filer does not provide sufficient information on an application for the Exchange to conduct an eligibility determination for enrollment in a QHP through the Exchange, or for insurance affordability programs (if the application includes a request for an eligibility determination for insurance affordability programs), the Exchange would provide notice through the eligibility determination notice described in 45 CFR 155.310(g). The notice would indicate that information necessary to complete an eligibility determination is missing, specify the missing information, and include instructions on how to provide the missing information.

We proposed that the Exchange would provide the applicant with a period of no less than 15 days and no more than 90 days from the date this notice is sent to the applicant to provide the necessary information. Further, we proposed that during this period, the Exchange will not proceed with the applicant's eligibility determination or provide eligibility for enrollment in a QHP through the Exchange, advance payments of the premium tax credit, or cost-sharing reductions, unless an application filer has provided sufficient information to determine his or her eligibility for enrollment in a QHP through the Exchange, in which case the Exchange must make a determination for enrollment in a QHP through the Exchange.

We sought comment on this proposal, including whether Exchange flexibility is appropriate; whether 15 days and 90 days are appropriate lower and upper limits; and whether additional language was needed to ensure coordination between the Exchange, Medicaid, and CHIP.

Comment: Commenters were generally supportive of the flexibility offered regarding the timeline for handling incomplete applications through the Exchange. Some commenters suggested 15 days was too short of a timeframe and recommended a minimum initial timeframe of no less than 30 days to account for applicants who may need to turn to a third party for additional information or assistance. Some commenters suggested allowing the Exchange to proceed with the applicant's eligibility determination even if there is missing information in the application. One commenter suggested a timeframe of 30 to 45 days with the ability for individuals to request additional time for good cause. Another commenter recommended aligning the timeframe for incomplete applications with the 90 day inconsistency period. One commenter requested flexibility to use a shorter time period of 10 days to align with their current Medicaid program's response deadline.

Response: We agree with commenters in support of maintaining flexibility in the timeframe for resolving incomplete applications. We also acknowledge that States may want to maintain a consistent timeframe across the Exchange and Medicaid and as such, we modify § 155.310(k) to set a lower limit of 10 days, rather than 15 days, to resolve an incomplete application in order to allow for this consistency. As indicated in the proposed rule, we intend to work with States to implement these procedures and in 2014 to accommodate States with processes established for handling incomplete applications that do not match the process described in these regulations.

Comment: Several commenters suggested the date the incomplete application is received should be considered a protected filing date for enrollment, or create a special enrollment period such that individuals who submit an incomplete application during open enrollment and receive a final determination after open

enrollment ends could still select a plan and enroll in coverage.

Some commenters raised concern that some employers may refuse to provide information to their employees or may significantly delay providing the necessary information to their employees, which could result in the employees having difficulty submitting complete applications, resulting in such individuals not being able to access advance payments of the premium tax credit or cost-sharing reductions, or to access them in a timely fashion.

Commenters also suggested the transition relief provided to employers in 2014 with respect to the employer reporting and shared responsibility provisions under the Code may constrain the ability of employees to obtain information on employer-sponsored coverage needed to submit a complete application for insurance affordability programs.

Response: We appreciate the suggestions from commenters regarding the date on which an incomplete application is received as a protected filing date and the suggestion to create a special enrollment period, for the purposes of plan selection outside the open enrollment period. We note that Exchanges retain authority to provide a special enrollment period to individuals who experience exceptional circumstances on a case-by-case basis as provided in 45 CFR 155.420(d)(9). We also note that the application date is used to establish the effective date of coverage in Medicaid, and this provision does not otherwise modify existing Medicaid rules regarding the relationship between the application filing date and the effective date of coverage.

We continue to work closely with the Department of Labor to help educate employers about making information regarding employer-sponsored coverage they offer available to employees for the purpose of submitting an application for insurance affordability programs in a timely fashion. As part of the Administration's efforts to streamline employer efforts to educate their workforce and meet the requirements under section 18B of the Fair Labor Standards Act, as added by section 1512 of the Affordable Care Act, on May 8, 2013, the Department of Labor released a model notice to help employers inform their employees of coverage options, which can be found at *http://www.dol.gov/ebsa/pdf/FLSAwithplans.pdf.* Employers have the option of combining the employer coverage tool with the section 18B notice.

Comment: One commenter supported the provision that requires the Exchange to determine eligibility for enrollment in a QHP through the Exchange if enough information is included in the application to do so. Another commenter raised concern that QHP eligibility without advance payments of the premium tax credit or cost-sharing reductions may be confusing for some individuals. Another commenter suggested that some applicants may not want to be responsible for full premiums while they are working to obtain the information needed to obtain an eligibility determination for advance payments of the premium tax credit. Another commenter suggested that enrollment in a QHP through the Exchange during the timeframe for incomplete applications should be optional.

Response: It is important to have clear messages so individuals are informed of their financial responsibilities at the time of plan selection. The Exchange will provide actual premium information to consumers as part of the plan compare and select process, and consumers will be provided with this information again as a part of the premium payment process. While we believe it is important to provide individuals with the opportunity to enroll in a QHP through the Exchange if they are otherwise eligible, we acknowledge that some individuals may not want to purchase an unsubsidized QHP and we clarify that enrollment in a QHP is always optional and only occurs based on a consumer's choice, including when an application does not contain the information needed to make an eligibility determination for insurance affordability programs.

Comment: One commenter suggested that in addition to the notice the Exchange sends to individuals who have an incomplete application, the Exchange be required to make a follow-up phone call to the application filer to attempt to complete the application. Another commenter suggested additional standards for handling incomplete applications, including that notices should include language that informs individuals that the Exchange will assist them in completing the application. The commenter suggested notices to applicants be provided in multiple languages and forms.

Response: Follow-up by the Exchange could be helpful for consumers, although we believe that the Exchange should have flexibility to develop and implement the procedures that are most effective and efficient. Accordingly, we do not require an Exchange to take steps beyond what was proposed. However, we encourage Exchanges to explore the most effective and efficient approaches to reducing the number of incomplete applications and facilitating completion of incomplete applications, and share those best practices with other Exchanges. Additionally, we clarify that the notice described in § 155.310(k) will follow the general standards for notices set forth in 45 CFR 155.230, including accessibility requirements.

Comment: One commenter recommended more clearly delineated, objective standards for determining whether or not an application is complete.

Response: We note that an application is considered incomplete if information necessary for conducting an eligibility determination for enrollment in a QHP or for insurance affordability programs (if requested) is missing, and that these eligibility standards are described in subpart D of this part. We intend to provide instructions to inform individuals of the required and optional fields on the application, including ''help text'' on the dynamic online application, and believe these tools will help reduce the number of incomplete applications submitted to the Exchange.

Comment: One commenter recommended that advance payments of the premium tax credit be applied prospectively from the date of eligibility for advance payments of the premium tax credit and not retroactive to eligibility determination for enrollment in a QHP through the Exchange.

Response: We clarify that if an individual completes an application and requests an eligibility determination for insurance affordability programs, the effective date for advance payments of the premium tax credit is not retroactive, but follows the effective date policy outlined in 45 CFR 155.330(f).

Summary of Regulatory Changes

We are finalizing the provisions in § 155.310(k) as proposed with one minor modification. We modified paragraph (k)(2) to specify that the Exchange must provide the applicant with a period of no less than 10 days from the date on which the notice is sent to the applicant to provide the information needed to complete the application to the Exchange.

b. Verification of Eligibility for Minimum Essential Coverage Other Than Through an Eligible Employer-Sponsored Plan (§ 155.320)

As finalized in the Exchange Establishment Rule, § 155.320(b) specifies standards related to the verification of eligibility for minimum

essential coverage other than through an eligible employer-sponsored plan. We proposed to redesignate paragraph (b)(1) as (b)(1)(i) and (b)(2) as (b)(1)(ii) to consolidate the standards for Exchange responsibilities in connection with verification of eligibility for minimum essential coverage other than through an eligible employer-sponsored plan. In paragraph (b)(1)(i), we also proposed to add the phrase ''for verification purposes'' to the end of existing text. We clarified that the Exchange would submit specific identifying information to HHS to compare applicant information with information from the Federal and State agencies or programs that provide information regarding eligibility for and enrollment in minimum essential coverage, including but not limited to the Veterans Health Administration, TRICARE, and Medicare.

We noted that HHS will work with the appropriate Federal and State agencies to complete the appropriate computer matching agreements, data use agreements, and information exchange agreements which will comply with all appropriate Federal privacy and security laws and regulations. The information obtained from Federal and State agencies will be used and re-disclosed by HHS as part of the eligibility determination and information verification process set forth in subpart D of part 155.

We noted that in connection with the proposal to redesignate paragraph (b)(2) to paragraph (b)(1)(ii), we did not propose any change to the text of the provision as previously finalized. Consistent with the authorizations for the disclosure of certain information under 42 CFR 435.945(c) and § 457.300(c), the proposed regulation provided for an Exchange to verify whether an applicant has already been determined eligible for coverage through Medicaid, CHIP, or the Basic Health Program, if applicable, using information obtained from the agencies administering such programs.

Finally, we proposed to add paragraph (b)(2) to be consistent with 45 CFR 164.512(k)(6)(i) and 45 CFR 155.270. We sought comment on this proposal.

Comment: One commenter expressed support for the verification process outlined in § 155.320(b). Another commenter raised concern that HHS has not described how verification information described in § 155.320(b) will flow between the Exchange and QHPs and requested clarification that the Exchange will be responsible for reporting errors related to eligibility for minimum essential coverage and assuming any relevant financial liability that results from such an error.

Response: The verification approach outlined in § 155.320(b) does not provide for an information flow between the Exchange and QHPs. As stated in previous final rulemaking and also in the proposed rule, the Exchange would submit specific identifying information to HHS, HHS would return information from the Federal and State agencies or programs that provide eligibility and enrollment information regarding minimum essential coverage to the Exchange, and the Exchange would use this information to complete the verification as part of the application process.

Summary of Regulatory Changes

We modify language in paragraph (b)(2) to clarify that the disclosure of information regarding eligibility and enrollment in a health plan is expressly authorized, for the purposes of verification of applicant eligibility for minimum essential coverage, as part of the eligibility determination process for advance payments of the premium tax credit or cost-sharing reductions. We note that this provision does not enable the disclosure by entities described in 45 CFR 164.512(k)(6)(i) of clinical or other health records to the Exchange, as this information is not used in eligibility determinations for enrollment in a QHP through the Exchange or for insurance affordability programs.

c. Coordination With Medicaid, CHIP, the Basic Health Program, and the Pre-Existing Condition Insurance Plan (§ 155.345)

As finalized in the Exchange Eligibility and Enrollment Rule,[8] § 155.345 specifies standards for coordination across insurance affordability programs. After adding a new paragraph (h) regarding the Exchange's adherence to a State decision regarding Medicaid and CHIP, we noted in the amendatory text that we re-designated previous paragraphs (h) and (i) as new paragraphs (i) and (j), but made a drafting error in failing to include these re-designated paragraphs as part of the revised regulation text. As such, we make a technical correction to include new paragraphs (i) and (j) as part of the regulation text. Furthermore, we make a technical correction in paragraph (i)(1) to change the cross-reference to § 155.320(b)(1)(ii) in order to align with the redesignation of § 155.320(b)(2) finalized in this regulation.

Summary of Regulatory Changes

We make a technical correction in § 155.345 to clarify that paragraphs (i) and (j) are included as part of the regulation text, and make a technical correction in paragraph (i)(1) to change the cross-reference to § 155.320(b)(1)(ii) to align with the redesgination within § 155.320(b).

5. Subpart E—Exchange Functions in the Individual Market: Enrollment in Qualified Health Plans

a. Allowing Issuer Customer Service Representatives To Assist With Eligibility Applications (§ 155.415)

We proposed to add § 155.415 that would, at the Exchange's option and to the extent permitted by State law, permit issuer customer service representatives who do not meet the definition of agent or broker in § 155.20 to assist qualified individuals in the individual market with: (a) applying for an eligibility determination or redetermination for coverage through the Exchange; (b) applying for insurance affordability programs; and (c) facilitating the selection of a QHP offered by the issuer represented by the customer service representative, provided that such issuer customer service representatives meet the proposed requirements set forth in § 156.1230(a)(2).

We received the following comments concerning the proposed issuer customer service representatives provisions. As stated earlier in this preamble, for purposes of clarity, we will refer to ''issuer customer service representatives'' as ''issuer application assisters'' for the rest if this section.

Comment: One commenter expressed concern regarding excluding agents and brokers from acting as issuer application assisters. The commenter indicated that certain States require an issuer application assister that assists in enrollment in a health plan to be a licensed agent under State law. We received another comment recommending that we continue to ensure that individuals involved with assisting applicants and enrollees comply with any existing State laws related to enrollment assistance. Another commenter recommended making application assisters a requirement for Exchanges. Lastly, we received a comment seeking to clarify issuer application assisters' rule in post-enrollment activities.

Response: We introduced the term ''issuer customer service representative''

[8] Medicaid and Children's Health Insurance Programs: Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes, and Premiums and Cost Sharing; Exchanges: Eligibility and Enrollment, 78 FR 42160 (July 15, 2013).

to allow individuals who are not licensed as agents or brokers, but employed or contracted by an issuer to assist applicants and enrollees with the application and enrollment process. Agents and brokers may also work for issuers, as many do today, but they must follow the standards set forth in § 155.220. We note that, in some States, a license may be required to assist an applicant for applying for an eligibility determination or redetermination. We continue to defer to existing State laws related to enrollment assistance when deciding which individuals may assist applicants and enrollees. If State law requires a license to enroll applicants in coverage, then issuers would need to follow State law for licensure of application assisters.

We note that there are certain functions that issuers currently have their staff perform, such as answering general information about plans, and we intend to allow those individuals to continue to perform those functions without meeting additional standards. Rather, if the issuer wants those individuals to perform additional functions outlined in this section, such as helping consumers as they apply for an eligibility determination, seek a redetermination for coverage through the Exchange, and apply for insurance affordability programs, those individuals will be considered issuer application assisters and be subject to the standards in section 156.1230(a)(2). Accordingly, we are not finalizing the language indicating that facilitating selection of a QHP would be a function of an issuer application assister. Rather, we are clarifying that it would be a typical function of issuer staff. Issuer staff would be able to perform post-eligibility functions such as plan compare and selection, if permitted by State law. However, the issuer staff would not be allowed to help QHP enrollees with reporting changes to an Exchange or be able to support them in the redetermination process. Those are functions of the issuer application assister, agent, broker, or other qualified assister.

Comment: Several commenters stated it is essential that issuer application assisters who assist applicants and enrollees with applications and enrollment in QHPs do so without imposing discriminatory barriers to coverage. Accordingly, they have suggested adding nondiscrimination standards for issuer application assisters.

Response: We note that § 156.200(e) prohibits a QHP issuer, which includes issuer application assisters, from discriminating against an applicant. For this reason, we are not adding additional language on nondiscrimination standards.

Comment: We received a comment seeking that the Exchange enforce parameters to ensure that information being provided by issuer application assisters is accurate. We also received several comments that issuers should be held responsible for any misconduct by their application assisters assisting applicants and enrollees with enrollment in addition to strengthening conflict of interest standards.

Response: We plan to consider over time, based on experience with this function, whether more specific standards are needed in these regulations. Additionally, § 156.1230(a)(2)(iii) of the final rule clarifies that issuer application assisters must comply with applicable State and Federal laws regarding conflicts of interest. We also note that the issuer should be monitoring its application assisters and that we believe the State DOI would act as the primary oversight source.

Comment: One commenter expressed concern that an increase in issuer involvement would lead to a decrease in consumer protections. The commenter believed that issuer application assisters should only have access to consumer information needed to enroll a consumer in a QHP. A commenter expressed concern that application assisters could use PII obtained during intake to steer consumers to QHPs offered by other issuers. Another commenter wanted to clarify that issuer application assisters' compliance with FFE privacy and security requirements applies only to their FFE assistance activities. Additionally, commenters wanted clarity on whether information given to issuers during the application process could be stored in an issuer's database system. If so, commenters asked us to clarify whether that would be considered HIPAA PHI and those issuers would not be expected to create and maintain separate, FFE-established privacy and security policies and procedures for such data.

Response: In the final rule at § 156.1230(a)(2), we attempt to reduce administrative burden imposed by the proposed requirement for issuer application assisters to comply with the terms of an agreement between the issuer and the Exchange. We clarify that issuers need to ensure its application assisters follow the standards outlined in the proposed rule, but this would not be done through an agreement. The agreement in the proposed rule was not a privacy agreement and removing this agreement in no way weakens previously established agreements on standards for privacy and security for individuals accessing others PII. Issuers and their application assisters will still be subject to Exchange privacy and security standards, as well as all other applicable laws and regulations protecting consumer information, which may include, but is not limited to the HIPAA Privacy and Security Rules, as applicable. Issuers and their application assisters may only use Exchange application information for the purposes of, and to the extent necessary in, ensuring the efficient operation of the Exchange, including verifying the eligibility of an individual to enroll through an Exchange or to claim a premium tax credit or cost-sharing reduction or the amount of the credit or reduction; and may not disclose the information to any other person except as provided by applicable law or regulation in connection with those purposes.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.415 of the proposed rule, with a few modifications. For purposes of clarity, in finalizing this policy, we will use the term ''issuer application assisters'' in place of ''issuer customer service representatives'' to more clearly articulate the role of such individuals and, for consistency, will refer to the definition of ''issuer application assisters'' being finalized at § 155.20. Accordingly, we are not finalizing the language indicating that facilitating selection of a QHP would be a function of issuer application assisters.

6. Subpart F—Appeals of Eligibility Determinations for Exchange Participation and Insurance Affordability Programs

This subpart was proposed to provide standards for eligibility appeals, including appeals of individual eligibility determinations and employer determinations as required by section 1411(f) of the Affordable Care Act, which makes clear that the Secretary will provide for an appeals process. We proposed to provide Exchanges with options for coordinated appeals to align with the options for eligibility determinations. In addition, we proposed standards for appeal requests, eligibility pending appeal, dismissals, informal resolution and hearing requirements, expedited appeals, appeal decisions, the appeal record, and corresponding provisions for employer appeals.

Comment: We received many comments in support of subpart F and

the proposed eligibility appeals process and standards. Many commenters encouraged a streamlined, transparent, consumer-centric appeals process. In addition, we received comments in support of the proposed coordination measures with Medicaid and CHIP agencies and the due process protections afforded to appellants. Many comments reflected approval of the shared requirements between Exchange and Medicaid appeals, which commenters anticipate will ease the implementation of Exchange appeals and create efficiencies by having matching standards.

Response: We provided a flexible, consumer-friendly process that limits the burden on consumers and Exchanges. We have also worked to develop a process that largely parallels the Medicaid fair hearing process and standards, including the requirements to provide notice of appeals procedures, access to the record, and robust due process and hearing rights. In the final rule, we generally maintain this approach while also adding additional flexibilities for Exchanges as they implement the eligibility appeals process.

Comment: A few commenters, many representing States establishing Exchanges, encouraged HHS to provide additional flexibilities for implementation timelines in order to allow Exchanges time to establish and implement the appeals provisions. For example, one comment recommended a January 1, 2015 effective date to allow Exchanges, including the Federally-facilitated Exchange, more time to complete systems builds and update existing appeals processes to meet the standards proposed in the January 22, 2013 proposed rule. Another commenter noted that the proposed rule will require administrative changes including Medicaid State-plan amendments, State regulation changes, and significant system changes to support the new flow of electronic information between the Exchange and Medicaid. Commenters noted that it would be advantageous to have a longer period of time to ramp-up to meet the appeal requirements.

Response: We have evaluated the provisions of the January 22, 2013 proposed rule, and after consideration of the public comments received, in this final rule we are providing additional flexibility for Exchanges to implement a paper-based appeals process for the first year of operations (October 1, 2013 through December 31, 2014). We understand that many Exchanges have tight timeframes for system development and the paper-based process will allow Exchanges to operate the appeals process as current business requirements allow, while providing a timeline to modernize an appeal program. We have opted for this approach after balancing the interests of both appellants and Exchanges. This approach will assist Exchanges in setting up efficient, effective appeals processes that will positively impact appellants who use these processes; moreover, this flexibility does not abridge the rights of appellants provided in this rule and we do not anticipate that they will be materially adversely affected.

We will continue to work with Exchanges to support their appeals implementation efforts and ensure successful coordination between all relevant entities administering insurance affordability programs and the appeals entities for such programs. We will also continue to provide guidance and technical assistance to Exchanges to promote and facilitate the sharing of experiences and best practices regarding the establishment and implementation of the eligibility appeals process.

Comment: Several commenters desired greater clarity about which provisions apply to State Exchanges and which apply to Federally-facilitated Exchanges or to State Partnership Exchanges, including determination and assessment eligibility models.

Response: Unless specifically indicated in the rule, the standards we are finalizing apply equally to all Exchanges, or, where a requirement is specified to apply to the Exchange appeals entity, to all Exchange appeals entities, including the HHS appeals entity. We have attempted to keep the rules uniform whenever possible to provide a consumer-friendly, efficient process no matter what type of Exchange or appeals process is in place in a given State and to ensure that consumers are protected with a standard set of due process rights.

Comment: Some commenters found the interplay between Medicaid and the Exchange cumbersome and difficult to follow in the proposed rules and requested the process be further simplified.

Response: We developed an appeals process and standards that closely align with Medicaid fair hearing processes in hopes of allowing States to leverage existing appeals processes and simplify implementation. However, alignment was not possible in all cases due to different statutory requirements and operational considerations. In those instances, we attempted to provide standards that balanced consumer protections and process efficiencies. In developing the final rule, we have worked with the Center for Medicaid and CHIP Services (CMCS) to align or provide State flexibility where appropriate. We encourage States to provide questions to CMS about the rules and the interaction between Exchange and Medicaid appeals, so that we may provide further guidance, as appropriate.

Comment: Another comment asked that we balance a consumer-friendly approach with a process that does not impose excessive administrative burden on administering agencies.

Response: As noted above, we appreciate the effort and time it takes to build and operationalize a new appeals process. Where possible, our rules are aligned with existing Medicaid fair hearing standards to provide Exchange appeals entities and consumers a consistent, efficient process. In addition, we understand that many States will leverage existing appeals processes to provide Exchange appeals to limit the administrative burden and streamline processes as they implement Exchange appeals processes. Finally, we reiterate that Exchange appeals entities will be provided flexibility in the first year to provide a paper-based appeals process in order to complete system builds and incorporate modern technology.

Comment: A few comments recommended that the appeals standards be specifically aligned with the due process protections set forth in *Goldberg* v. *Kelly*.[9] Commenters highlighted that *Goldberg's* due process protections are extended to Medicaid beneficiaries and that, because of the close alignment and interplay between the Exchange and Medicaid programs, Exchange appeals should adopt the same standards.

Response: As in the proposed rule, we have aligned the majority of our Exchange appeals provisions with existing or new Medicaid standards. Although we do not specifically cite to the *Goldberg* due process standards, the final rules provide comprehensive due process protections for appellants in the tradition of Medicaid fair hearings and *Goldberg.* We have closely analyzed specific comments submitted on the proposed due process standards and we have carefully designed these provisions to provide sufficient due process protections for appellants throughout the process.

Comment: We received general comments recommending that we ensure that all notices and appeals processes comply with the applicable

[9] *Goldberg* v. *Kelly,* 397 U.S. 254 (1970).

non-discrimination laws, including section 1557 of the Affordable Care Act.

Response: We note that the all Exchange processes, including the eligibility appeals processes, are required to comply with applicable non-discrimination laws, including section 1557 of the Affordable Care Act as specified in § 155.120(c).

Comment: A few commenters sought additional guidance on topics that were not covered in the proposed rule. For example, one sought guidance on appealing benefit and service coverage, including recourse to a Federal appeals process where appropriate. Another comment requested strong oversight and monitoring of the appeals process. Finally, another commenter requested training standards on appeals topics for consumer assistance entities.

Response: These comments are outside the scope of this final rule and, therefore, we decline to address them here.

Comment: One commenter expressed general concern over the proposed rule, related to the provisions requiring coordination between two separate programs, Medicaid and the Exchange, which are operated by two separate agencies. The commenter noted instances where the Exchange appeals rules appear to differ from what is allowed for Medicaid, including the reasons an appeal can be dismissed and the time to vacate a dismissal, and differences in certain timeframes. The commenter suggested that after a consumer completes the first level of the appeals process, the Medicaid and Exchange appeals process will diverge, regardless of the coordination option exercised by the State and that this will cause confusion.

Response: We have addressed coordination of the two processes throughout the appeals provisions in the final rule, including in § 155.510. We also encourage States and consumers to review the Medicaid rules regarding appeals delegation authority at 42 CFR 431.10, 431.205(b), 431.206(d) and (e), 431.240. We note that, depending on the operational configuration of the Exchange, including delegations regarding eligibility and the appeals process as noted above, the Exchange and Medicaid processes may be fully integrated, thereby optimizing the appellant experience. Even upon elevation of an appeal to the HHS appeals entity, Medicaid and Exchange issues may be reviewed together, although State agencies have the option to review the HHS appeals entity's application of Federal and State Medicaid law pursuant to 42 CFR 431.10(c)(3)(iii).

Comment: We received one comment suggesting that calendar days should be changed to working days for deadlines that are less than five days throughout the rule.

Response: The timelines established throughout the rule are set in terms of calendar days. As a result of modifications in this final rule to the proposed expedited appeals process in § 155.540, the rule no longer contains timeline standards of less than five days.

Comment: Several comments, particularly those from the issuer community, encouraged HHS to revisit timelines associated with the appeals process. For example, a few comments suggested that providing 90 days to request an appeal, 90 days to issue a decision, 30 days to elevate a State Exchange appeals entity appeal decision to the HHS appeals entity, and 45 days for Medicaid to render a decision could result in a timeline of over 11 months, if all timeframes are fully exhausted. We were urged to explore alternatives to the proposed timeline that might reduce the length of the process.

Response: We anticipate that very few appeals will fully exhaust all timeframes. Furthermore, we are modifying proposed § 155.520 in this final rule to provide additional flexibility for State Exchanges to adjust the timeframe for accepting appeal requests, such that States may choose to implement a timeframe consistent with the State Medicaid agency's requirement for submitting fair hearing requests, provided that timeframe is no less than 30 days. This State option could help shorten the overall timeframe for an appeal in a State Exchange. We also note that although consumers will have a specific timeframe in which to request an appeal, many will submit appeal requests well before the expiration of the timeframe. In addition, informal resolution processes should assist in resolving appeals quickly, before the 90-day timeframe to issue an appeal decision closes. Finally, many appellants may be satisfied with the appeal decision made by a State Exchange appeals entity and not pursue the appeal with the HHS appeals entity. Therefore, apart from the modification to proposed § 155.520 to provide State flexibility for appeal request timeframes, we have maintained the majority of the other timeframes originally proposed and expect most appeals to be resolved without fully exhausting the maximum possible timeframe.

Comment: One commenter requested that the relationship between the inconsistency period described in subpart D and appeals be described more clearly.

Response: The inconsistency period is an important aspect of the eligibility process offering applicants and enrollees the opportunity to assist in the verification of eligibility information before receiving a final eligibility determination. Applicants and enrollees to whom an inconsistency period applies may only appeal upon the closure of that period when the applicant or enrollee receives a final eligibility determination. However, because the applicant or enrollee provides information directly to the Exchange during the inconsistency period, we anticipate that this process will help alleviate dissatisfaction with the final eligibility determination and, therefore, will reduce the volume of eligibility appeals that would otherwise be made, in the absence of an inconsistency process.

Comment: We received a few general comments regarding notices. Some commenters recommended notices for the appeals process be simple, clearly written, and shared electronically. We also received a comment noting that many applicants and enrollees fail to report address changes, which increases the returned mail rate. The commenter recommended finalizing the rule with the option for States to eliminate paper notices at the consumer's option.

Response: Notices must meet the standards established in § 155.230. We also note that § 155.230(d) specifies that electronic notices must be provided at the individual's option but reiterate that a paper-based process, as discussed above, is acceptable for the first year of operations.

Comment: We received several comments recommending that QHP issuers should be notified as to the status of an appeal at the same time an appeal entity sends a notice to an Exchange or an individual because an issuer will be affected if an enrollee enters the appeals process. For example, the commenter requested that issuers be notified at the time an appeal is acknowledged, dismissed, informally resolved, and when a decision has been made. One comment also specified that issuers should not be required to respond or otherwise acknowledge receipt of the notices, limiting the administrative burden on issuers and the Exchange.

Response: We are finalizing the rule without providing notice to issuers throughout the appeals process. Although we acknowledge that issuers will be affected by various aspects of the appeals process, including whether an appellant qualifies for eligibility while

an appeal is pending and whether an appeal decision provides for retroactive enrollment, the communication mechanisms already established between the Exchange and issuers will be sufficient to accommodate issuers' needs for notification.

Comment: One commenter expressed concern that there was minimal guidance within the proposed rule regarding coordination of modified adjusted gross income (MAGI) appeals with non-MAGI Medicaid appeals. The commenter suggested that HHS should require that appeals information included in MAGI determination notices clearly explain timeframes and processes for appealing MAGI decisions with respect to an individual whose eligibility is concurrently being determined, or who subsequently wishes to have his or her eligibility determined, on the basis of non-MAGI criteria for Medicaid eligibility; determinations on non-MAGI bases should explain the difference between appealing a MAGI versus non-MAGI eligibility decision, and clarify that only a Medicaid agency may hear a non-MAGI appeal.

Response: The Medicaid eligibility contemplated as part of the Exchange appeals process is limited to MAGI-based Medicaid eligibility as described in § 155.302(b). Non-MAGI Medicaid determinations will not be issued by the Exchange and, therefore, communications regarding those determinations will be handled by State Medicaid agencies. Exchange eligibility determination notices that involve eligibility for Medicaid based on MAGI will include information about an individual's option to apply for Medicaid benefits on a non-MAGI basis, including information about eligibility under the medically frail category. We encourage appeals entities to also include this information in appeal decisions, where applicable.

Comment: We received a comment requesting clarification that all Medicaid appeals can be referred to the State for handling according to the State's existing processes, regardless of which entity made the eligibility determination. Similarly, the commenter requested clarification that all appeals related to the determination of eligibility or amounts of advance payments of the premium tax credit or cost-sharing reductions could be handled by HHS. The commenter proposed that the final rule be written in a way that allows States to have this flexibility and the commenter noted that individuals should have the opportunity to appeal a determination with the entity that ''owns'' the program in question.

Response: The rules established in this final rule, in 45 CFR part 155, subpart D, and at 42 CFR 431.10, 431.206(d) and (e), 431.240, 435.907(h) and 457.340(a) provide flexibility for States to delegate authority to the Exchange to determine Medicaid and CHIP eligibility as well as make a separate delegation to the Exchange or HHS to hear eligibility appeals of those determinations. States may choose to delegate eligibility determinations and appeals to the Exchange or HHS, based on an individual State determination. Further, we note in response to the question above, that appeals of the advance payment of the premium tax credit and cost-sharing reductions can be heard by, or escalated to, the HHS appeals entity.

The foregoing reflects general comments we received on the proposed rule or that discuss policies that have broad implications across the proposed appeals rules. Included below is a section by section discussion of the proposed regulations, and any modifications or amendments we are making to those proposed regulations in this final rule.

a. Definitions (§ 155.500)

In § 155.500, we proposed definitions for terms used in subpart F of part 155. Additionally, we proposed to incorporate terms defined in § 155.20 and § 155.300. The terms we proposed to define were ''appeal record,'' ''appeal request,'' ''appeals entity,'' ''appellant,'' ''de novo review,'' ''evidentiary hearing,'' and ''vacate.''

Comment: We received several comments that broadly supported HHS providing definitions for ''appeal record,'' ''appellant,'' ''de novo review,'' and ''evidentiary hearing.'' We similarly received several comments regarding the definition of ''appeal request.'' Most comments indicated approval for the inclusion of both oral and written expressions to indicate a request to have an eligibility determination or redetermination reviewed. However, one commenter requested that the definition of ''appeal request'' be narrowed to only written expressions to request an appeal or include oral expressions only at State option.

Response: Defining these terms will assist Exchanges and consumers in clearly understanding the appeals process and standards laid out in subpart F. The ability to request an appeal orally is a factor that makes appeals more accessible to those who seek them. Many applicants and enrollees may not have easy access to computers to submit an electronic appeal request or otherwise may not be able to submit a written request. In addition, it is an important goal of the appeals process to provide methods for requesting an appeal that mirror the methods required for accepting Exchange applications, which includes both written and telephonic submissions. However, we understand the concern that accepting oral requests for an appeal may be burdensome to Exchange appeals entities that do not already provide this option as a means to appeal other public benefits determinations, and we discuss additional flexibilities related to this requirement for the first year of operations in the discussion of § 155.520 in this final rule. We maintain the definition for ''appeal request'' in the final rule with both oral and written expressions to reflect the variety of possibilities for submitting an appeal request.

Comment: We were asked in several comments to ensure that all actions that can be appealed are included in the definitions for ''appeal request'' and ''appeal entity.'' Commenters were concerned that the proposed definitions were written too narrowly by only referencing specific notices rather than all actions that are appealable. In addition, one commenter recommended we also revisit § 155.355 which, similar to subpart F's definitions, specifically cites notice provisions rather than broadly referring to the actions that are appealable.

Response: In the proposed rule definitions for ''appeal request'' and ''appeals entity,'' we referenced determinations that are appealable by citing to the notices that accompany those appealable final determinations. We drew the connection to the determination notices rather than citing directly to the eligibility determinations in subparts D and G because the notice informs the individual of his or her determination, establishes that the determination is final, and communicates the right to appeal the determination. In addition, the original eligibility appeals provision in § 155.355 similarly referenced the determination notices rather than the determination provisions directly. Thus, we continue to believe that our approach is appropriate, and we are finalizing the definitions as proposed in this regard.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.500 with the following modifications. We modified the definition of ''appeal request'' by

removing ''pursuant to future guidance on section 1311(d)(4)(H) of the Affordable Care Act'' and replaced it with ''§ 155.610(i).'' This change was made to update the reference to exemption determinations following the publication of the exemptions final rule issued on July 1, 2013, codified at 45 CFR part 155, subpart G. We made a similar modification to the definition of ''appeals entity.'' We also made a minor modification to ''evidentiary hearing'' by removing ''new'' from the definition to clarify the scope of evidence that may be presented.

b. General Eligibility Appeals Requirements (§ 155.505)

In § 155.505, we proposed the general standards for eligibility appeals. In paragraph (a), we proposed that the requirements of subpart F would apply to both State Exchange appeals processes and the HHS appeals process, except where otherwise specified. In paragraph (b), we proposed the scope of determinations that an applicant or enrollee may appeal, including initial determinations and redeterminations of eligibility made in accordance with 45 CFR part 155, subpart D; determinations for exemptions; or a failure by the Exchange to provide timely notice of an eligibility determination. Options for providing individual eligibility appeals processes were proposed in paragraph (c). We proposed that appeals may be provided by a State that elects to provide an appeals process or HHS, if a State elects not to provide a process or upon exhaustion of a State Exchange appeals process. In paragraph (d), we proposed standards for entities eligible to conduct eligibility appeals. Finally, in paragraphs (e) through (g), we proposed standards for appellant representation in an appeal, accessibility requirements for the appeals process, and the right to pursue judicial review to the extent it is available by law.

Comment: We received comments supportive of broadly applying consistent appeals standards across eligibility appeals processes for the individual market, regardless of whether the appeals process is conducted by a State Exchange appeals entity or the HHS appeals entity.

Response: We are finalizing the provisions of paragraph (a) without changes from the proposed rule in this regard. We intend the State Exchange appeals entity and the HHS appeals entity to be held to the same standards and meet the same requirements except where otherwise noted. We believe this consistency will provide for a smooth, transparent, consumer-friendly process.

Comment: We received several comments that the right to appeal as proposed in paragraph (b) is too narrowly defined and may limit the issues or actions that can be appealed. Similar to the comments we received about § 155.500 regarding the definitions for ''appeal request'' and ''appeals entity,'' some commenters expressed concern that, as proposed, paragraph (b) does not broadly apply appeal rights to all actions taken by the Exchange, Medicaid, or CHIP.

Response: Paragraph (b) details the determinations and other circumstances that are appealable through the eligibility appeals process, including all initial determinations and redeterminations of eligibility as well as failure to take action on the part of the Exchange. We are finalizing paragraph (b) largely as it was proposed with some minor exceptions. In the text of paragraph (b), we are removing ''In accordance with § 155.355 and future guidance on section 1311(d)(4)(H) of the Affordable Care Act.'' We have replaced the references to future guidance on exemption determinations in paragraphs (b)(2) and (3) to refer to the final rules published on July 1, 2013, codified at 45 CFR part 155, subpart G 155.605 and 155.610(i), respectively. We also added new paragraph (b)(4) to clarify that a denial of a request to vacate dismissal made by a State Exchange appeals entity may be appealed.

Comment: Commenters sought greater clarification as to the meaning of a ''failure by the Exchange to provide timely notice of an eligibility determination'' in (b)(3) and, specifically, what ''timely'' means in this context.

Response: The appeal right in § 155.505(b)(3) is based on the requirement in § 155.310(g) for Exchanges to provide timely written notice to an applicant of any eligibility determination made in accordance with subpart D. Because this provision does not define ''timely,'' we also decline to do so in this final rule and are finalizing the provision as proposed.

Comment: A comment requested clarification regarding appeals of Medicaid determinations through the Exchange appeals process. Specifically, the commenter questioned whether the Exchange appeals process would review other components of a Medicaid determination beyond the MAGI standard.

Response: The Exchange appeals process for eligibility determinations does not include review of non-MAGI-based Medicaid eligibility determinations. Rather, the scope of the Exchange appeals process mirrors the scope of the Medicaid eligibility determination described in § 155.305(c) which is limited to eligibility based on MAGI criteria. Non-MAGI-based Medicaid eligibility determinations will be provided directly by the State Medicaid agency, and appeals of these eligibility determinations must be adjudicated through procedures prescribed by the State Medicaid agency, not the Exchange appeals process.

Comment: We received many comments in general support of the flexibility offered to State Exchanges to provide an individual eligibility appeals process or defer to the HHS appeals process.

Response: Like the commenters, we anticipate the opportunity for a ''local'' appeal is beneficial to both the Exchange that provided the eligibility determination and the appellant, who may find it easiest to work directly with the Exchange to resolve the issue. We are retaining this flexibility in the final rule with changes to provide greater clarity in response to the comments discussed below.

Comment: Many commenters sought clarification regarding paragraph (c)'s proposed options and, specifically, which appeals processes may be delegated to HHS and which must be handled by State Exchanges. For example, commenters questioned whether HHS would review MAGI-based Medicaid and CHIP appeals, employer appeals, or SHOP appeals.

Response: Paragraph (c) provides options for individual market eligibility appeals. Options for conducting employer and SHOP eligibility appeals are addressed and discussed in their respective sections, § 155.555(b) and § 155.740(b). In terms of individual eligibility determinations, we are finalizing the rule as proposed, providing State Exchanges the option to manage an eligibility appeals process that would hear appeals prior to the HHS appeals process (if an appellant elects to proceed to the HHS appeals entity), or to delegate the individual eligibility appeals function to the HHS appeals entity. A State Exchange's appeals process for individual eligibility determination would hear appeals of all the determinations listed in § 155.505(b)(1)–(3), including Medicaid and CHIP eligibility determinations, except that a State Exchange appeals entity would not hear appeals of exemption eligibility determinations under § 155.605 and § 155.610(i) if the Exchanges elects to delegate exemption appeals to the HHS appeals entity pursuant to paragraph (c)(2) of this

section, as described below. We are finalizing § 155.505 with modification.

Comment: Several commenters sought clarification as to whether some individual eligibility determination appeals could be delegated to HHS. For example, a commenter questioned whether a State Exchange could opt to provide an eligibility appeals process for all individual determinations except exemption appeals, which would be appealed directly to the HHS appeals process. Similarly, other commenters asked whether a State Exchange with its own eligibility appeals process could defer questions regarding verification of employer-sponsored coverage to the HHS appeals process if it is relying on HHS to perform verifications of employer-sponsored coverage.

Response: We appreciate the need to clarify paragraph (c) with regard to which specific individual eligibility determinations may be delegated to the HHS appeals entity where a State Exchange appeals entity is also providing some individual eligibility appeals. In an efficient appeals process, the entity determining eligibility is, ideally, also the entity adjudicating an appeal of that determination. Therefore, we believe that it is more efficient for consumers in a State served by a State Exchange to appeal exemption determinations made by HHS directly to HHS, and to permit States to make this delegation to the HHS appeals entity. We are modifying paragraph (c) to provide this option.

With regard to States choosing to rely on HHS to verify enrollment in coverage in an eligible employer-sponsored plan and eligibility for qualifying coverage in an eligible employer-sponsored plan, we refer commenters to § 155.320(d), which provides standards for this process. We note that this option is available for eligibility determinations that are effective on or after January 1, 2015. Because this service will provide verification only and not a complete eligibility determination, states that establish a State Exchange appeals process will not be permitted to delegate appeals of this verification to the HHS appeals entity. The State Exchange appeals entity should treat the HHS verification as having conclusively established the appellant's enrollment in or eligibility for qualifying coverage in an eligible employer-sponsored plan as a matter of fact; if an appellant wishes to contest the HHS verification, he or she may do so by escalating the appeal. We are finalizing § 155.505(c) as proposed in this regard.

Comment: Some commenters sought additional details regarding the HHS appeals process, particularly following the exhaustion of a State Exchange appeal. For example, commenters wanted to understand the relationship and finality between a decision by a State Exchange appeals entity and a subsequent decision by the HHS appeals entity. This question was of particular importance in States where Medicaid appellants have additional avenues for State judicial review that may only be pursued within a specific window of time.

Response: The State Exchange appeals entity decision is considered final and binding unless the appellant pursues the appeal through the HHS process, consistent with these final rules. If that occurs, the HHS appeals entity will review the appellant's case *de novo,* as specified in § 155.535, and render a new decision. The decision of the HHS appeals entity is the final administrative decision in the matter, and is binding on all parties concerned.

As provided in § 155.505(g) of this final rule, appellants may seek judicial review to the extent it is available by law. We recognize that State law could provide for judicial review of State Exchange appeals entity decisions even where further administrative recourse to the HHS appeals entity is available to the appellant, and we clarify that nothing in this final rule precludes an appellant form pursuing any form of available judicial review. However, regardless of other avenues for obtaining review, if an appellant wishes to escalate a State Exchange appeals entity decision to the HHS appeals entity, the appellant must make that appeal request to HHS within 30 days of the date of the notice of the State Exchange appeals entity decision.

Comment: We received a few comments recommending that applicants and enrollees should receive the same opportunities for initial and secondary appeals, regardless of whether the Exchange has its own appeals process. Another comment suggested giving appellants in State Exchanges with an eligibility appeals process the option to elect pursuing an appeal either through the State Exchange process or the HHS appeals process but not both processes. Finally, a commenter requested that appellants not be provided with the option to appeal to HHS after an SBE appeal and that HHS should not be able to override an SBE appeal decision.

Response: We are finalizing § 155.505(c) as proposed, providing access to the HHS appeals process to all appellants regardless of whether a State Exchange, State Partnership Exchange, or Federally-facilitated Exchange is operating in their State, because section 1411(f)(1) of the Affordable Care Act generally requires that Federal review of Exchange individual eligibility determinations be available to applicants and enrollees. We acknowledge that, because of the potential for review by a State Exchange appeals entity and the HHS appeals entity, some appellants will receive two levels of review while others will receive one; however, we believe all appellants, regardless of levels of review, will have access to a robust appeals process and comprehensive due process rights. Therefore, we believe § 155.505(c) provides an appropriate level of flexibility for Exchanges and appellants while fulfilling the requirement of section 1411(f)(1) of the Affordable Care Act that Federal review of Exchange individual eligibility decisions must generally be available to applicants and enrollees.

Comment: One commenter requested that paragraph (c)(2) permit States to opt out of providing appellants a second-level appeal to the HHS appeals entity upon a showing that the State Exchange appeals entity provides comparable measures for administrative or judicial review at the State level. The commenter highlighted that introducing a new Federal level of appeals would necessitate changes to States' established review and appeals processes to accommodate the Federal review and introduce the potential for differing decisions at the State and Federal level. The commenter suggested that, to the extent that States have significant numbers of Medicaid-eligible individuals whose eligibility determinations are made outside of the Exchange, the Federal review requirement for Medicaid eligibility determinations made by the Exchange results in inconsistent treatment and potential confusion as to which procedural rights are available. Finally, we also received a comment that expressed the belief that HHS will not provide administrative review of appeals for all types of Exchange appeals, specifically Medicaid and CHIP determinations.

Response: First, we clarify that the HHS appeals entity may adjudicate appeals of all types of eligibility determinations, including Medicaid and CHIP eligibility determinations where the relevant State agency has delegated appeals authority to the Exchange. Second, we share the concerns that State Exchanges have in establishing and coordinating Exchange appeals processes with existing appeals processes. As noted above, we are providing Exchanges additional flexibility in the first year of operations

to complete system builds, develop operating protocols, and establish secure electronic interfaces that align with the requirements of the final rule. Moreover, State Exchanges that do not wish to operate their own appeals process may delegate all individual eligibility appeals to the HHS appeals entity. In addition, we note that we have largely aligned appeals process requirements with the existing Medicaid fair hearing standards, and we have designed this final rule to minimize administrative and operational burdens to the greatest extent possible. State Exchanges are encouraged to leverage existing appeals processes and functions where possible to ease these burdens. However, we are unable to permit State Exchanges to opt out of providing appellants of individual eligibility decisions the opportunity to appeal to the HHS appeals entity because section 1411(f)(1) of the Affordable Care Act generally requires that Federal review be available to these individuals. Therefore, we are finalizing the provision as proposed.

Comment: Commenters questioned whether Exchanges would face a cost for the appeals conducted by HHS, particularly State Exchanges that opt not to provide a State Exchange appeals process for individual eligibility appeals.

Response: HHS does not intend to levy a fee for the costs associated with the adjudication of individual eligibility appeals from State Exchanges because HHS is required by section 1411(f)(1) of the Affordable Care Act to provide an appeals process.

Comment: We received several comments requesting details on how HHS anticipates the escalation process from the State Exchange appeals entity to the HHS appeals entity will work, and what particular information HHS may need from a State Exchange in order to carry out an individual eligibility appeal.

Response: We appreciate the concerns with the operational processes involved in adjudicating Exchange appeals and will address these technical issues in future guidance.

Comment: We received several comments expressing general support for the provisions in paragraphs (d) through (f).

Response: We have largely maintained these provisions as proposed. To the extent we are modifying the final provisions, we discuss those changes below.

Comment: We received many comments regarding the standards for eligible entities under § 155.505(d). Foremost, commenters wanted to know whether the flexibility offered to States Exchanges in paragraph (c) of this section to provide a State Exchange appeals process included the ability to delegate a State Exchange appeals process to an entity outside the Exchange. Comments in this vein included questions about delegation to non-governmental entities with CMS approval, State Medicaid or CHIP agencies, or a State's central administrative hearings office. We also received comments supporting the prohibition of delegation to entities that do not have demonstrated experience in making the types of determinations subject to appeal.

Response: The proposed rule did not provide direct guidance on the Exchange's ability to delegate the appeals function, except to provide that an appeals process established under 45 CFR part 155, subpart D must comply with the requirements of 42 CFR 431.110(c)(2) for Medicaid eligibility appeals. However, we are making changes to provide greater clarity about this issue in the final rule at paragraphs (c) and (d) to explicitly allow delegation of individual eligibility appeals to an eligible entity where specific standards are met.

We are modifying paragraph (c) by clarifying paragraph (c)(1) to state that the provision is applicable to the ''State Exchange appeals entity, or an eligible entity described in paragraph (d) of this section that is designated by the Exchange, if the Exchange establishes an appeals process in accordance with the requirements of this subpart.'' In paragraph (c)(2), we clarified the ability of an Exchange to delegate exemption appeals to the HHS appeals entity. Also in paragraph (c)(2), we are clarifying that appeals may be handled by the HHS appeals entity upon exhaustion of the State Exchange appeals process, if the Exchange has not established an appeals process in accordance with the requirements, or if the Exchange has delegated appeals of exemption determinations made by HHS pursuant to § 155.625(b) to the HHS appeals entity, and the appeal is limited to a determination of eligibility for an exemption.

We are modifying paragraph (d) to remove references to the Medicaid standards and align standards for entities eligible to carry out Exchange functions under § 155.110(a) because we do not want to further limit the ability for Exchanges to delegate functions to eligible entities. Inclusion of the Medicaid standard would prevent Exchanges from delegating appeals functions to non-governmental entities, whereas the Exchange standard that we have retained does not include this restriction. We think it is in the best interest of Exchanges to have this flexibility. This means that the entity must: (1) Be incorporated under and subject to the laws of one or more States, including State agencies; (2) must have demonstrated experience on a State or regional basis in the individual and small group health insurance markets and in benefits coverage; and (3) must not be a health insurance issuer, or a member of the same controlled group of corporations as or under common control with a health insurance issuer. We anticipate that many State Exchanges will delegate the individual eligibility appeals function to an eligible entity, such as the State Medicaid or CHIP agency or a central administrative hearings office within the State. An eligible entity may be a non-governmental entity. We interpret these requirements broadly and plan work with states that wish to delegate the individual eligibility appeals function to ensure that the designated entity satisfies these requirements.

Comment: In response to paragraph (d), one commenter recommended that the rule specify that a State Exchange appeals entity can staff hearings with contract attorneys or other staff paid on a per-case or hourly basis rather than full-time Exchange staff.

Response: We understand that some States may currently rely on contracted staff to assist with existing appeals processes and we acknowledge that staffing a new appeals process can be difficult when the volume of appeals is not yet known. We do not regulate the staffing of Exchange appeals entities in this final rule but we note that Exchange appeals process must meet the same standards provided in subpart B of Part 155 for the establishment of an Exchange, including § 155.110 which allows the Exchange ''to enter into an agreement with an eligible entity to carry out one or more responsibilities of the Exchange.'' We are finalizing paragraph (d) without changes in this regard.

Comment: We received general support for the provisions regarding the use of authorized representatives proposed in paragraph (e).

Response: We are modifying the provision slightly to provide additional clarity. We have retitled the paragraph ''Representatives'' and clarified the language to state, ''An appellant may represent himself or herself, or be represented by an authorized representative under § 155.227, or by legal counsel, a relative, a friend, or another spokesperson, during the

appeal.'' The modifications clarify the scope of representation and more closely parallel Medicaid standards in this regard.

Comment: We received numerous comments supporting our accessibility standards for individuals with disabilities and limited English proficiency (LEP) individuals. Many of these commenters requested that we explicitly include such protections in other appeals provisions, apart from our specification of these protections in § 155.505(f). Many commenters suggested including additional accessibility features and protections as part of the process. For example, several emphasized the need for notices and other communications to contain plain language for the process to remain accessible to appellants with special needs. We were encouraged to provide clearly written examples of notices and seek stakeholder input as materials are developed.

Several commenters requested that the appeals process adopt the same requirements for accessibility for LEP individuals as are provided for Exchange programs and consumer assistance tools in § 155.205, which includes provisions for oral interpretation, written translation, and taglines. In addition, particular accommodations for hearings were requested, such as providing appropriate augmentative or assistive communication devices for individuals with disabilities at no cost.

Response: We appreciate the unique and vulnerable position that appellants with disabilities and LEP appellants face. For that reason, we proposed the requirement that all appeals processes be accessible to such individuals. We are finalizing the rule as proposed because the provisions of paragraph (f) are sufficient to safeguard against the concerns shared by the commenters, particularly because it applies to all parts of the appeals process.

Comment: In response to paragraph (f), some commenters also requested that we ensure that any actions undertaken during the appeals process that do not comport with the accessibility standards must be voided and the process cease until cured. Similarly, some commenters recommended that only where meaningful notice has been given (e.g., in an LEP individual's preferred language or in an alternative format for an individual with a disability who cannot read regular print) should the notice, or any actions pursuant to it, be valid. The commenters viewed this approach as comporting with Title VI of the Civil Rights Act, the Rehabilitation Act of 1973, the Americans with Disabilities Act, and section 1557 of the Affordable Care Act.

Response: Individuals with disabilities and LEP individuals whose distinct needs are not met during the appeals process are at risk for suffering adverse consequences. The value of an appeal is diminished where an appellant is unable to fully understand or participate in the process because of a failure on the part of the appeals entity to provide required accommodations. However, paragraph (f) and the associated statutory provisions noted by the commenters provide sufficient protection without the need to modify paragraph (f). Therefore, we are finalizing the provision as proposed.

Comment: Several commenters requested various clarifications to the judicial review provision proposed in paragraph (g). Many commenters focused on clarifying in which court an Exchange appellant may seek judicial review. Other commenters focused on the operational aspects for seeking judicial review of an appeal decision by the HHS appeals entity. One commenter requested the final rules clarify that an appellant may either seek judicial review or an appeal to the HHS appeals entity, but not both. Another commenter highlighted the concern that States' laws often provide specific timeframes in which an individual may file a State judicial action and that these timeframes may not match up with the timeframe for seeking review of a State Exchange appeal decision by the HHS appeals entity and receiving an appeal decision. The commenter sought further clarification on the interaction between the State Exchange appeals process, the HHS review, and State judicial processes including when HHS review would commence relative to a State judicial review.

Response: Section 1411(f)(1) of the Affordable Care Act generally requires that applicants and enrollees be afforded the opportunity to access a Federal administrative appeals process for individual Exchange eligibility appeals, without regard to the availability of judicial review. Accordingly, we are not implementing the commenter's suggestion that review by the HHS appeals entity and judicial review should be mutually exclusive. Additionally, State and Federal law regarding judicial review of administrative decisions generally require the exhaustion of available administrative remedies; accordingly, we do not expect judicial review of individual Exchange eligibility appeal decisions generally to be available before exhaustion of the administrative process, which provides for appeal to the HHS appeals entity. We encourage the commenters to research applicable State and Federal laws regarding judicial review of administrative decisions to determine under which circumstances appellants will have access to judicial review. We are finalizing the provision as proposed.

Summary of Regulatory Changes

We are finalizing the provisions of § 155.505 with modifications to several paragraphs. In paragraph § 155.505(a) and throughout the provisions of final rule, we note that we have replaced ''State-based'' with ''State Exchange'' for greater consistency across the Exchange rules. In § 155.505(b), we streamlined the language by removing ''In accordance with § 155.355 and future guidance on section 1311(d)(4)(H) of the Affordable Care Act.'' Additionally, we edited paragraph (b)(2) to remove ''with future guidance on exemptions pursuant to section 1311(d)(4)(H) of the Affordable Care Act'' and replaced it with a reference to § 155.605. In § 155.505(b)(3), we edited the provision to include the additional reference to the exemption determination notice by inserting, ''or § 155.610(i)'' at the end of the provision. This addition reflects the finalization of the exemption rules in 45 CFR part 155, subpart G. Finally, we are adding new paragraph (b)(4) to state that ''[a] denial of a request to vacate dismissal made by a State Exchange appeals entity in accordance with § 155.530(d)(2), made pursuant to paragraph (c)(2)(i) of this section'' may be appealed.

We made a minor modification to paragraph (c)(1) to provide greater clarity that the provision is applicable to the ''State Exchange appeals entity, or an eligible entity described in paragraph (d) of this section that is designated by the Exchange, if the Exchange establishes an appeals process in accordance with the requirements of this subpart.'' We are similarly amending paragraph (c)(2) to read ''[t]he HHS appeals entity'' rather than ''HHS.'' In paragraph (c)(2), we specifically provided the ability of an Exchange to delegate exemption appeals to the HHS appeals entity by separating the original language into two subparagraphs and adding a third subparagraph (c)(2)(iii), which reads, ''If the Exchange has delegated appeals of exemption determinations made by HHS pursuant to § 155.625(b) to the HHS appeals entity, and the appeal is limited to a determination of eligibility for an exemption.''

In paragraph (d), we amended the requirements that must be met by an

entity to be eligible to conduct individual eligibility appeals by removing reference to Medicaid standards at 42 CFR 431.10(c)(2) and replacing it with Exchange standards at § 155.110(a). We also streamlined paragraph (d) by removing ''the requirements of.''

In paragraph (e), we are modifying the proposed provision slightly to provide additional clarity. We are retitling § 155.505(e) ''Representatives'' and are modifying the provision to state, ''An appellant may represent himself or herself, or be represented by an authorized representative under § 155.227, or by legal counsel, a relative, a friend, or another spokesperson, during the appeal.'' We are modifying the provision to clarify the scope of representation and more fully align with Medicaid standards in this regard.

c. Appeals Coordination (§ 155.510)

In § 155.510, we proposed coordination requirements between the Exchange appeals entity and agencies administering insurance affordability programs in order to minimize burden on appellants and ensure prompt issuance of appeal decisions. Included within this section are proposed requirements for agreements between the appeals entity or the Exchange and agencies administering insurance affordability programs regarding appeals as well as standards for coordination with Medicaid and CHIP appeals, including where the relevant State agencies have or have not delegated Medicaid or CHIP eligibility appeals authority to the Exchange appeals entity. We sought comment on options regarding when to inform the applicant or enrollee of his or her right to appeal to a denial of Medicaid or CHIP directly with the Medicaid or CHIP agency. Finally, paragraph (c) of this section proposed standards for data exchanges as part of the appeals process.

Comment: Many commenters expressed support for paragraph (a), in which we proposed to require agreements between the Exchange appeals entity or the Exchange and agencies administering insurance affordability programs. Several commenters specifically expressed support for paragraph (a)(1), in which we proposed that the agreements minimize the burden on appellants in the appeals process. Some commenters also shared support for paragraph (a)(2), in which we proposed that the agreements ensure the prompt issuance of appeal decisions. Several commenters requested that the agreements be available to the public to promote accountability and transparency. We also received comment requesting that HHS make an agreement template available for State Exchanges to adopt or modify for State-specific circumstances. We received one comment recommending that the agreement explicitly provide for compliance with monitoring and reporting requirements and the specific information to be reported. Finally, we received comment on paragraph (a)(3) supporting the requirement that agreements comply with the Medicaid program's single State agency requirements.

Response: In the proposed rule, we did not specify whether the agreements must be public and we are not finalizing this provision with any such modification. Similarly, in the proposed rule, we did not propose to require that the agreements include specific compliance with monitoring and reporting requirements, and we are not finalizing the provision with any such modification. We anticipate that appeals entities or Exchanges may wish to include those important issues in the agreements. Finally, we do not intend to provide a template for the agreements, but we may consider providing further guidance on this issue at a later date.

Comment: Some commenters requested additional clarification regarding the respective roles of Medicaid and Exchanges in appeals.

Response: In both the proposed rule and this final rule, CMS has worked to ensure that the roles of the Exchange and Medicaid in the eligibility appeals process are clear throughout the Exchange rules and the Medicaid rules. We also understand the desire to have a simple process for Exchanges to implement and appellants to use. We have provided the simplest, most coordinated options whenever possible.

Comment: Subparagraph (b)(1) proposed that individuals who have been denied eligibility for Medicaid or CHIP be provided an opportunity to opt-in to having an appeal of that denial heard directly by the Medicaid or CHIP agency. We specifically sought comment as to when an individual should be notified of this option. Some commenters responded by endorsing an approach where the individual is informed at the time the eligibility determination is made by the Exchange because this option provides greater protection for individuals. We also received comment that the option for a hearing before the State agency could be offered during the Exchange appeal request. In addition, some commenters encouraged us to require that the information about opting-in to a hearing before the State agency be provided in writing.

Other commenters opposed the option entirely and instead supported allowing an appellant only one hearing at the Exchange. Similarly, a few commenters shared their concern that the option to appeal a denial of Medicaid, where the applicant or enrollee has been determined eligible for advance payments of the premium tax credit or cost-sharing reductions, is inefficient, costly, and will cause appellant confusion. These commenters requested that the provision be struck from the rule or that the decision to include the option for individuals to opt-in to a Medicaid fair hearing be left to the States.

Response: We are required to provide applicants and enrollees the option to pursue an appeal of a denial of eligibility for Medicaid directly with the Medicaid agency in accordance with section 1902(a)(3) of the Social Security Act and 42 CFR 431.10(c)(1)(ii). We note that we are modifying the regulation text to remove reference to CHIP in this provision; the requirement to provide an appellant an opportunity to pursue a denial of eligibility with the State agency is only relevant to Medicaid denials. There is no corresponding requirement under Federal CHIP laws. In order to provide flexibility to Exchanges, we have elected not to include specific direction as to when and how notice of the option to have an appeal of a denial of Medicaid eligibility heard by the State agency must be provided to appellants, though we note that the notice, like Exchange notices generally, must comport with § 155.230. We are finalizing the rule with the modification discussed above and also note that this provision has been relocated to § 155.510(b)(1)(ii).

Comment: We also received comments regarding how the opt-in policy should be operationalized. One commenter urged us to ensure that individuals who pursue an appeal of a denial of Medicaid eligibility with the Medicaid agency also have the option to request that the Medicaid hearing occur first to prevent any delays in coverage.

Response: We are finalizing the rule as proposed, continuing to provide flexibility for an Exchange to determine how to operationalize the requirement to make a hearing before the State agency available to appellants appealing a denial of Medicaid eligibility. Exchanges and appeals entities may contact us for assistance in this area, as required.

Comment: We received several comments about delegation of appeals authority. Some commenters expressed support for both the flexibility offered to States to delegate Medicaid and CHIP

appeals to the Exchange, thereby allowing States to offer one coordinated appeals process across all insurance affordability programs, as well as the option for State Medicaid and CHIP agencies to retain fair hearings at the State agency. We were asked to clarify that the delegation of appeals authority by a Medicaid or CHIP agency is separate from the delegation to determine Medicaid and CHIP eligibility. We were also asked to provide information on timeframes and information transfers where Medicaid and CHIP eligibility appeals authority is delegated, and where it is not. Some commenters also sought clarification as to how the proposed delegation provisions impact existing agreements of State Medicaid and CHIP agencies, including interagency agreements and vendor contracts.

Response: State Medicaid and CHIP agencies have the flexibility to delegate authority to make eligibility decisions and, separately, to conduct eligibility appeals. The authority to delegate eligibility determinations is located in 42 CFR 431.10(c)(1)(i) and § 457.1120 for Medicaid and CHIP, respectively, and the authority to delegate eligibility appeals is located in 42 CFR 431.10(c)(1)(ii) and § 457.1120, respectively. We anticipate that many States may have an interest in delegating these two functions in tandem; however, we also acknowledge that States may wish to retain the appeals functions at the relevant State agency. More information on delegations by the Medicaid and CHIP agency can be found in the final rule published July 5, 2013 (78 FR 42160). We are not providing additional guidance in this rule with regard to timeframes and data exchanges in the delegation context beyond what we have already addressed in this subpart in order to preserve flexibility for Exchanges in these areas. We also note that the provisions we are finalizing in § 155.510 do not speak to existing agreements between State Medicaid and CHIP agencies.

Comment: A few commenters shared support for the acknowledgement provided in paragraph (b)(2) that, even in cases where the Medicaid or CHIP agency has delegated appeals authority to the Exchange, the appellant may still opt to have a denial of Medicaid or CHIP eligibility heard by the Medicaid or CHIP agency. We also received comment expressing support for the requirement that where the Medicaid or CHIP agency has delegated appeals authority to the Exchange, the Exchange will issue a final, binding appeal decision, including regarding Medicaid or CHIP eligibility. Finally, one commenter questioned the use of ''may'' in subparagraph (b)(2), under which Exchange appeals entities may include in the appeal decision a determination of Medicaid and CHIP eligibility under specified conditions.

Response: We appreciate the support the delegation provisions in paragraph (b)(2) received. We also agree that the use of ''may'' in the proposed provision was incorrect, and we are replacing that word with ''must'' in this final rule. In addition, we are restructuring § 155.510(b) in this final rule to emphasize that the Exchange appeals entity will conduct delegated Medicaid and CHIP appeals in accordance with standards applicable to Medicaid and CHIP.

Comment: We received support for the proposed provision in subparagraph (b)(2)(ii) proposing that notices required in connection with an eligibility determination for Medicaid or CHIP provided by the Exchange appeals entity align with the standards identified in subparts D and F, and by the State Medicaid or CHIP agency.

Response: Maintaining the notice standards established by Medicaid and CHIP agencies is important when communicating with appellants about Medicaid or CHIP determinations. Therefore, we are finalizing this provision with minor clarifying modifications described below. As noted above, the provisions of § 155.510(b) have also been restructured, and this provision is now located in clause (b)(1)(i)(B).

Comment: In response to the proposed provisions of paragraph (b)(3), one commenter recommended a minor change to include reference to transmitting all ''relevant information'' as part of the ''initial application'' and appeal. The commenter also suggested the inclusion of a timeframe for transmitting the information.

Response: We are finalizing the provision to provide that the appeals entity must transmit the eligibility determination and ''all relevant information provided as part of the initial application or appeal, if applicable.'' We decline to provide a more specific timeframe to preserve necessary administrative flexibility for Exchanges and appeals entities, and we anticipate that the Exchange and appeals entity will act in good faith to transmit such information promptly and without undue delay. As noted above, the provisions of § 155.510(b) have also been restructured, and this provision is now located in paragraph (b)(2).

Comment: We received many comments regarding paragraph (b)(4). A handful of commenters endorsed the proposed provision considering it efficient to treat an appellant determined or assessed as not potentially eligible for Medicaid or CHIP to be considered ineligible for those programs for purposes of determining eligibility for advance payments of the premium tax credit.

We also received many comments urging HHS to reconsider this provision, as well as the treatment of an appeal of an eligibility determination for advance payments of the premium tax credit as an appeal of the eligibility determination for Medicaid and CHIP. Some commenters noted that many appellants may only be concerned with the tax credit, with no interest in or connection to Medicaid; these commenters feared that this linking of tax credits and Medicaid could create a burden on States to process appeals for individuals who clearly may not be eligible for Medicaid or may have been satisfied with the Medicaid eligibility determination. Some commenters suggested that the rules require the Exchange to offer the opportunity to file an appeal of any Medicaid denial, which would be less confusing to consumers. A few commenters suggested that, if this is not feasible, the requirement to treat an appeal of the denial of an eligibility determination for advance payments of the premium tax credit as an appeal of eligibility for Medicaid and CHIP should be delayed until Jan. 1, 2015. Some commenters felt strongly that this ''automatic appeal'' will cause agencies to expend significant resources to process appeals that are neither intended nor desired by the appellant.

Response: We are finalizing paragraph (b)(4) as paragraph (b)(3) as part of the restructuring of § 155.510(b). While we acknowledge the commenters' concerns regarding the pairing of Medicaid and CHIP appeals with appeals concerning advance payments of the premium tax credit, our goal is to provide a streamlined, coordinated appeals process for appellants, while minimizing the administrative burden on the Exchange, appeals entity, and State Medicaid and CHIP agencies. We believe our approach accomplishes this goal and we are finalizing the provision as proposed.

Comment: We received one comment regarding the standards for data exchange proposed in paragraph (c). The commenter was supportive of paragraph (c) serving as a goal for modernizing appeals processes through the use of electronic interfaces but expressed concern that the appeals systems would not be sufficiently

developed to accommodate electronic interfaces upon initial open enrollment. The commenter recommended a phased-in approach to establishing a secure electronic interface between the Exchange, Exchange appeals entities, and other insurance affordability programs.

Response: We understand that many Exchange appeals entities may lack the system functionality for secure electronic data exchanges in current system builds for the first year of operations. Instead, Exchange appeals entities may utilize a secure, paper-based process for exchanging data and information that conforms to information privacy and security standards incorporated in § 155.510(c)(1) for the first year of operation.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.510 with the following modifications. In § 155.510(a)(3), we deleted ''42 CFR 431.10(d)'' and added two new subparagraphs, (a)(3)(i) and (ii). New subparagraph (a)(3)(i) refers to Medicaid standards for delegating appeals authority to the Exchange or HHS, stating, ''42 CFR 431.10(d), if the State Medicaid agency delegates authority to hear fair hearings under § 431.10(c)(ii) to the Exchange appeals entity.'' New subparagraph (a)(3)(ii) refers to CHIP standards for delegating appeals authority to the Exchange or HHS, stating, ''42 CFR 457.348(b), if the State CHIP agency delegates authority to review appeals under § 457.1120 to the Exchange appeals entity.''

We restructured § 155.510(b) and made minor modifications throughout. We have moved the requirements formerly in (b)(2), with minor changes to (b)(1), which now contains two subparagraphs. Thus, § 155.510(b)(1) and (b)(1)(i) provide, ''Where the Medicaid or CHIP agency has delegated appeals authority to the Exchange appeals entity consistent with 42 CFR 431.10(c)(1)(ii) or § 457.1120, and the Exchange appeals entity has accepted such delegation—[t]he Exchange appeals entity will conduct the appeal in accordance with'' the standards identified in new clauses (A) and (B), namely, ''Medicaid and CHIP MAGI-based income standards and standards for citizenship and immigration status, in accordance with the eligibility and verification rules and procedures, consistent with 42 CFR parts 435 and 457'' and ''Notice standards identified in this subpart, subpart D, and by the State Medicaid or CHIP agency, consistent with applicable law .'' We have moved the opt-in provision previously located in § 155.510(b)(1) to § 155.510(b)(1)(ii), and we have made a minor modification to remove references to CHIP, as the opt-in policy does not apply to denials of CHIP eligibility. We also clarified ''the appellant'' as ''the appellant who has been determined ineligible for Medicaid'' and we have added ''eligibility'' before ''determination.''

We are finalizing proposed § 155.510(b)(3), with modification, at § 155.510(b)(2). In this paragraph, we are replacing ''appeal'' with ''initial application or appeal, if applicable'' and we are adding the word ''relevant'' before ''information.'' We are finalizing proposed § 155.510(b)(4) at § 155.510(b)(3) without modification. Finally, in § 155.510(c)(1), we updated the citation from § 155.345(h) to § 155.345(i) to accurately reference the current location of the relevant data exchange requirements.

d. Notice of Appeal Procedures (§ 155.515)

In § 155.515, we proposed standards for providing notice of appeal procedures at both the time of application and in the eligibility determination notice. This section also proposed the content of that notice.

Comment: Many commenters showed support for the notice of appeal procedures provisions in § 155.515. We received several comments requesting a modification to paragraph (a) to require that the notice of appeal rights be provided in writing.

Response: In the proposed rule, we did not explicitly state that the notice of appeals procedures must be provided in writing; however, the requirement in paragraph (a) states that the appeals language appear within specific eligibility notices, including eligibility determination notices, redetermination notices as a result of a mid-year change or annual redetermination, and exemption determination notices. The notice provisions specified in paragraph (a) specifically require the notice to be written, and § 155.230(a) generally requires that any notice sent by an Exchange to applicants, qualified individuals, enrollees, and others must be written. Therefore, it is not necessary for § 155.515(a) to reiterate the requirement that the notice of appeals procedures be provided in writing.

Comment: Regarding paragraph (b), one commenter sought clarification regarding the meaning of paragraph (b)(5), in which we proposed to require the notice of appeals procedures to contain an explanation that an appeal decision may result in redetermination for other household members. Another commenter requested the language provide more certainty regarding whether or not an appeal would result in a redetermination for other household members.

Response: During an appeal, appellants have the opportunity to submit information to be considered by the appeals entity. In addition, the appeals entity will reexamine the information used to make the eligibility determination. In some cases, the appeals entity will find the eligibility determination was incorrect or that information, newly supplied by the appellant, will result in a change to the original determination. Such changes, particularly those that impact household income information, may require an eligibility redetermination for all household members whose own eligibility was determined by reference to the changed information. The requirement in paragraph (b)(5) is intended to alert individuals that an eligibility appeal by one household member may impact the eligibility of other household members. We agree with the commenter that the language used in paragraph (b)(5) calls for greater clarity regarding whether other household members' eligibility will be redetermined as a result of a change in an eligibility determination as a result of an appeal by one household member. Therefore, we are finalizing this provision with minor modification to clarify that an appeal decision for one household member may result in a change in eligibility for other household members and such changes will be handled as a redetermination of eligibility for all household members in accordance with the standards specified in § 155.305.

Comment: We received comments requesting information as to how § 155.515 interacts with the general standards for Exchange notices found in § 155.230 and whether the notices specified in part 155 subpart F would include the content required by § 155.230.

Response: Section 155.515 provides specific requirements regarding when notice of appeal rights and procedures must be provided to individuals and what content that notice must include. Section 155.230 provides general standards for Exchange notices, which includes the notices described in subpart F. Thus, notices under subpart F must meet the requirements of § 155.230, such as providing contract information for customer service resources, identifying the regulation supporting the action, and conforming to accessibility standards.

However, we note that the notice under § 155.515 does not necessarily require a free-standing notice. The requirements of § 155.515 may be met by providing the required content (notice of appeal rights and procedures) within another notice. For example, the notice of appeal rights and procedures may be included within the eligibility determination notice and does not need to be issued in a separate notice. The requirements of § 155.230 are applicable to any notice in which the content required by § 155.515 (notice of appeal rights and procedures) is included.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.515 of the proposed rule with the following modifications. We are making a minor modification to paragraph (a)(2) to include reference to the exemption eligibility determination notice under § 155.610(i). We are modifying paragraph (b)(5) to make the provision mandatory rather than permissive. We have replaced ''may be handled'' with ''will be handled'' to clarify that the notice of appeal procedures must contain an explanation that an appeal decision for one household member may result in a change in eligibility for other household members and such a change will be handled as a redetermination. We also added ''that such a change'' and ''of eligibility for all household members'' to the provision.

e. Appeal Requests (§ 155.520)

In § 155.520, we proposed the modes through which the Exchange and appeals entity must accept appeal requests, including requests submitted by telephone, by mail, in-person (as applicable), and via the internet. Additionally, we proposed the Exchange and appeals entity must allow an applicant or enrollee to request an appeal within 90 days of the date of the eligibility determination notice or 30 days from the date of a State Exchange appeals entity's notice of appeal decision. We further proposed the requirement to issue a notice acknowledging the receipt of a valid appeal request and requirements to obtain and transmit information concerning the appeal upon receipt of an appeals request, and confirm receipt of this information. Finally, we proposed that appellants must be notified of invalid appeal requests and may submit amended appeal requests.

Comment: Many commenters expressed broad support for the flexibilities we proposed § 155.520 to allow appellants several methods to request an appeal. However, many States commented with concern that accommodating all of the appeal request modes would be burdensome and require significant administrative updates to systems and staffing levels. Telephonic appeal requests were highlighted as particularly problematic. Many States' Medicaid agencies are not currently set up to accept telephonic appeal requests and, therefore, do not have the sophisticated voicemail systems, record keeping protocols, and staff training to accommodate telephonic appeal requests. Similarly, commenters viewed requesting an appeal via the Internet as another mode that would require significant systems development to ensure appeal requests and supporting documentation are captured and transmitted properly. We also received many comments seeking an expansion of the modes allowed to request an appeal to include via email, fax, text, and other commonly available electronic means.

Several commenters expressed concern over the implementation of the proposed appeal request modes and supported allowing additional time for Exchange appeals entities to implement these provisions. For example, one comment suggested that accepting appeal requests via internet in the initial year will create a large burden on Exchange appeals entities because system builds and testing schedules are already tight. Some commenters encouraged us to consider implementing the appeal request methods under a delayed timeframe or, alternatively, eliminating the requirement from the rule altogether.

Response: The proposed rule proposed to require an Exchange and appeals entity to accept appeal requests through a variety of modes in an effort to match the avenues through which an application for Exchange coverage can be submitted. The modes include via telephone, mail, in person (as applicable), or via the Internet. In addition, the proposed rule proposed to offer flexibility for Exchange appeals entities to provide an in-person route to request an appeal only if the Exchange or the appeals entity were capable of receiving in-person requests, assuming that some Exchanges and appeals entities might not have a wide geographic physical presence. We note that the rules of subpart F do not apply to Medicaid agencies, except insofar as a State may delegate Exchange appeals to a State Medicaid agency. We are finalizing this provision as proposed but reiterate that a paper-based process, as discussed above, is acceptable for the first year of operations. All other appeal request modes may be provided at the Exchange appeals entity's option until the second year of operations.

Comment: We received comments requesting that the rule include the requirement that Exchanges must accept requests for appeals in languages other than English. It was noted that without such a requirement, Exchanges may create a barrier to filing an appeal that would result in discrimination.

Response: As noted above, we consider the provisions for accessibility in § 155.505(f) to be sufficient protection to LEP individuals and individuals with disabilities. We intend for Exchanges and appeals entities to make accommodations for these individuals so that the appeals process is accessible to all applicants and enrollees. Although we are not altering the provisions of § 155.520 in this regard, we note that appellants to the HHS appeals process will be able to submit appeal requests in languages other than English. Finally, we note that we have made a minor modification to paragraph (a)(2), changing ''may'' to ''must'' to require the Exchange and the appeals entity to assist the applicant or enrollee in making the appeal request, ''if requested,'' as an extra protection for applicants and enrollees who may require assistance.

Comment: Many commenters provided general support for the 90-day timeline to request an appeal. However, other commenters also shared significant concern about the timing and sequencing of appeal requests and decisions and the potential length of the appeals process. For example, some commenters expressed concern that Medicaid and Exchanges have different timelines for requesting an appeal. Specifically, certain State Medicaid Agencies have shorter time periods during which an individual can submit an appeal request, whereas the Exchange proposes a 90-day timeframe. A few commenters recommended limiting the amount of time to request an appeal to 30 days. Other commenters noted a 90-day request period could leave some appellants who have been denied eligibility without coverage for several months, if the appeal originates in a State Exchange appeals process and escalates through the HHS appeals process.

Response: We are finalizing the provision in paragraph (b) with a modification regarding the 90-day timeframe. We understand that State Medicaid and CHIP agencies may elect to set timeframes for requesting an appeal shorter than 90 days and that a State may want to leverage existing appeals processes and infrastructure within the State to provide Exchange

eligibility appeals or otherwise align Exchange and Medicaid appeal processes. Therefore, we are modifying the provision to provide a choice: the Exchange and appeals entity must either allow an applicant or enrollee to request an appeal within 90 days or within a timeframe consistent with the State Medicaid agency's requirement for submitting fair hearing requests, provided that the timeframe is no less than 30 days, measured from the date of the notice of eligibility determination. If a State agency delegates appeals authority to HHS, HHS will provide an applicant or enrollee with 90 days to request an appeal, in accordance with the proposed timeframe.

Comment: Many commenters expressed support for the proposed provision in § 155.520(c). However, we also received support for a longer timeframe for elevating an appeal decision of a State Exchange appeals entity to the HHS appeals entity. Suggested timeframes range from 60 days to 90 days (the latter in order to keep the timeframe uniform with the initial appeal request).

Response: We are finalizing the provision in § 155.520(c) as proposed without extending the timeframe to request an appeal before the HHS appeals entity following exhaustion of the State Exchange appeals process. We consider 30 days to be a fair balance between providing the appellant sufficient time to determine whether to elevate his or her appeal and avoiding delay of the resolution of the appeal, and implementation of the appeal decision.

Comment: We also received comment noting that the proposed rule is silent about the interaction of State law and the timeline for escalating an appeal decision of a State Exchange appeals entity to the HHS appeals entity. For example, some States currently provide an opportunity for administrative or judicial reconsideration of a State administrative hearing decision but only within a specific timeframe, and it was not clear in the proposed rule how this timeframe might interact with the timeframe for elevating an appeal to the HHS process.

Response: We are aware that State law may provide appellants additional avenues for review, beyond escalating their appeal to the HHS appeals entity as provided in this final rule, including the opportunity to request further State administrative or judicial review. Such alternative for State-level review follow State-specific timeframes and rules, which makes it challenging to provide a Federal process (as generally required for individual Exchange eligibility appeals by section 1411(f)(1) of the Affordable Care Act) that will seamlessly integrate with all States' existing rules and procedures. Recognizing the regulatory limitations in this area, the procedure for escalating of an appeal to the HHS appeals entity does not preclude an appellant from seeking other avenues for review that may be available under State law. However, appellants should be mindful of the 30-day timeframe for escalating a State Exchange appeals entity decision to the HHS appeals entity, as this period will not be stayed while an appellant pursues alternative State law avenues for review. If the appellant does request an appeal with HHS, the HHS appeals entity will review the appellant's case *de novo,* as specified in § 155.535(f), and render a new decision that will constitute the final administrative decision.

Comment: We received a few comments regarding the use of ''timely'' and ''prompt'' in several proposed provisions, with some commenters suggesting the substitution of a specific timeframe, such as two business days, with the expectation that relevant action would be taken sooner, if possible.

Response: We understand the benefits specific timeframes can provide for appeals entities, including providing a clear window during which actions should be completed to provide appropriate protections for appellant rights. However, we also anticipate that appeals entities may require flexibility in some cases due to operational considerations. The Exchange rules sometimes provide timing requirements that allow a reasonable amount of flexibility, such as ''promptly,'' ''without undue delay,'' and ''timely'' for many transactions that occur between administering agencies. The transactions that are required in § 155.520 between appeals entities, Exchanges, insurance affordability programs, and HHS can benefit from a reasonable degree of flexibility, and therefore, we are finalizing the provisions as proposed in this regard and note that this is applicable to similar requirements in the employer and SHOP appeals sections below.

Comment: A few commenters noted that implementing the requirement to provide a notice acknowledging the receipt of an appeal request creates administrative burden and expense. One comment viewed the acknowledgement notice as duplicative of the notice of hearing found in § 155.535(b), which the commenter thought acted sufficiently as an acknowledgement of receipt. We received comment that electronic appeal requests should provide confirmation of receipt automatically and, if the individual prefers to request an appeal in writing, he or she should send the request by certified mail with a return receipt requested as a means to confirm the receipt of the request.

Response: The notices required by the rule, including the appeal request acknowledgment notice, communicate important information to the appellant that a certified mail return receipt cannot provide. First, the acknowledgment confirms that the appeal has been accepted and not dismissed. Second, it informs the appellant of his or her qualification for eligibility while the appeal is pending. Third, the notice reiterates that any advance payments of the premium tax credit accepted while an appeal is pending are subject to reconciliation. Additionally, appeals entities may wish to include other information about the appeals process or frequently asked questions to assist the appellant with the process. We disagree with the assertion that the acknowledgement notice duplicates § 155.535(b)'s notice of hearing because, while State Exchanges have the option to provide an informal resolution process, pre-hearing, we anticipate that most appeals entities will implement such a process in order to resolve appeals as efficiently and expeditiously as possible. Only those appellants who remain dissatisfied with the informal resolution outcome will then receive the notice of hearing; accordingly, the acknowledgement of appeal requests is not duplicative of the notice of hearing. We are finalizing the provision as proposed in this regard.

Comment: We received comment questioning the utility of providing a transcript, recording, or summary of the State Exchange appeal under paragraph (d)(4) when the HHS appeals entity will be reviewing the appeal *de novo.*

Response: We note that paragraph (d)(4) requires the transmission of the appeal record to the HHS appeals entity when an appellant elevates his or her appeal from a State Exchange appeals entity. The appeal record, as defined in § 155.500, includes information beyond the transcript of the State Exchange appeals entity hearing. We include this requirement to lessen the burden on an appellant who is elevating his or her appeal to provide duplicative information, consistent with § 155.510. In addition, the transmission will include the information used to make the appellant's initial eligibility determination, which the HHS appeals entity otherwise would not possess. Finally, the transmission of the State Exchange appeals entity's appeal

decision and record will include evidence presented during the appeal, including at hearing. Therefore, we are finalizing the provision as proposed in this regard.

Comment: We received comments supportive of the proposed provision that an applicant or enrollee may cure an invalid appeal request. In addition, several commenters requested that the proposed requirement in paragraph (d)(2)(i) regarding the written notice of the ''invalid'' appeal request inform the applicant or enrollee that he or she can cure the defect and resubmit the appeal again as long as the new appeal request meets the timeliness requirement in this section.

Response: In addition to protecting applicants' and enrollees' due process rights, the ability for an applicant or enrollee to cure an invalid appeal request within the 90-day timeframe will decrease dismissals and, subsequently, requests to vacate dismissals, which in turn should lessen the burden on appeals entities overall. To that end, we agree that the notice informing an individual that he or she submitted an invalid appeal request should also include an explanation that he or she may cure the defect and resubmit the request within the appropriate timeframe. We anticipate that the more informed an individual is of the appeals process and of the next steps applicable to him or her, the less time and resources the appeals entity will spend per appeal. We are modifying the proposed provision to include the requirement that the applicant or enrollee be informed that he or she can cure the defect and resubmit the appeal request within the applicable timeframe.

We note that we view this provision as a tool to clearly define for appeals entities how to handle appeal requests that are out of scope, untimely, or submitted improperly. We clarify the intent of this provision is to address these instances and provide a method for an individual to resubmit the request or, if resubmission is not possible because the amended appeal request would be untimely, a method to request the appeals entity review the dismissal of the appeal request. The provision is not intended to prevent or limit the acceptance of appeal requests for minor technical deficiencies, such as an appeal request that is missing a phone number or does not state why the individual is appealing with exacting precision. We intend that only more fundamental deficiencies should make an appeal request invalid, such as where an applicant is seeking to appeal a coverage claim rather than an eligibility determination.

Comment: We received one comment regarding the interaction of the acknowledgement of appeal request, the ability to cure an invalid appeal request, and the dismissal of an invalid appeal. The commenter found the provisions to be contradictory and suggested that they can only be reconciled if there is a time limit upon the right to amend an invalid appeal request under § 155.520(d)(2)(ii). Absent such a deadline, the commenter thought an appeals entity that issued a notice of a defective appeal request will not know when it can comply with its obligation to dismiss the appeal for being invalid under § 155.530(a)(3) without violating its obligation to allow an appellant to cure a defective appeal request. The commenter suggested that HHS either permit the appeals entity to impose a reasonable deadline for amendment or establish a uniform deadline of 15 days after service of notice under § 155.520(d)(2)(i).

Response: The proposed rule proposed to require that the appeals entity accept an amended appeal request only if the amended request met ''the requirements of this section [155.520],'' including the timing requirements in § 155.520(b) or (c), as applicable. However, we agree with the commenter that an invalid appeal request submitted toward the end of the 90-day appeal request timeframe would pose a timing issue in terms of informing the individual that he or she may cure the defect and dismissing the appeal because it does not comport with the requirements of a valid appeal request. We have revised § 155.520(d)(2)(i)(C) to provide appeals entities the flexibility to impose a reasonable deadline for amending appeal requests.

Comment: We received comment requesting that we clarify which data elements and date ranges encompass an ''eligibility record'' as described in paragraph (d)(3)(ii).

Response: The eligibility record is critical in the adjudication of an appeal because it will contain the information the appeals entity will need to make an accurate appeal decision. We are finalizing the definition of ''appeal record'' in § 155.500, and we refer the commenter to that definition.

Comment: The proposed regulations establish a requirement that an Exchange must transmit the appeal record and eligibility record via secure electronic interface. However, one commenter noted that some Exchanges and Medicaid agencies will share a single, electronic eligibility system; therefore, there is nothing to transmit as both entities have access to the single system that holds all the relevant information. The commenter requested that the final language be amended to recognize integrated State systems.

Response: We recognize that States may take advantage of the flexibility we are providing to structure interactions between the agencies administering the Exchange and the State Medicaid program in different ways. Moreover, we recognize that State agencies administering the Exchange and the State Medicaid program will be operating with various information technology systems, and some States may feature an integrated system that serves both the Exchange and Medicaid (such as where the same agency administers the Exchange and the State Medicaid program). However, even where this integration exists, it is critical that the components responsible for eligibility determinations and appeals communicate and are granted access to the appropriate information. Therefore, we decline to modify the proposed rule, although we clarify that transmission of information is not necessary when both the eligibility entity and the appeals entity share access to systems that store the relevant information.

Comment: A commenter inquired whether HHS plans to require State Exchange appeals entities to transmit the appeal record to HHS exclusively through the Hub?

Response: We will work closely with State Exchange appeals entities to establish a secure, efficient mechanism for exchanging data.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.520 of the proposed rule with the following modifications. Regarding paragraph (a), we are modifying the provision by changing the ''or'' preceding § 155.520(a)(1)(v) to ''and,'' and the permissive ''[m]ay'' to ''[m]ust'' in § 155.520(a)(2).

In § 155.520(b), we are adding a new provision to allow State Exchanges to provide a timeframe for requesting an appeal consistent with the State Medicaid agency's requirements for submitting a fair hearing request. Specifically, we are adding a new paragraph at (b)(2) stating that the Exchange and the appeals entity must allow an applicant or enrollee to request an appeal within, ''[a] timeframe consistent with the State Medicaid agency's requirement for submitting fair hearing requests, provided that timeframe is no less than 30 days, measured from the date of the notice of eligibility determination.'' In paragraph

(c), we are adding language to provide that an appeal may be requested at the HHS appeals entity within 30 days of the date of a State Exchange appeals entity's notice of appeal decision ''or notice of denial to vacate a dismissal.''

In paragraph (d)(1), we are amending the provision by inserting ''must'' preceding subparagraph (d)(1)(i), and removing the word from subparagraphs (d)(1)(i) and (d)(1)(ii). In subparagraph (d)(2)(i), we added clauses to more clearly explain what is required of the appeals entity when it receives an invalid appeal request. We placed the requirement to inform the appellant that his or her appeal request has not been accepted, which was proposed in the proposed rule, in clause (d)(2)(i)(A). Similarly, we placed the requirement to inform the appellant about the nature of the defect in the appeal request, which was proposed in the proposed rule, in clause (d)(2)(i)(B). Finally, we added clause (d)(2)(i)(C) to include a new requirement that the appeals entity include an explanation ''[t]hat the applicant or enrollee may cure the defect and resubmit the appeal request by the date determined under paragraph (b) or (c) of this section, as applicable, or within a reasonable timeframe established by the appeals entity.'' This new provision addresses situations in which an appellant submits an invalid appeal request near the end of the timeframe to request an appeal, which would pose a timing issue in terms of providing the individual with an opportunity to cure the defect, and provides Exchange appeals entities the flexibility to impose a reasonable deadline for amending appeal requests.

f. Eligibility Pending Appeal (§ 155.525)

In § 155.525, we proposed the standards by which certain appellants may receive benefits while an appeal is pending. We proposed that the Exchange, or Medicaid or CHIP, as applicable, must continue to consider an individual eligible if he or she is appealing a redetermination, consistent with the standards proposed in § 155.525 or as determined by the Medicaid or CHIP agency, as applicable. Regarding eligibility for enrollment in a QHP through the Exchange, advance payments of the premium tax credit, and cost-sharing reductions, we proposed that an appellant or tax payer who accepted eligibility pending appeal should be pended eligibility in accordance with the level of eligibility in effect immediately before the redetermination being appealed.

Comment: Several commenters expressed support for the provisions providing eligibility pending appeal. Although a few commenters thought it would be advantageous for new applicants to receive eligibility pending appeal, especially if the applicant receives eligibility during the inconsistency period, these commenters also noted the justifications for not doing so. Specifically, these commenters highlighted the difference between pending benefits for those completely new to coverage as opposed to those who had been enrolled and were redetermined ineligible; for example, enrollees have an existing relationship with an issuer and can be pended in the coverage they already receive while new applicants must being a relationship with an issuer and newly enroll in coverage to obtain pended benefits. These commenters also thought it should be made clear that, after the inconsistency period has ended, the applicant's eligibility will be determined, and the applicant will be eligible to receive the determined level of eligibility while an appeal is pending. For example, if an applicant entered an inconsistency period after submitting an application to the Exchange and, during that inconsistency period, was determined eligible for advance payments of the premium tax credit, these commenters thought we should clarify that this individual would qualify for eligibility pending appeal if the individual appealed his or her eligibility determination.

Response: We are finalizing the provision as proposed. Because new applicants who receive an eligibility determination notice under § 155.310(g) that they are eligible for enrollment in a QHP through the Exchange, advance payments of the premium tax credit, cost-sharing reductions, or Medicaid or CHIP, may remain in coverage while they appeal that determination, it is not necessary to provide these individuals with eligibility pending appeal. In accordance with our proposed policy, we will not extend pended eligibility to new applicants who are denied eligibility, either outright upon initial application or at the close of an inconsistency period. It is not a common practice to provide pended benefits to new applicants who are not currently receiving benefits and we model that policy in our final rule.

Comment: A few commenters requested that appellants be explicitly informed of the potential for reconciliation of advance payments of the premium tax credit when accepting eligibility pending appeal and that pended eligibility may be waived. One commenter suggested that confirmation that the appellant understands the potential tax liability associated with benefits pending appeal be part of the initial appeal request. Finally, we received comment that pended benefits should be an elected option, not an automatic benefit. Therefore, in the example, the individual could opt to appeal without receiving eligibility while the appeal is pending.

Response: We share the concerns of commenters regarding the choices appellants must make regarding pended benefits. We noted in the proposed rule's preamble at 78 FR 4651 that subpart D's § 155.310(d)(2) states that the Exchange must permit an individual to accept less than the maximum advance payment of the premium tax credit for which the tax filer is determined eligible; this includes accepting none of the advance payment of the premium tax credit. We also noted that receipt of advance payments of the premium tax credit are subject to reconciliation. To illustrate using the example from the previous comment-response: If the individual receives advance payments of the premium tax credit while the appeal is pending, those payments would be subject to IRS reconciliation after the close of the tax year, and the individual could be liable to repay tax credits received on an advance basis for which the IRS determines the individual was not eligible (the individual could also receive a tax refund if the IRS determines that he or she was eligible for a larger premium tax credit).

We agree that the proposed regulation language did not state that receipt of pended eligibility is at the option of the appellant and are modifying the text of § 155.525(b) in the final rule to require that pended eligibility must be continued only if the tax filer or appellant accepts eligibility pending the appeal. Our intent is to ensure that appellants receive the choice to accept pended eligibility and that the Exchange does not pend eligibility that will include advance payments of the premium tax credit unless the tax filer affirmatively elects to receive them during the appeal. We agree that tax filers must be notified that receipt of advance payments of the premium tax credit is subject to reconciliation; however, we decline to add specific language to § 155.525 because informing individuals of this information is already required by § 155.310(d)(2)(ii).

Comment: A few commenters noted the proposed provision's relationship with Medicaid and CHIP. Commenters noted a discrepancy between Medicaid and Exchange pended eligibility rules in that, unlike Medicaid, the Exchange does not limit pended eligibility to those appellants who request it within

10 days of an appealable action. In Medicaid, an appeal must be requested within 10 days of the action, and benefits continue until the end of the 10-day period to ensure there is no break in coverage if a beneficiary requests an appeal during the 10-day period. Under the Exchange provision, the decision to terminate advance payments of the premium tax credit and cost-sharing reductions could have been effectuated by the time the individual requests an appeal. We also received comment questioning why Medicaid and CHIP are referenced in the proposed provision when the provision applies to annual or mid-year redeterminations conducted by Exchanges; the commenter noted that once an individual is determined eligible for Medicaid, the Medicaid agency will control the case and conduct redeterminations. Finally, one commenter sought clarification of the pended eligibility policy where a redetermination is initiated in Medicaid, which results in a Medicaid denial, and then the account is transferred to the Exchange for an eligibility determination, which also results in a denial. The commenter questioned which benefits the appellant would receive while the appeal is pending. The commenter expressed concern that the State would not have a mechanism to audit and verify when Exchange appeals are completed if the appellant is supposed to receive Medicaid benefits while the appeal is pending.

Response: We have coordinated the Exchange appeals provisions with the Medicaid fair hearing rules whenever possible. However, we determined that it would be in the best interest of appellants to provide a pended benefits policy that does not incorporate a window in which an appellant must request pended benefits that is shorter than the overall timeframe for requesting an appeal. Therefore, we offer pended benefits on appeal of a redetermination, regardless of when the appellant requests the appeal within the 90-day appeal request timeframe and we are finalizing the provision as proposed in this regard. We included reference to Medicaid and CHIP because our rules provide flexibility for States to choose to fully integrate Exchange and Medicaid and CHIP operations, and we wanted to highlight that, in such situations, Medicaid and CHIP-specific rules must still be followed where applicable.

We appreciate the comment seeking greater clarity on the approach for handling pended benefits when a redetermination of Medicaid eligibility results in a denial and the transfer of the account to the Exchange, where eligibility to purchase a QHP through the Exchange and/or for advance payments of the premium tax credit and cost-sharing reductions is also denied. This comment highlights the intersection of the Exchange and Medicaid rules. In a situation where a Medicaid recipient is ineligible for Medicaid upon redetermination, the individual is afforded appeal rights with the State Medicaid agency and the State Medicaid agency's rules for pended eligibility apply. When the State Medicaid agency transfers the individual's account to the Exchange to determine eligibility for enrollment in a QHP through the Exchange, advance payments of the premium tax credit, and cost-sharing reductions, the Exchange must determine the individual's eligibility as an initial application. If the individual is determined ineligible to participate in the Exchange or for Exchange insurance affordability programs, the individual is generally afforded appeal rights through the Exchange. However, the individual would not be eligible for pended benefits from the Exchange, as initial applicants to the Exchange are not eligible for pended benefits during appeal. We understand that not all States will delegate authority for Medicaid and CHIP eligibility determinations and appeals similarly and, therefore, States may have a variety of questions about how the intersection of Exchange and Medicaid and CHIP appeals policies impacts their specific State arrangement. We encourage States to contact us so that we can address questions as they relate to each State's delegation choices.

Comment: One commenter noted that, depending on how the pended eligibility provisions are administered, individuals might be permitted to migrate between different QHPs during an appeal, or in and out of Medicaid or CHIP coverage, which would not be in the best interest of individuals and might serve to undermine the goal of the provision. The commenter expressed concern that this could lead to an appellant experiencing discontinuity of coverage and could create administrative challenges for any the issuers involved. The commenter urged HHS to consider placing additional parameters around the provisions of § 155.525 to avoid unnecessary discontinuities in coverage.

Response: Receiving eligibility while an appeal is pending does not provide an individual with an unchecked ability to enroll in new coverage or make changes to existing coverage. Enrollment is regulated by the provisions of subpart E.

Comment: Many of the comments we received regarding pended eligibility during an appeal related to how such a benefit would be implemented. Commenters expressed concern for the operational aspects of the proposed provision. For example, we received a comment recommending that pended benefits should not be implemented until after the appellant has paid his or her portion of the coverage premium, including any retroactive payments for pended eligibility in cases where an appellant's pended eligibility is not immediately implemented at the time of the appeal request and must be retroactively implemented; for example, where there is some delay because the tax filer must decide whether to accept pended eligibility that includes advance payments of the premium tax credit. Similarly, a commenter questioned how non-payment of premiums affects pended eligibility and recommended that QHP issuers be allowed to proceed with a non-payment termination regardless of an individual's pended status.

Response: Pended eligibility is a status that we intend for the Exchange, or Medicaid or CHIP, as applicable, to implement when the appeals entity indicates the appellant qualifies for it and the appellant or tax filer, as applicable, has accepted it. However, for an appellant who is pended eligibility to receive coverage, the appellant must enroll in coverage and pay premiums, as would any other enrollee. Consequently, if an individual receives pended eligibility, enrolls in coverage, but fails to pay premiums, the issuer may terminate coverage as provided in § 155.430(b)(2)(ii).

Comment: We received one comment expressing concern that the timing and sequencing of pended eligibility will lead to applicants and enrollees with overlapping program eligibility, such as simultaneous eligibility for Medicaid and for Exchange insurance affordability programs, which will result in confusion about payment responsibilities. The commenter requested that HHS issue guidance about how costs and payment of services will be handled when overlapping program eligibility occurs.

Response: We do not share the commenter's concern that pended eligibility will lead to overlapping program eligibility. Individuals can never qualify for Medicaid and advance payments of the premium tax credit or cost-sharing reductions simultaneously. Section 155.305(f)(1)(ii)(B) establishes that advance payments of the premium

tax credit and cost-sharing reductions are not available to support the purchase of coverage for an individual who is eligible for other minimum essential coverage, with the exception of coverage in the individual market in accordance with section 26 CFR 1.36B–2(a)(2) and (c), or coverage in an eligible-employer sponsored plan that is unaffordable or does not meet the minimum value standard. Therefore, advance payments of the premium tax credit and cost-sharing reductions would not be provided to support the purchase of coverage for an individual enrolled in Medicaid, including while his or her Medicaid fair hearing is pending. We are confident that, regardless of the particular coordination arrangement for the Exchange and Medicaid in a State, there are sufficient requirements to prevent overlapping eligibility.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.525 of the proposed rule with the following modifications. In § 155.525(b), we are adding, ''If the tax filer or appellant, as applicable, accepts eligibility pending an appeal,'' to indicate that pended eligibility must be afforded only if the tax filer or appellant accepts eligibility pending the appeal.

g. Dismissals (§ 155.530)

In § 155.530, we proposed the circumstances under which an appeals entity must dismiss an appeal, including when the appellant withdraws the appeal request in writing, fails to appear at a scheduled hearing, fails to submit a valid appeal request, or dies while the appeal is pending. We also proposed the content for dismissal notices provided to the appellant and to the Exchange, or Medicaid or CHIP agency, as applicable. Finally, we proposed the appeals entity may vacate a dismissal if an appellant submits a written request to vacate the dismissal within 30 days of the date of the dismissal notice and shows good cause.

Comment: We received general support for the provisions of § 155.530. Several commenters noted the proposed provisions provide crucial protections against inappropriate dismissals. We also received comments noting that the Exchange appeals provisions provide more reasons to dismiss an appeal than the current Medicaid rules and the commenter recommended that the two rules be reconciled.

Response: We are making only minor modifications to the proposed rule, in response to the comments below.

Comment: We received comments requesting additional protections from dismissals for all appellants as well as appellants with special needs. For example, before allowing a dismissal as a result of a withdrawal or failure to appear, some commenters suggested that the appeals entity should confirm that necessary information was provided to the appellant in a language he or she understands. Several commenters also suggested that for an appellant who has indicated that English is not his or her preferred language, the appeals entity must document in the appellant's record what appropriate language services were provided before permitting the dismissal of such an appellant's appeal. Similarly, we received one comment that no appellant should be allowed to withdraw his or her appeal without proof that the appellant was provided information about his or her rights in the appeals process. Finally, a commenter requested that no dismissals for failure to appear be allowed unless an appellant is first provided notice and a hearing to address the dismissal.

Response: As noted above, we received many comments requesting that provisions providing special accommodations for limited English proficient (LEP) and disabled individuals be included in various provisions in subpart F in part 155. We appreciate the difficulties individuals with special needs face during an administrative process. We are modifying paragraph (a)(2) by adding ''without good cause'' to the end of the provision requiring an appeal be dismissed if the appellant fails to appear at hearing in order to provide additional protection to appellants who have a compelling reason for missing a scheduled hearing. We also believe the requirements of § 155.505(f) provide sufficient protection to such individuals throughout the appeals process. Section 155.505(f) requires the appeals process comply with the accessibility requirements of § 155.205(c). Section 155.205(c) requires information be provided in plain language and in a manner that is accessible and timely to individuals with disabilities, including accessible Web sites and the provision of auxiliary aids and services in accordance with the Americans with Disabilities Act and section 504 of the Rehabilitation Act, and individuals who are limited English proficient, including oral interpretations, written translations, an taglines in non-English languages. We are finalizing the provisions of this section with modification as noted above.

Similarly, we are not modifying the dismissal process to require proof that the appellant was provided information about his or her rights in the appeals process or to require that appellants be permitted a hearing to address dismissals. The rule already provides for notice of appeal rights and procedures per § 155.515, which requirement is sufficient for this purpose. In addition, appellants will be notified of the dismissal of their appeal, which notice must contain specific information about the reason for the dismissal as well as information about the process to vacate a dismissal. Therefore, we anticipate that the appellant will receive adequate information from the appeals entity and can also seek assistance from the appropriate customer service center or legal counsel. Given the required notice and opportunities for additional assistance, counsel, and vacating the dismissal, the protective measures we have provided for appellants whose appeals are dismissed are adequate.

Comment: Commenters supplied several recommendations for modification for paragraph (b). One comment recommended that the notice of dismissal not have to be in writing to ease the burden on appeals entities while ensuring that notice is provided. Alternatively, we received several comments that the notice should be in writing and understandable by LEP and disabled individuals. Another commenter focused on the content of the notice and requested that we amend paragraph (b)(3) to state that the explanation of the dismissal should include examples of any pertinent materials related to the individual's case that would assist the applicant in proving good cause for vacating a dismissal.

Response: We agree with the comment that notice of dismissal should be provided in writing because the dismissal of an appeal is a significant action of which an appellant should have record that he or she can easily reference, if needed. Appellants, particularly those who have special needs or may have limited understanding of administrative proceedings, will benefit from having a hard copy or electronic notice that shows the date of the dismissal, the reason, and an explanation of how he or she may request the dismissal be vacated. Therefore, we are finalizing the provision with a corresponding modification to require written notice. However, we are not requiring that dismissal notices provide examples of materials that might assist the appellant in requesting to vacate the dismissal.

Appeals entities may independently opt to provide additional information as a customer service function.

Comment: We received several comments requesting that we clarify the meaning of ''timely notice'' as used in the proposed provisions of § 155.530.

Response: We are confident that the requirement that the dismissal notice be ''timely'' will help ensure that appellants' due process rights are not compromised. We note that ''timely notice'' is used throughout the Exchange provisions and in many public benefit programs; therefore, we anticipate that Exchanges are prepared to establish operating rules that implement appropriate timeliness requirements across the Exchange functions to ensure compliance. We are finalizing the provision as proposed in this regard, without providing specific timeframes for the dismissal notice, in order to leave appeals entities the flexibility to operationalize these requirements in the way that works best for them and the appellants they serve, but we note that we are modifying paragraph (c)(2), by adding ''if applicable'' to the provision to discontinue eligibility pending an appeal in the case of a dismissal.

Comment: We received several comments regarding the timeline we proposed for an appellant to request that a dismissal be vacated. A few commenters suggested that the proposed timeframe is too short, particularly for individuals who seek such a remedy where they may be incapacitated or otherwise justified in receiving more time. One commenter recommended the provision be modified to allow 90 days to make the request to vacate. Alternatively, we received one comment that 10 days is sufficient to request that a dismissal be vacated. The commenter noted that a shorter timeframe promotes efficient disposition of cases and will help to shorten the overall timeline for appeals.

Response: We share the concern that the appeals process not be unnecessarily prolonged, which could create unintended coverage issues for appellants and be burdensome on administering agencies. To extend this window of time to the suggested 90 days would prolong the appeals process excessively; 30 days is sufficient for an appellant to provide the appeals entity a written request demonstrating good cause to vacate the dismissal of an appeal. Therefore, we are finalizing the timeframe in paragraph (d) as proposed.

Comment: Commenters provided several suggestions regarding technical aspects of vacating dismissals. We received comment suggesting that vacating dismissals should be mandatory if the appellant makes a timely request and shows good cause. In addition, one commenter questioned the use of ''may'' in paragraph (d) and urged HHS to use ''shall,'' suggesting that, if good cause is shown, there is no reason to not vacate the dismissal. Finally, a commenter noted that the proposed rule did not include an opportunity to oppose the showing of good cause.

Response: We agree that the permissive language used in the proposed provision should be replaced with mandatory language. If an appellant successfully demonstrates good cause for vacating a dismissal within the appropriate timeframe, the appeals entity must vacate the dismissal. However, we are not modifying the provision to provide an opportunity for an adverse party to oppose the showing of good cause by an appellant. A request to vacate a dismissal is not intended to be an adversarial process, but simply an opportunity to ensure that the appellant receives due process. If the appeals entity determines that the appellant has not shown good cause why the dismissal should be vacated, the appeals entity will not reinstate the appeal. We are finalizing paragraph (d) with a minor modification in this regard at paragraph (d)(1). We also note we are adding a new provision at § 155.530(d)(2) which states the appeals entity must ''provide timely written notice of the denial of a request to vacate a dismissal to the appellant.''

Comment: We received one comment requesting clarification as to how a request to vacate a dismissal with a State Exchange appeals entity impacts the timeline for appealing an adverse decision from the State Exchange appeals entity to the HHS appeals entity.

Response: Sections 155.505(c)(2) provides that an appellant may escalate an appeal to the HHS appeals entity upon exhaustion of the State Exchange appeals process. A refusal by the State Exchange appeals entity to reinstate a dismissed appeal constitutes exhaustion of the State Exchange appeals process; accordingly, an appellant may escalate his or her appeal to the HHS appeals entity upon such a refusal. We are modifying the final rule to specifically permit this by adding § 155.505(b)(4), as noted above.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.530 of the proposed rule with the following modifications. We are modifying paragraph (a)(2) to align more closely with Medicaid fair hearing rules by adding ''without good cause'' to the end of the provision requiring that appeals be dismissed if the appellant fails to appear at a scheduled hearing. In paragraph (b), we are inserting ''written'' into the provision to clarify that notice of dismissal to the appellant must be provided in writing. In paragraph (c)(2), we are amending the paragraph about by adding ''if applicable'' to the provision requiring instructions about discontinuing eligibility pending appeal in the case of a dismissal. In paragraph (d), we are replacing ''may'' with ''must'' to indicate that the appeals entity is required to vacate a dismissal if the appellant makes a written request within 30 days of the date of the notice of dismissal showing good cause why the dismissal should be vacated, as determined by the appeals entity. We are also splitting § 155.530(d) into two subsections, (d)(1) and (2). Section 155.530(d)(1) codifies the requirement just described, § 155.530(d)(2) requires that the appeals entity must ''[p]rovide timely written notice of the denial of a request to vacate a dismissal to the appellant, if the request is denied.'' This new requirement facilitates providing appellants from State Exchange appeals entities notice that they may elevate the dismissal of their appeals to the HHS appeals entity for review as stated in § 155.505(b)(4).

h. Informal Resolution and Hearing Requirements (§ 155.535)

In § 155.535, we proposed informal resolution and hearing requirements for adjudicating individual eligibility appeals. We proposed that informal resolution will be offered to appellants in the HHS appeals process, and may be offered to appellants in a State Exchange appeals process. We proposed standards for the provision of an informal resolution process in § 155.535(a). In § 155.535(b), we proposed that, when a hearing is scheduled, the appeals entity must send written notice to the appellant no later than 15 days prior to the date of the hearing. In paragraph (c), we proposed requirements for conducting hearings and in paragraph (d) we proposed the procedural rights afforded to an appellant in connection with the hearing. We proposed, in paragraph (e), that the appeals entity must consider the information used to determine the appellant's eligibility and any relevant evidence presented during the course of the appeal, including at the hearing. Finally, in paragraph (f), we proposed that the appeals entity must review appeals *de novo.*

Comment: We received a variety of comments supporting the provision of an informal resolution process. We also

received many comments submitting questions or requesting modification to the proposed provision for the informal resolution process. For example, we received comment questioning whether State Exchanges will have control or input on how to conduct the informal resolution process within a State Exchange.

Response: We note that States do have flexibility to implement an informal resolution process in the way that best fits each State's needs, to the extent the process meets the standards provided in this final rule and in any future guidance. States with questions about the implementation of an informal resolution process may contact CMS for technical guidance.

Comment: We also received a comment requesting that we ensure that agencies are bound to follow a determination made through the informal resolution process, and particularly those that reverse a determination made by that agency. Another commenter thought the informal resolution decision should only be final and binding if the appellant agrees to it. We were also encouraged to reiterate in regulation that the appellant's right to a hearing is preserved regardless of participation in, or the outcome of, an informal resolution process.

Response: We appreciate the comment that informal resolution decisions must be final and binding on the Exchange and agencies administering insurance affordability programs; this was our intent in the proposed rule. We included language to this effect in the proposed rule in § 155.535(a)(4), which we are finalizing without modification. We also note that the proposed rule included in § 155.535(a)(2) the requirement that the appellant may advance to hearing if he or she is dissatisfied with the informal resolution decision. We believe the appellant is in the best position to determine whether further review after the informal resolution is appropriate.

Comment: Several commenters also requested clarification that the informal resolution process does not cause the applicant to lose any rights to timely request a separate Medicaid fair hearing.

Response: As discussed in § 155.510 and in 42 CFR 431.10(c)(ii), where an individual has both Medicaid and Exchange appeal rights, the individual will be presented the option to pursue an appeal of a denial of Medicaid eligibility directly with the Medicaid agency. (We note an exception that, where States delegate Medicaid appeals to the Exchange through an Intergovernmental Cooperation Act process, Federal law does not require that the appellant be provided an option to pursue his or her appeal of the denial of Medicaid eligibility directly with the State agency.) If the individual does opt to pursue two separate appeals (Medicaid eligibility before the relevant agency, and all other aspects of the appeal before the Exchange), we are maintaining flexibility in this final rule for States to determine how best to sequence the appeals.

Comment: A commenter found paragraph (a)(4) confusing and questioned whether failure to appear is the same thing as an appeal that does not advance to hearing.

Response: We note the provision in § 155.530 that allows dismissal for failure to appear is intended to address situations in which the appellant fails to appear at a scheduled hearing without good cause. An appellant who accepts an informal resolution decision and does not wish to pursue the appeal through to the hearing stage is not required to request a hearing and will not be subject to this ground for dismissal.

Comment: Commenters provided several thoughts about the timeframe of the informal resolution process. One commenter requested modification to the rule to indicate that informal resolution may not consume the entire 90-day period under proposed § 155.545(b)(1) . Another commenter suggested that the 90-day appeal period does not provide sufficient time to conduct a comprehensive informal process while ensuring the appellant's right to a formal hearing. The commenter suggested that a minimum of 60 days to conduct an adequate informal resolution process and requested that we extend the overall timeframe for an appeal to conclude within 120 days.

Response: The 90-day timeframe provided to resolve an appeal is intended to encompass both the time spent on both informal resolution and a hearing, as applicable. If a State Exchange appeals entity opts to provide an informal resolution process, pre-hearing, we provide the appeals entity flexibility to determine how to operationally apportion the 90-day timeframe between the two processes. We anticipate that the informal resolution process will provide an efficient means to resolve appeals but caution State Exchange appeals entities to preserve enough time to schedule and conduct a hearing, and issue an appeal decision, should the appeal involve a hearing. We decline to extend the timeframe to resolve an appeal and are finalizing the informal resolution provision as proposed.

Comment: We received many comments concerning the notice of hearing required in paragraph (b). We received comments supportive of the 15-day timeframe proposed for sending notice of the hearing to appellants. We also received comments supportive of the preamble discussion of acceptable hearing formats, including telephone and video teleconference, which an appeals entity may want to utilize and we were encouraged to include regulation text specifying that hearings may be offered in multiple formats.

Response: We appreciate the support we received for this provision and the proposed timeframe of 15 days to send notice of the hearing to appellants. We also encourage appeals entities to consider alternative hearing formats as noted in the preamble, such as in-person, telephonic, and video teleconference, but decline to provide that level of operational specificity in the final rule.

Comment: We also received many comments urging the treatment of an appeal request as a request for a hearing. Some commenters expressed concern that the proposed approach to schedule a hearing following an appellant's indication that he or she is dissatisfied with the informal resolution decision, if an informal process is offered, would delay the appellant's right to a hearing. Similarly, some commenters requested that the informal resolution process timeline run concurrently with the hearing timeline unless the appellant withdraws the hearing request; thus, the appeals entity would provide an informal resolution process while simultaneously preparing for a hearing, unless the appellant indicated that he or she did not wish to continue on to the hearing and ended the appeal by withdrawing the request for hearing. These commenters saw this as critical to ensure that the informal process does not delay the appellant's due process right to a hearing or cause the appellant to stop pursuing the appeal.

Response: We understand that in the Medicaid fair hearing context, a request for an appeal is the functional equivalent of a request for hearing. In Exchanges that do not establish an informal resolution process, we intend appeal requests to be treated as requests for hearing. We note the value of informal resolution processes in terms of efficiency and cost for the appeals entity as well as the ease that such a process may provide to the appellant as compared to a formal hearing and, therefore, we encourage appeals entities and appellants to take advantage of the

informal resolution process prior to a hearing. We have also taken precautions in our requirements for the informal resolution process as described in paragraph (a) to ensure that participation in the informal resolution process does not in any way prevent an appellant from proceeding to a hearing. In response to these comments to the proposed rule, we will consider an appeal request a request for a hearing, but the option to offer the informal resolution process prior to the hearing is retained. Flexibility is provided to the appeals entities to determine whether the hearing is scheduled prior to or after informal resolution.

Comment: We received several comments on paragraph (b) regarding the scheduling of a hearing. Several commenters expressed concern about the ability of a hearing to be rescheduled if the original date or time is prohibitive of participation. Several comments noted concern with the preamble discussion providing that an appeals entity is expected to work with the appellant to set a ''reasonable and mutually convenient date and time.'' Some commenters cautioned that the preamble language broadened the common standard of ''reasonable date'' to ''mutually convenient date,'' which could encourage fraudulent delay of the hearing by an appellant in order to continue to receive pended benefits.

Response: The preamble discussion regarding the scheduling of hearings was meant to ensure that appellants are provided a reasonable opportunity to participate in the hearing. We share the concern regarding inappropriate dilatory tactics and understand that a ''mutually convenient date and time'' may not reflect a clear standard. Therefore, we are clarifying in this final rule that if the appellant informs the appeals entity that the designated date and time for the hearing are prohibitive of participation, we expect that the appeals entity will work with the appellant to set a reasonable date and time for the hearing.

Comment: Many commenters expressed general support for the provisions of paragraph (c), which we largely modeled after the Medicaid fair hearing provisions. With regard to these provisions, one commenter sought clarification as to whether appellants in States where an FFE is operating will receive in-person hearings. One commenter was concerned with the exact meaning of ''in the same matter'' as used in subparagraph (c)(4). The commenter thought the phrase could become a point of legal dispute in subsequent judicial reviews of hearing decisions and could lead to Exchange decisions being overturned in court on strictly procedural grounds just because an official was in some arguable way involved in a prior Exchange decision ''in the same matter.'' The commenter recommended that the rule simply state that all hearings must be conducted by one or more impartial officials who have not been directly involved in the eligibility determination. Similarly, another commenter did not see a reason for requiring a hearing to be conducted by an official who has not been involved in ''any prior Exchange appeal decisions in the same matter.'' The commenter noted that if a decision is remanded to the Exchange and an appeal is filed after the decision on remand, it would be more efficient to assign the same official to decide the new appeal. The commenter requested that the rule require only that an ''impartial official'' decide.

Response: In response to the commenter's question about in-person hearings, we note that the appellants to the HHS appeals entity, regardless of whether they are appealing from an eligibility determination by an Federally-facilitated Exchange or an appeal decision by a State Exchange appeals entity, will most often receive a hearing via telephone or video teleconference. Within State Exchange appeals entities, we leave the hearing format to the discretion of appeals entity. With regard to the comments about the use of ''in the same matter'' in subparagraph (c)(4), we do not share the commenters' concerns. This provision mirrors the requirements for impartial review in the Medicaid fair hearing context and is meant to ensure that the appellant receives an independent and unbiased review of his or her eligibility determination. We are finalizing the provision as proposed.

Comment: We received a few comments indicating general support for the provisions proposed in paragraphs (d) through (f), including the procedural rights of the appellant, information and evidence to be considered, and the standard of review for appeals.

Response: We are finalizing these provisions as proposed, as we explain below.

Comment: We received many comments on the provisions proposed in paragraph (d). We received a general comment advising HHS against extending a Medicaid fair hearing process to non-Medicaid appellants. In contrast, another commenter recommend including language in paragraph (d) stating that a State Exchange shall provide all procedural due process afforded Medicaid recipients in the State.

Response: We determined that aligning our Exchange appeal requirements with Medicaid's fair hearing standards would create process efficiencies because States are already operating Medicaid fair hearing processes. In addition, we support the protections to the appellant that are provided through the Medicaid fair hearing process and believe that they are important when an appeal concerns eligibility to purchase a QHP through the Exchange and related insurance affordability programs, as well. We agree that flexible standards often result in innovative and efficient processes; however, in this context, where the due process rights involved are related to access to affordable, quality health care coverage, we consider it important to implement a standard framework for appeals processes with explicit appellant rights and protections to ensure that appellants receive full and fair review. Therefore, we are maintaining the alignment with Medicaid fair hearing rights and are finalizing the provisions as proposed.

Comment: We received comment on the issues of burden of proof and, relatedly, the role of representatives of the entity that made the eligibility determination in an appeal. Some commenters noted that eligibility representatives are occasionally part of Medicaid fair hearings and did not want the Exchange rule to foreclose the possibility of cross examination in cases where an adverse witness is present. We also received a comment noting a State's intent to have government attorneys present to participate in Medicaid hearings and to process new information presented by the appellant at hearings. Another commenter wanted clarification that eligibility representatives could be present where State law either mandates the presence of an adverse party who has the burden of proof or requires a hearing officer to give significantly less weight to certain types of evidence if it is contradicted by live testimony of a witness who is available for cross-examination. Finally, a commenter suggested that an applicant bear the burden of proof in any challenge to an initial eligibility determination, but that the Exchange bear the burden of proof in any challenge to a redetermination of eligibility or to a failure to provide timely notice.

Response: Eligibility determinations are based on clear statutory and regulatory requirements and the appeals process will resolve appeals by applying these rules to the eligibility information before it, including the information used to make the eligibility determination

and any relevant information provided by the appellant during the appeals process. As a result, and as noted in the preamble to our proposed rule at 78 FR 4652, we anticipate that most hearings will be conducted in a non-adversarial manner and see no need for Exchange representation in an appeal of an Exchange determination.

We understand that Medicaid and CHIP fair hearings sometimes do include representatives of the State agency and we anticipate that States may want to continue that practice. We also understand the benefits to the integrity of the process and to the appellant to have a representative of the entity that made the eligibility determination present and available to participate at a hearing, and our provisions do not foreclose the use of such representatives or the ability for the appellant or the hearing officer to examine them. However, we will not require that a representative of the eligibility entity must be present at eligibility hearings for the reasons stated above and we are finalizing the appeals rules without such a requirement. We similarly decline to provide guidance regarding burdens of proof; instead, we reiterate that the appeals entity will conduct a *de novo* review of the appeal and will proceed as though it were the first decision-maker in the matter, considering all the information in the eligibility and appeal records, as applicable, as well as any additional relevant evidence adduced before it during the appeal. Appellants should provide as much relevant information as possible to ensure that an accurate appeal decision can be rendered expeditiously.

Comment: We received a few comments about the appellant's right to access the appeal record, as proposed in subparagraph (d)(1). One commenter recommended that the phrase ''appeal record'' be deleted as legally incorrect because the commonly understood term ''appeal record'' refers to documents that have been entered into evidence during an appeals process. The commenter suggested the key due process element is met by eliminating the term ''appeal record.'' We also received comment on the same provision recommending that the appellant be able to access to his or her electronic account in the same way Medicaid appellants have had access to a written case file.

Response: We understand that ''appeal record'' may have a different meaning outside the Exchange context. However, we do not believe that the difference is so great that it will cause significant confusion for appellants, appellants' representatives, or appeals entities, and we are finalizing paragraph (d)(1), as proposed. ''Appeal record'' is defined in § 155.500 as ''the appeal decision, all papers and requests filed in the proceeding, and, if a hearing was held, the transcript or recording of hearing testimony or an official report containing the substance of what happened at the hearing, and any exhibits introduced at the hearing.'' In the context of § 155.535(d)(1), this term means the appeal record as it exists as of the relevant date. For example, a transcript or recording of hearing testimony will not exist before the hearing is held, but the appellant still must be permitted to examine all papers and requests filed in the proceeding to date, including the eligibility record relied upon for the initial eligibility decision, at a reasonable time before the date of the hearing and during the hearing. Finally, we appreciate the comment that electronic access to files is ideal in terms of saving space, time, and cost, but we decline to add that level of specificity to this final rule; we leave such operational decisions to appeal entities.

Comment: A few commenters sought modification of the provision for the appeal standard of review. Some commenters shared the opinion that the *de novo* standard should be used at the election of the appellant, assuming that the appellant best knows whether to have past relevant information used in the process. Another commenter suggested there may be instances where the appeals entity finds that deference to a prior decision would be appropriate and a *de novo* hearing would not be needed; therefore, the commenter recommended that the review should be *de novo,* unless the appeals entity determines that a *de novo* hearing is not needed.

Response: We do not anticipate that most appellants will be in a position to determine the appropriate standard of review for their appeal. Many appellants will neither be familiar with the concept nor understand the impact of selecting one standard over another. We also disagree that the standard of review should be at the discretion of the appeals entity. We believe it is in the best interest of both appellants and appeals entities to use a consistent standard. The *de novo* standard of review protects the integrity of the process and ensures the fairest review for the appellant. We are finalizing the provision as proposed.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.535 of the proposed rule with the following modification. In § 155.535(e) and (f), we are changing ''appeal'' to ''appeals process'' for additional clarity.

i. Expedited Appeals (§ 155.540)

In § 155.540, we proposed the standards for expedited appeals. Specifically, we proposed that the appeals entity must establish and maintain an expedited appeals process for appellants to request where there is an immediate need for health services because a standard appeal could seriously jeopardize the appellant's life or health or ability to attain, maintain, or regain maximum function. We also proposed that if an appeal entity denies a request for an expedited appeal, it must handle the appeal under the standard process and notify the appellant of the denial.

Comment: We received general support for the inclusion of an expedited appeals process in the proposed rule from many commenters. Supporters viewed the provision as preventing gaps in coverage or access to vital care while the appeal is being adjudicated. However, we also received comments that the expedited appeal provisions should be removed or, alternatively, offered as a State option. Many of these commenters shared a variety of concerns. For example, some commenters expressed concern that the availability of an expedited process may create an unchecked incentive for individuals to claim medical need in order to expedite an appeal, thereby increasing the volume and burden associated with the expedited process. We received comment that the definition of those who qualify for expedited hearings is too broad and should be removed from the rule. Another commenter noted that the proposed process does not parallel Medicaid's provisions because, unlike Medicaid, the Exchange facilitates the purchase of coverage rather than providing it directly. Finally, we received comment that the expedited appeals process would require the appeals entity to evaluate questions of fact (whether there is actually an immediate need for health services, as contemplated in the proposed rule, which the commenter viewed as having no relation to the appellant's eligibility; thus, the expedited process would unnecessarily deplete resources and distract from the main purpose of the appeals entity.

Response: We consider access to and continuity of coverage to be an important factor in health care, particularly for those individuals who require immediate care. Many

individuals will not be able to pay for urgently needed health services without coverage, and will not be able to access affordable coverage except through an Exchange eligibility determination; therefore, we see a clear link between eligibility appeals and the need to offer an expedited timeframe for those individuals facing an immediate need for health care services. However, maintaining an appeals process to address these situations requires significant investment by the appeals entity first to determine which cases fit the standards for an expedited appeal, and then to swiftly adjudicate the appeal. As a result, we are finalizing the expedited appeals provisions with modification, requiring Exchange appeals entities to provide an expedited appeal process, but removing the two-day timeframe to issue notices of the denial of a request for an expedited appeal and requiring instead that the notice be issued ''within the timeframe established by the Secretary.'' We will publish guidance regarding the establishment of an expedited appeal timeframe that recognizes the appellant's immediate need for health services while acknowledging administrative constraints.

Comment: Several commenters provided many suggestions as to how the expedited appeals process could be modified. For example, one commenter proposed that the informal resolution process could be used as a venue to quickly address an expedited appeal request and help appellants understand why an eligibility decision was made.

Response: Although we see the advantages to quick resolution through the informal resolution process, the expedited appeals process should provide the same level of due process as the standard appeals process. Therefore, we clarify that the expedited process must make the right to a hearing available to the appellant.

Comment: Another commenter recommended that the rule for expedited appeals state that the appellant bears the burden to demonstrate that he or she meets the definition for an expedited appeal and must provide medical documentation to that effect. Similarly, one commenter suggested that any person seeking an expedited appeal should be required to submit specific information, including medical documentation, showing how he or she satisfies the standard, subject to a page limit or other limitation on the amount of documentation submitted to avoid inundating the appeals entity with material as it makes its decision whether to expedite the appeal.

Response: We agree that an appellant requesting an expedited appeal must provide sufficient information to the appeals entity to enable to enable the appeals entity to determine whether the appellant meets the standard for an expedited appeal. We are not providing specific regulatory language specifying the information or types of information an appellant must provide to substantiate an expedited appeal request. We expect appeals entities to establish appropriate measures to determine which appellants seeking an expedited appeal meet the standard for an expedited appeal.

Comment: We received comments seeking examples of situations that qualify for expedited appeals.

Response: We expect appeals entities to make decisions about requests for expedited appeals on a case-by-case basis, based on the totality of all the relevant information provided to the appeals entity about the need for immediate health services. Because each case must be judged on an individual basis, we decline to provide specific examples of situations that would qualify for an expedited appeal.

Comment: We received many comments requesting that access to the expedited appeals process be limited. One commenter recommended that expedited appeals be limited to initial denials of eligibility or redeterminations resulting in a loss of eligibility to more adequately address the issue of continuity of coverage. We also received a few comments that expedited appeals should not be available for individuals who receive determinations for advance payments of the premium tax credit or cost-sharing reductions. Finally, a request was made to delineate that individuals with serious and complex medical conditions, including HIV and viral hepatitis, automatically qualify for an expedited process because delaying or disrupting treatment or access to affordable medications can result in serious medical consequences for these individuals.

Response: We understand that expedited appeals will require an investment of resources by the appeals entity and, consequently, understand the desire to limit the volume of expedited appeal requests. However, expedited appeals can provide an important mode of access to coverage and care that some individuals will be heavily reliant upon for immediate or continuing care. We encourage appeals entities to educate consumers on the purpose of an expedited appeal so that individuals can assess which process is appropriate for their situation. An expedited appeal is meant to assist individuals whose health might be harmed by the length of time required for the standard appeal process, and we do not anticipate that such harm will be limited to individuals who have received specific eligibility or ineligibility determinations. We note that we are finalizing the provision with minor modification by removing ''seriously'' from § 155.540(a) because we believe ''jeopardize the appellant's life'' sufficiently states the standard for an expedited appeal.

Comment: We received many comments regarding the timeframe for denying requests for expedited appeals. Some commenters supported the proposed two-day timeframe. Other commenters expressed concern over the proposed timeframe and how its brevity might limit effective review of the expedited appeal request. Some commenters recommended alternative timeframes ranging from three to seven days. Finally, we received a comment requesting that we specify the timeframe for denying expedited appeal requests in paragraph (b)(2) in terms of business days rather than calendar days.

Response: As noted above, we are modifying the final rule from the proposed rule by eliminating the two-day requirement and requiring instead that the notice of denial of an expedited appeal request be issued ''within the timeframe established by the Secretary.''

Comment: With regard to the content of the notice denying a request for an expedited appeal, we received comments requesting that we require such notice to state the reason for the denial, the fact that the appeal will be heard on the standard timeframe, and any options the appellant may have if he or she disagrees with the decision.

Response: Notices provide valuable information to individuals about the actions being taken, the reason for actions taken, the individual's rights and available protections, as well as next steps. We agree that individuals who are denied an expedited appeal would benefit from a detailed denial notice. Paragraph (b) proposed that notice of a denial could be provided orally or electronically as long as the appeals entity followed oral notification with a written notice within two days of the denial. We are modifying paragraph (b) to require specific content in the written notice for the denial of an expedited appeal request, including the reason for the denial, an explanation that the appeal request will be transferred to the standard process, and an explanation of the appellant's rights under the standard process. We are not modifying this provision to require the appeals entity to include in the notice

an explanation of the options available to the appellant if he or she disagrees with the decision regarding the request for an expedited appeal, because there is no administrative appeal of the denial of an expedited appeal request. Although nothing in this final rule limits any judicial review that may be available under the law, we note that the appellant will likely receive the quickest relief through the standard appeal process.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.540 of the proposed rule with the following modifications. In paragraph (a), we are removing ''seriously'' from the standard for an expedited appeal because meeting the requirement that a standard appeal could ''jeopardize the appellant's life'' is sufficient. In subparagraph (b)(2), we restructured the provision and removed the proposed requirement that the written follow-up notice after oral notification of the denial of an expedited appeal request be provided within ''2 days of the denial.'' We are replacing this proposed timeframe with the requirement that the notice be issued ''within the timeframe established by the Secretary.'' We are also replacing, ''if notified orally'' with ''if notification is oral,'' for clarity. The provision now states, ''Inform the appellant, promptly and without undue delay, through electronic or oral notification, if possible, of the denial and, if notification is oral, follow up with the appellant by written notice, within the timeframe established by the Secretary. Written notice of the denial must include—.'' We are adding a new subparagraph (b)(2)(i) to require that the written notice of the denial include the reason for the denial of the expedited appeal request. Similarly, new subparagraph (b)(2)(ii) requires that the written denial notice contain an explanation that the appeal request will be transferred to the standard appeals process and new subparagraph (b)(2)(iii) requires that the denial notice include an explanation of the appellant's rights under the standard process.

j. Appeal Decisions (§ 155.545)

In § 155.545, we proposed requirements for the basis, content, notice, and implementation of appeal decisions. In § 155.545(a), we proposed standards for appeal decisions, including the scope of information a decision may be based upon and the decision content. In § 155.545(b), we proposed timeframes for issuing notice of the appeal decision and instructions for sending the appeal decision to the appellant and to the Exchange or Medicaid or CHIP agency, as applicable. Finally, in § 155.545(c), we proposed standards for implementing appeal decisions, including the effective date of implementation, as well as requirements for redetermining eligibility for other household members whose eligibility may be affected by the appeal decision.

Comment: We received support for the appeals provisions in § 155.545(a). A few commenters recommended the contents of the appeal decision also include language explaining the time limits to escalate an appeal from a State Exchange appeals entity to HHS. Another commenter encouraged us to require State Exchange appeals entities to include information that the decision is final, unless the individual pursues further review by HHS.

Response: We agree with commenters' suggestions, and are finalizing the provisions of § 155.545(a) with minor modification in response to the comments above. We are moving the proposed requirement to provide an explanation of the right to pursue the appeal at HHS, including the applicable timeframe, to new subparagraph, § 155.545(a)(6)(i). In addition, we are adding new subparagraph § 155.545(a)(6)(ii) to require appeal decisions from State Exchange appeals entities to indicate that the decision is final unless the appellant escalates the appeal to the HHS appeals entity. We anticipate that this additional information will assist an appellant in a State Exchange appeals process to better understand the impact of the escalation decision and his or her options for further to appeal to HHS. Finally, we also note we are modifying paragraph (a)(1) by adding reference to subpart G and ''and if the Medicaid or CHIP agencies delegate authority to conduct the Medicaid fair hearing or CHIP review to the appeals entity in accordance with 42 CFR 431.10(c)(1)(ii) or 457.1120, the eligibility requirements under 42 CFR parts 435 and 457, as applicable'' to address appeal decisions involving appeals delegated by State Medicaid or CHIP agencies.

Comment: We received many comments on the proposed timeframe for adjudicating eligibility appeals in § 155.545(b)(1). Some commenters suggested a longer timeframe, while others recommended a shorter timeframe; many commenters indicated support for State flexibility in this area. Some commenters indicated that the 90-day timeframe to resolve an appeal is not sufficient to conduct a comprehensive informal process while ensuring the appellant's right to a formal hearing. We received the recommendation that appeals entities be provided 120 days to issue the final appeal decision. Alternatively, one commenter urged us to limit the timeframe for issuing an appeals decision in order to mitigate the adverse effects of a prolonged appeals process and lessen the period of uncertainty for an appellant. Similarly, one commenter recommended the timeframe be shortened to less than 90 days as a means to limit the amount of retroactive adjustments in eligibility, as discussed below. Finally, other commenters supported the proposed 90-day timeframe, and some encouraged us to require decisions to be made as expeditiously as possible within the required timeframe.

Response: Because we must balance the pressing interests of the appellant and the administrative concerns of the appeals entity, we are finalizing the provision as proposed with the 90-day timeframe. This aligns with the current Medicaid fair hearing timeframe for issuing appeal decisions and provides an adequate timeframe in which the appeals entity can complete its review while not delaying resolution beyond acceptable limits. We understand that appellants who elevate State Exchange appeal decisions to HHS may face longer timeframes for resolution due to the second level of appeal, but we reiterate that section 1411(f)(1) of the Affordable Care Act requires this Federal review to be available for individual eligibility appeal decisions by State Exchange appeals entities, for appellants who choose to avail themselves of it. In all cases, we encourage appeals entities to resolve appeals as expeditiously as possible.

Comment: Commenters did not support the inclusion of the phrase ''as administratively feasible'' in § 155.545(b)(1). Commenters saw the phrase as creating a loophole that allows standards to be ignored. In addition, commenters saw this as creating problems in getting a timely Medicaid fair hearing decision, for example when the appellant opts to pursue a Medicaid appeal before the State Medicaid agency instead of the Exchange appeals entity. Commenters urged HHS to maintain the standard for completing the appeal within 90 days of the date of the request. Some commenters also encouraged us to add language to establish an expectation for timely decision-making to ensure an efficient process.

Response: We share the commenters' concerns for timely adjudication of appeals. As noted in our discussion of other sections in this final rule, we also understand the pressures Exchanges

face to build appeals systems, connect with the Federal process and other agencies administering insurance affordability programs, establish appeals protocols, and ultimately process appeals, the volume of which is not yet known and many of which may be complex. Because administrative realities must be taken into account, we are finalizing the provisions as proposed in this regard, allowing some reasonable administrative flexibility as concerns the 90-day timeframe for issuing an appeal decision. However, we note that, though we are maintaining this administrative flexibility, we fully expect appeals entities to adjudicate appeals within the 90-day timeframe in every case in which it is reasonably administratively feasible to do so.

Comment: One commenter noted that if a State does not delegate Medicaid or CHIP appeals authority to the Exchange, States require additional guidance to define the State's responsibility for these types of appeals when the Exchange appeals entity cannot issue an appeal decision within 90 days.

Response: We encourage those States that do not delegate Medicaid or CHIP appeals authority to the Exchange to anticipate situations where the non-delegation may jeopardize the efficiency of administrative processes and work to ensure adequate communication and timely processes to prevent unnecessary delay for the appellant and the agencies and appeals entities concerned.

Comment: The proposed timeframe for issuing an expedited appeal decision received many comments. We received support for the proposed timeframe of three working days as well as many recommendations to lengthen the timeframe. Some commenters noted that three working days is too short to allow time for the appellant and the agency to prepare properly for the appeal, including gathering the relevant information and providing a hearing. One commenter recommended the expedited timeframe for a decision be no less than 45 days. Finally, we received a request to clarify whether the three day timeframe begins from the date of the request for appeal or from the date an expedited hearing is held.

Response: We received many comments from States that it would not be administratively possible to provide an appellant a hearing and generate an appeal decision within the proposed three-day timeframe for expedited appeals. Commenters did not address an alternative, reasonable timeframe. In response to the comments received, we are modifying the proposed rule by eliminating the three-day requirement, and instead, in this final rule, we are requiring that the timeframe for issuing expedited appeal decisions be ''as expeditiously as reasonably possible, consistent with the timeframe established by the Secretary.'' We will publish guidance regarding the establishment of an expedited appeal timeframe that recognizes the appellant's immediate need for health services while acknowledging administrative constraints.

Comment: One commenter requested more information about what would happen if an appeal crosses over benefit years.

Response: Although not addressed in the final rule, it is our intention that an appeal that crosses over benefit years will be treated like any other appeal.

Comment: Several commenters recommended that tax filers who rely in good faith on an eligibility determination by the Exchange or appeals entity should be granted a safe harbor from having to pay back some or all of any advance payments of the premium tax credit they may receive for a coverage year during tax reconciliation, to the extent that the IRS may take a different view regarding the tax filer's eligibility for premium tax credits.

Response: The Exchange's determination takes a prospective look at an applicant's anticipated household income for a coverage year to determine eligibility for advance payments of the premium tax credit. The eligibility appeals process uses the same standards to examine eligibility for advance payments of the premium tax credit, taking into account any new, relevant evidence an appellant may provide. The appeal decision will provide an eligibility determination that is accurate based on the eligibility information to which the appeals entity has access; however, the IRS reconciliation process (which is regulated and administered by the IRS and is outside the scope of these final rules) looks retrospectively at a tax filer's actual income for the tax year to accurately determine the premium tax credit for which the tax filer is eligible. The IRS is the sole authority on the tax reconciliation process that occurs after the close of a tax year.

Comment: A few commenters found it difficult to determine the decision effective date based on the proposed appeal decision implementation provisions in § 155.545(c)(1). Some commenters found the reference to § 155.330(f) confusing. We received the recommendation that § 155.545(c)(1) should require that the effective date of the appeals decision be the date that the incorrect eligibility determination was made or other adverse action was taken, so as to fully remedy the error.

Response: Section 155.330(f) requires Exchanges to implement changes resulting from an appeal decision, ''on the date specified in the appeal decision.'' In addition, we have slightly modified proposed § 155.545(c)(1) in this final rule to provide that eligibility resulting from an appeal be implemented prospectively, beginning on the first day of the month following the date of the notice of the appeal decision, or retroactively, to the date the incorrect eligibility determination was made, or at the option of the appellant. If an eligibility determination was made in error, the notice of the appeal decision will provide the appellant with the opportunity to choose a retroactive effective date for the correct the eligibility determination, in order to make the appellant whole. If an eligibility determination was correct when made, but new, relevant information provided during the course of the appeal establishes that a different eligibility determination is correct at the time of the appeal, the appeal decision will provide a prospective effective date.

Comment: We received many comments reflecting a spectrum of opinions for the proposed requirement to implement certain appeal decisions retroactively. We note that many of these comments also apply to the pended eligibility provisions proposed in § 155.525, which may require retroactive enrollment, such as where there is a delay between the appellant's appeal request and the tax filer's notification to the appeals entity that he or she wishes to accept pended eligibility, if applicable.

Many commenters supporting retroactive effect for individual eligibility appeal decisions noted that retroactivity can be critical to appellants receiving due process because retroactive effect can serve as both an important consumer protection and a corrective mechanism. In addition, these commenters supported retroactive effect for individual eligibility appeal decisions because it prevents appellants from being harmed by the time required to complete the appeals process.

Several commenters responded to preamble discussion regarding ways to limit the applicability of retroactivity. A handful of commenters recommended that appellants be allowed to ''opt out'' of retroactive effect because some appellants might not wish to pay back premiums for coverage, such as those who may not have incurred medical expenses for which they might want to be reimbursed. Comments considering

this option questioned the timeframe in which an appellant who opted for retroactive eligibility would be expected to pay back premiums to the issuer. In addition, one commenter recommended that we waive payment of premiums for the appellants who are retroactively enrolled in a QHP through the Exchange because the need for retroactive enrollment is not the fault of the appellant. We also received support for the preamble proposal to limit retroactive effect for appeal decisions to those already enrolled in coverage. Another commenter recommended limiting retroactive effect to only those appellants who do not qualify for eligibility pending appeal. A few commenters noted that, if an appellant opts for retroactive effect for the appeal decision, corresponding benefits should only be made available after the appellant has paid the premium covering the entire period of retroactive effect. We received another comment that retroactive effect for appeal decisions should be optional for Exchanges to implement or, in the alternative, Exchanges should be afforded flexibility in implementing retroactivity.

Comments opposing the proposed provision on retroactive effect for appeal decisions provision largely focused on the operational difficulties associated with retroactive enrollment in a QHP, reimbursements for past health care expenditures, and payment of back premiums, but did not question that retroactive effect for appeal decisions may be, in some cases, a fundamental due process right. First, some commenters felt that retroactive effect will result in unnecessary confusion and complexity for consumers, issuers, and providers, and would add administrative burden and costs to the system. Several commenters specifically mentioned complexity where the appellant was not enrolled in coverage before the appeal decision, and the appeal decision provides the appellant the opportunity to elect retroactive effect. Second, several commenters noted retroactive effect for appeal decisions could result in some adverse selection because many individuals eligible to retroactively enroll in coverage would choose to do so only when they have already incurred claims for medical services. Third, some commenters expressed concern for the timeframe that retroactive effect for an appeal decision could encompass, citing the 90-day period to request an appeal, the 90-day period to issue an appeal decision, and the additional 30 days and 90 days possible in the case of an escalation appeal to HHS, if the appellant elevates the appeal from a State Exchange appeals entity. These commenters pointed out that issuers could be faced with collecting back premium and reimbursing for past services going back several months. Some commenters recommended shortening the timeframe for which retroactive effect could be given to an appeal decision to only 90 days, rather than back to the date of the incorrect eligibility determination. Similarly, we received comments that some State laws may limit the extent to which these retroactive collections and reimbursements can be made, and these State law timeframes may be shorter than the total timeframe possible in the case of an individual eligibility appeal. Finally, some commenters expressed concern about complexity involved in payments to providers that may be affected by retroactive enrollment in a QHP through the Exchange, and the intersection of this policy with other enrollment policies in the Exchange rules. These comments are further detailed below.

Response: Although we recognize the operational complexities involved with giving retroactive effect to an individual eligibility appeal decision, we are finalizing proposed § 155.545(c) with only minor modification, and we are retaining the concept of retroactive implementation. We believe that appellants must be given the option to choose to give effect to an appeal decision that alters the appellant's original eligibility determination, retroactive to the date that the incorrect eligibility determination was made. The purpose of an appeal is to ensure the appellant receives the appropriate eligibility determination. Thus, in the Medicaid context, State agencies are directed to make corrective payments retroactive to the date an incorrect action was taken under 42 CFR 431.246. Retroactive appeal decisions can also protect appellants from unfairly having to pay the individual responsibility penalty under § 5000A of the Internal Revenue Code, which might otherwise apply if the appellant does not maintain coverage throughout the year.

As noted above, we presented in preamble to the proposed rule at 78 FR 4653 the option that an appellant could choose not to retroactively enroll in coverage to avoid paying past premiums. In response to the comments discussed above, we are now modifying the proposed provision to allow an appellant whose appeal decision reflects that the eligibility determination being appealed was incorrect to choose to have effect given to the appeal decision, retroactive to the date of the incorrect eligibility determination. This modification is implemented in new § 155.545(c)(1)(ii). Appellants who opt for retroactive effect will be required to pay applicable back-premiums for retroactive coverage to be effective. The technical aspects of this approach will be addressed in future guidance. Appellants who do not opt for retroactive effect will be offered a hardship exemption pursuant to § 155.605(g)(1) and as described in the Center for Consumer Information & Insurance Oversight, Guidance on Hardship Exemption Criteria and Special Enrollment Periods (June 26, 2013), so that these appellants will not be liable to pay the individual responsibility penalty under § 5000A of the Internal Revenue Code for a failure to maintain minimum essential coverage that was associated with an erroneous eligibility determination. Finally, we note a modification to § 155.545(c) in which we removed ''or the Medicaid and CHIP agency, as applicable'' and ''in accordance with the applicable Medicaid or CHIP standards in 42 CFR parts 435 and 457, as applicable'' in subparagraph (c)(1)(iii) to clarify that the provision relates to only the Exchange and State Medicaid and CHIP agencies will follow their respective rules for implementation following receipt of the appeal decision notice.

Comment: We received many comments regarding how issuers would manage retroactive enrollments and related payments or reimbursements. Some commenters expressed concern that retroactive eligibility would place liability for inaccurate eligibility determinations made by the Exchange on the issuer. Some commenters focused on the impact retroactive eligibility could have on financial management, including cost-sharing reductions, reinsurance, and risk adjustment. Some commenters also noted that retroactive changes may result in inaccurate calculations for the Medical Loss Ratio (MLR) and risk corridor programs, resulting in inaccurate payments to enrollees, and noted that appellants may have a significant volume of retroactive claims to address, given the timeframe potentially involved in an individual eligibility appeal.

Response: We are finalizing the rule without limiting the ability of an appellant who meets the standards for retroactive eligibility to choose to give his or her appeal decision full retroactive effect. However, we will consider providing further operational guidance on the issues noted above by commenters.

Comment: Regarding implementation of expedited appeal decisions, a commenter recommended that the final rule address the timeline for QHPs to effectuate coverage resulting from an expedited appeal decision to minimize QHP liability to pay for services rendered during the appeals process but for which an expedited appeal process may determine the individual was not eligible.

Response: We neither proposed nor provide for an expedited enrollment process following an expedited appeal decision in the final rule and direct commenters to the standards for enrollment periods established in in part 155 subpart E.

Comment: Several commenters supported the proposed requirement in § 155.545(c)(2) that an appellant's household members' eligibility be redetermined if the appeal decision has implications for the eligibility of other members of the household. These commenters noted that this policy may protect the tax filer from having to pay back advance payments of the premium tax credit made on behalf of other household members at reconciliation.

Response: We are finalizing the provision in § 155.545(c)(2) as proposed. This policy will help ensure that the Exchange provides accurate eligibility determinations for all household members, which is a protective measure for the tax payer as concerns the reconciliation process.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.545 of the proposed rule with the following modifications. In paragraph (a)(1), we are adding reference to subpart G to ensure that appeal decisions concerning exemptions must be based on the eligibility requirements set forth in that subpart. We are also modifying this § 155.545(a) to provide greater clarity regarding appeal decisions involving appeals delegated by State Medicaid or CHIP agencies. Paragraph (a)(1) now provides that appeal decisions must ''[b]e based exclusively on the information and evidence specified in § 155.535(e) and the eligibility requirements under subpart D or G of this part, as applicable, and if the Medicaid or CHIP agencies delegate authority to conduct the Medicaid fair hearing or CHIP review to the appeals entity in accordance with 42 CFR 431.10(c)(1)(ii) or 457.1120, the eligibility requirements under 42 CFR parts 435 and 457, as applicable.'' We are moving the requirement originally proposed in § 155.545(a)(6) to new subparagraph(a)(6)(i) and inserting language to require that the notice of appeal decision provided by a State Exchange appeals entity must include an explanation of the appellant's right to pursue the appeal before the HHS appeals entity, ''including the applicable timeframe'' to submit such an appeal request. We are also adding new subparagraph § 155.545(a)(6)(ii) to require that a notice of appeal decision provided by a State Exchange appeals entity ''[i]ndicate that the decision of the State Exchange appeals entity is final, unless the appellant pursues the appeal before the HHS appeals entity.''

In paragraph (b)(1), we are making a minor change to add ''of'' between ''date'' and ''an.'' In § 155.545(b)(2), we are removing the timeframe for providing an expedited appeal decision; the provision now states that expedited appeal decisions must be issued ''as expeditiously as reasonably possible, consistent with the timeframe established by the Secretary.''

We are removing from § 155.545(c) ''or the Medicaid and CHIP agency, as applicable'' along with ''in accordance with the applicable Medicaid or CHIP standards in 42 CFR parts 435 and 457, as applicable'' in subparagraph (c)(1)(iii) to clarify that the provision relates to only the Exchange. We are modifying proposed § 155.545(c) regarding the implementation date for appeals decisions. In § 155.545(c)(1), we are including language so that the provision now reads, ''Implement the appeal decision effective[,]'' followed by new subparagraph (c)(1)(i), which states, ''[p]rospectively, on the first day of the month following the date of the notice of appeal decision, or consistent with § 155.330(f)(2) or (f)(3), if applicable[.]'' New subparagraph (c)(1)(ii) further provides that an appeal decision may be implemented ''[r]etroactively to the date the incorrect eligibility determination was made, at the option of the appellant.''

k. Appeal Record (§ 155.550)

In § 155.550, we proposed requirements for accessing the appeal record. The proposed requirements included both appellant and public access to the appeals records. We proposed that all access would be subject to applicable laws regarding privacy, confidentiality, disclosure, and personally identifiable information.

Comment: In response to § 155.550, we received several comments offering general support for the proposed provisions. Some commenters stated that access to the appeals record promotes transparency and accountability in the eligibility appeals process.

Response: We are finalizing § 155.550 with minor modification as outlined below. We consider access to the appeal record to be an important tool for appellants in order to understand the eligibility and appeals process, and their appeal decision. In addition, we agree that public access, subject to laws concerning privacy, confidentiality, disclosure, and personally identifiable information, promotes transparency and accountability, program integrity, and quality.

Comment: We received one comment requesting that we confirm that providing a digital audio recording of the hearing is sufficient to satisfy the requirements of § 155.550(a) to make the appeal record available to the appellant. The commenter expressed concern about increased costs if written transcripts must be provided.

Response: The appeals record is defined in § 155.500. The definition specifies that the appeals record includes ''the appeal decision, all papers and requests filed in the proceeding, and, if a hearing was held, the transcript or recording of hearing testimony or an official report containing the substance of what happened at the hearing, and any exhibits introduced at the hearing.'' Therefore, an audio recording of the hearing is sufficient to meet the requirement that a transcript or recording of hearing testimony be included in the appeal record, when a hearing is held. We note that the record must not be limited to an audio recording or transcript of the hearing and must fully comport with the regulatory definition of ''appeal record.'' Appeals entities that wish to include only an audio recording of any hearing in the appeal record should take into account the needs of appellants who may encounter difficulties accessing or re-playing audio recordings, and make appropriate efforts to ensure that appellants who encounter these barriers are able to meaningfully access their appeal record, consistent with this final rule.

Comment: We received a few comments requesting modifications to 155.550(b) of the proposed rule. Several commenters recommended that the Medicaid fair hearing rules regarding public access to the appeals record be followed to align the programs, including limiting public access to only the redacted appeal decision. A few commenters cited consequences of allowing public access, including discouraging individuals from appealing for fear that information, even if redacted, could be access by anyone and the increased labor and costs associated

with redacting appeal records. Similarly, we received several comments requesting that we confirm that an appeals entity may require the public to reimburse the appeals entity for costs associated with compliance with § 155.550(b).

Response: In response to comments requesting closer alignment with Medicaid rules and concerns about increased costs and burden on appeals entities, we are modifying § 155.550(b) to allow public access to only the appeal decision, subject to all applicable laws concerning privacy, confidentiality, disclosure, and personally identifiable information. We believe this approach will balance the interests of the appellant, appeals entity, and the public to protect information, not overburden appeals entities, and provide for transparency and accountability in the appeals process. Finally, in response to comments regarding reimbursement for costs associated with compliance with § 155.550(b), we note these comments are outside the scope of the proposed rule.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.550 of the proposed rule with the following modifications. We are modifying the title of § 155.550(b) to read ''Public access to the appeal decision,'' thereby limiting the scope of public access to decisions and not full appeal records. Similarly, we are modifying the text of § 155.550(b) by replacing ''records'' with ''decisions'' to specify that the public will only have access to appeal decisions, subject to all applicable Federal and State laws regarding privacy, confidentiality, disclosure, and personally identifiable information.

l. Employer Appeals Process (§ 155.555)

In § 155.555, we proposed that an appeals process be established through which an employer may appeal, in response to a notice under § 155.310(h) regarding an employer's potential liability for the shared responsibility payment under section 4980H of the Code, a determination that the employer does not provide minimum essential coverage through an eligible employer-sponsored plan or that the employer does provide such coverage but it is not affordable coverage with respect to the employee referenced in the notice. We proposed that a State Exchange has the flexibility to establish an appeals process for employers and, if the State chooses not to establish an employer appeals process, that HHS would provide the process. Unlike individual eligibility appeals, we did not propose that employers be allowed to escalate an appeal to HHS if the employer is dissatisfied with the appeal decision of a State Exchange appeals entity.

We proposed the process and standards for requesting an appeal and the standards for providing notice of the appeal request to the employee and to the Exchange. We proposed requirements for transmitting and receiving information related to the appeal between the Exchange and the appeals entity. We proposed standards for dismissing employer appeals and a process for an employer to request that a dismissal be vacated. We proposed the procedural rights of the employer, including the scope of information the employer may review as part of the appeal and the requirement that the Exchange and appeals entity may not share an employee's tax information with an employer. Finally, we proposed standards for adjudication of the appeal, the content and notice of the appeal decision, implementation of the appeal decision, and the appeal record.

Comment: One commenter recommended that Exchanges coordinate the notice under § 155.310(h) with the IRS. The commenter suggested that notices from an Exchange regarding employer liability will cause confusion for employers and unnecessary administrative burden on the Exchange. The commenter recommended a process where the Exchange verifies an employer's tax liability with the IRS prior to the delivery of any liability notice to an employer.

Response: We maintain the existing language in § 155.310(h), which specifies that when an employee has been determined eligible for advance payments of the premium tax credit or cost-sharing reductions, the Exchange will notify the employee's employer, in accordance with section 1411(e)(4)(B)(iii) of the Affordable Care Act. Specifically, § 155.310(h) provides that the notice to the employer will: (1) Identify the employee; (2) indicate that the employee has been determined eligible for advance payments of the premium tax credit; (3) indicate that if the employer has 50 or more full-time employees, the employer may be liable for the payment assessed under section 4980H of the Code; and (4) notify the employer of the right to appeal the determination. IRS will be determining employer liability under section 4980H of the Code after tax returns are filed. We clarify that for efficiency in operations, the Exchange can either send the employer notice under § 155.310(h) on an employee-by-employee basis as eligibility determinations are made, or send it to employers for groups of employees. We also note that the Exchange should adjust notice language to reflect that the employer will not be liable for the payment assessed under section 4980H of the Code for 2014.

Comment: We received a comment sharing concern about the potential impact on employees of a decision that the employer coverage is both affordable and meets minimum value standards, resulting in the employee being redetermined ineligible for advance payments of the premium tax credit and cost-sharing reductions. Specifically, the commenter noted that because of limited open enrollment periods, such an employee might not be able to enroll in the health coverage offered by the employer when the employer appeal decision is issued. The commenter recommended that employees in this circumstance be allowed to stay in a QHP and continue to receive advance payments of the premium tax credit and cost-sharing reductions until the next opportunity to enroll in the employer plan. The commenter argued that because the Exchange initially determined that the employer coverage was unaffordable at the time of the employee's eligibility determination, the safe harbor provisions in section 1.36B–2(c)(3) of the Code should apply to employees at reconciliation. The commenter suggested that the Exchange should complete a full redetermination of the employee's eligibility when an employer's appeal is successful to ensure that the employee may continue to receive any benefits under insurance affordability programs for which he or she may qualify.

Response: We encourage employers to educate their employees about the details of health coverage offered to them and to assist employees in providing information regarding the employer-sponsored coverage available to the employee through the Employer Coverage Tool as part of the single-streamlined application. Additionally, employers should use the Fair Labor Standards Act (FLSA) notice to provide information to employees. Accurate information about employer-sponsored coverage available to the employee helps the Exchange make an accurate determination of the employee's eligibility for insurance affordability programs. If an employee is determined eligible for advance payments of the premium tax credit or cost-sharing reductions, the employer appeal is the opportunity for an employer to correct information about employer-sponsored coverage offered to the employee and for the Exchange to use any additional relevant information provided by the

employer to confirm that the employee's eligibility determination for insurance affordability programs is correct. This process will help to minimize the employee's potential liability to repay advance payments of the premium tax credit that he or she was not eligible to receive, and will help to protect the employer from being incorrectly assessed a tax penalty. Administration of the reconciliation process, employer responsibility payments, and the provisions of section 1.36B–2(c)(3) of the Code are under the jurisdiction of the IRS. Finally, we note that employers can develop policies to allow an employee to enroll in employer-sponsored coverage outside an open enrollment period when the employee is redetermined as ineligible for advance payments of the premium tax credit or cost sharing reductions as a result of an employer appeal decision.

Comment: We received several comments regarding the option for a State Exchange to provide an employer appeals process, or to defer to HHS to provide the process, as provided in § 155.555(b). One commenter sought clarification about the ability for State Exchanges to provide this appeals process. In addition, several commenters requested that the final rule provide the option for employers to elevate their appeal from a State Exchange appeals entity to the HHS appeals entity, similar to the option permitted to individuals in § 155.505. One commenter suggested that not providing an option to an employer to elevate an appeal to the HHS appeals process, while allowing an employee who receives financial assistance through the Exchange to do so in an individual appeal, is unfair. The commenter recommended a process in which both employers and employees have equal opportunities to have appeals heard by the HHS appeals entity. Another commenter recommended that HHS establish an employer appeals process for all Exchanges, rather than allow Exchanges the option to establish their own appeals processes. We also received comment in support of the ability for employers to appeal to the HHS appeals process where a State Exchange has elected not to establish an employer appeals process.

Response: Unlike the individual eligibility appeals process, the Affordable Care Act does not require a Federal process be available to hear employer appeals. Therefore, we have provided States the flexibility to provide a State Exchange appeals process for employers or to defer these appeals to the HHS appeals process. We consider State Exchanges that have made the employee's eligibility determination to be in the best position to adjudicate an employer's appeal related to that determination. However, the HHS appeals process will be available to employers in those State Exchanges that elect not to provide an employer appeals process. We are finalizing § 155.555(b) as proposed.

Comment: A few commenters expressed concern that giving States the option to provide an employer appeals process may result in disparate outcomes for employers that operate in multiple States. These commenters noted having many State Exchanges adjudicating employer appeals will add complexity to the appeals process and administrative burden for large employers.

Response: We generally consider it a best practice, in terms of safeguarding efficiency and process integrity, to have appeals heard by the entity issuing the eligibility determination concerned in the appeal, wherever possible. We also wish to provide State Exchanges flexibility regarding the process for adjudicating appeals of determinations they have made, given the many operational requirements and considerations involved in developing new eligibility and appeals processes. Because the final rules provide a uniform process and standards by which appeals are adjudicated, we expect appeal decisions to be consistently accurate regardless of whether an appeal decision is issued by a State Exchange appeals entity or the HHS appeals entity. Therefore, we are finalizing § 155.555(b) as proposed, without modification.

Comment: One commenter sought clarification about the timeframe and process for how HHS will relay appeals information to State Exchanges that choose to delegate employer appeals to HHS.

Response: The HHS appeals entity and State Exchange appeals entities are subject to same requirements set forth in § 155.555. If the HHS appeals entity hears an employer appeal from a State that does not elect to provide its own employer appeals process, HHS will communicate information about the appeal and request information from the Exchange through the processes described throughout § 155.555, including paragraphs (d), (f), (k), and (l).

Comment: We received comment recommending that the final rule provide employees the right to appoint a representative during an employer appeal.

Response: The proposed rule in § 155.555(b) addressed the ability of the employer to designate an authorized representative pursuant to the provision in § 155.505(e), but did not expressly address the ability of the employee to designate an authorized representative. We are modifying § 155.555(b) to remove the reference to§ 155.505(e), retitled ''Representatives,'' because § 155.227 does not contemplate representation for employers. However, we note that nothing in § 155.555 prevents employers or employees from relying on a representative or other assistance from a third party during the employer appeal.

Comment: Similar to the comments we received for § 155.520, we received comment expressing concern over the modes proposed to accept employer appeal requests, which included via telephone, mail, in person, and via the Internet. The comment specifically requested that the requirement to accept appeal requests by telephone be removed from the final rule or left to State option to reduce the burden on appeals entities.

Response: Consistent with our approach to individual eligibility appeal requests in § 155.520(a), we are finalizing § 155.555(c) as proposed; however, as we note above, during the first year of operations, Exchange appeals entities may use a paper-based process to accept employer appeal requests via mail; all other appeal request modes may be provided at the option of the appeals entity until the second year of operations.

Comment: We received one comment regarding the intersection between acknowledging appeal requests, the ability to cure a defective appeal request, and dismissing appeals. The commenter recommended, first, that employers be notified of the ability to cure a defective appeal request and, second, that HHS permit the appeals entity to impose a reasonable deadline for amendment of a defective appeal request. Absent such a deadline, the commenter indicated that an appeals entity would not know when it could comply with its obligation to dismiss the appeal for being invalid under § 155.555(f)(1).

Response: The proposed rule proposed to require that the appeals entity accept an amended appeal request only if the amended request met ''the requirements of this section [155.555],'' including the timing requirements in § 155.555(c). However, we agree that employers who submit invalid appeal requests toward the end of the appeal request timeframe will likely not have sufficient opportunity to cure the defect in their appeal request and resubmit it within the time

remaining to request an appeal. Therefore, we are finalizing § 155.555(d)(4) with modification to provide specifically that the appeals entity must inform the employer of the ability to cure the defect and we have provided appeals entities the flexibility to impose a reasonable deadline for submitting an amended appeal request.

Comment: One commenter recommended that the scope of the employer appeals process be limited only to appeals concerning whether the employer offered insurance to the employee-applicant that constitutes minimum value, and the employee share of the premium cost. The commenter suggested that appeals concerning whether the coverage was affordable implicates confidential information about the employee's income and should not be a part of the employer appeal because the employer does not have access to the employee's household income information.

Response: The scope of employer appeals process is defined consistent with the requirements of section 1411(f)(2) of the Affordable Care Act, which requires an appeal process for employers that are notified there has been a determination that the employer does not provide minimum essential coverage through an eligible employer-sponsored plan, or that the employer does provide that coverage but it is not affordable coverage with respect to an employee. We have delineated standards for an appeals process that comports with this requirement. Section 155.555(g) explains the information an employer may review as part of an employer appeal, and § 155.555(h) safeguards employee information, including the confidential income information about which the commenter expressed concern, by requiring that neither the Exchange nor the appeals entity may disclose an employee's tax return information to an employer. These provisions adequately protect confidential employee information during the employer appeal process. We are finalizing the provisions of § 155.555 as proposed in this regard.

Comment: Several commenters opposed the requirement in § 155.555(g)(2)(iii) that the appeals entity must provide the employer an opportunity to review ''other data used to make the determination described in § 155.305(f) or (g) to the extent allow by law.'' The commenters suggested that ''other data'' is overly broad and makes it unclear whether the employer has the right to review eligibility information for the employee or the employee's entire household. The commenters recommended deleting § 155.555(g)(2)(iii).

Response: Section 1411(f)(2)(A)(ii) of the Affordable Care Act requires that an appealing employer be provided ''access to the data used to make the determination [about the employer's failure to provide qualifying coverage or affordable qualifying coverage] to the extent allowable by law.'' The statutory limitation is reflected in the regulatory text we are finalizing in this final rule at § 155.555(g). As noted in the preamble to the proposed rule at 78 FR 4655, the amount of information an employer may access is limited, including by section 1411(f)(2)(B) of the Affordable Care Act, which generally prohibits disclosure of taxpayer return information with respect to an employee in the course of an employer appeal. Accordingly, the employer's right to review information about the employee's eligibility is minimal, as noted in § 155.555(g) and (h). We are finalizing the provisions of § 155.555(g) and (h), as proposed.

Comment: We received many comments supportive of § 155.555(h), in which we proposed that the Exchange and the appeals entity may not share tax return information with an employer in the course of an employer appeal.

Response: We are finalizing the provisions of § 155.555(h) without modification. As noted above, the scope of information available to an employer as part of the appeal is limited by section 1411(f)(2) of the Affordable Care Act and implementing regulations. Safeguarding personal information provided as part of the eligibility determination process is an integral aspect of all Exchange processes.

Comment: We received a comment regarding the standards proposed for the officials reviewing employer appeals. One commenter recommended deleting the term ''implicated in the appeal'' in § 155.555(i)(1) because the phrase may become a possible point of legal dispute in subsequent judicial reviews. The commenter noted that a court may overturn an Exchange decision on strictly procedural grounds because an official was in some arguable way involved in the Exchange determination that is subject to the appeal.

Response: This provision helps ensure an independent and unbiased review of the employer appeal. We are finalizing the provision as proposed.

Comment: One commenter sought modification of the provision for the appeal standard of review. The commenter recommended that the *de novo* standard should be used unless the appeals entity finds that a *de novo* hearing would not be needed.

Response: We disagree that the standard of review should be at the discretion of the appeals entity. We believe it is in the best interest of the employer, employee, and the appeals entity to use a consistent standard that does not give deference to prior decisions in the same matter. This standard protects the integrity of the process and helps ensure that the appeal will receive fair review. We are finalizing the provision as proposed.

Comment: We received many comments in response to the two options we proposed in preamble regarding the employee's ability to appeal a redetermination following an employer appeal decision. Comments were received in support of both options, but the majority favored allowing the employee to appeal the redetermination. Those in favor of allowing the employee to appeal highlighted that while an employee can participate in the appeal, he or she may not understand the significance of the process until he or she receives a redetermination notice. Also, while the employee has the opportunity to participate in the employer appeal, other family members do not and may not understand the impact of the appeal until redetermination occurs. Conversely, other commenters saw the ability to submit evidence as part of the employer appeal as sufficient to safeguard the employee's due process rights.

Response: In response to the comments received, we are modifying the final rule to permit employees whose eligibility is redetermined as a result of an employer appeal to appeal that redetermination in accordance with the provisions governing individual eligibility appeals in subpart F of part 155. We do not anticipate many appeals as a result of this provision, but we consider it important to provide the appeal right to the employee and his or her household members because they may not understand the potential impact of an employer appeal at the time when the employee has the opportunity to participate. Furthermore, the appeal provides the employee's household members the opportunity to dispute a redetermination that occurs as a result of an employer appeal process about which they may not have been aware and that did not provide for their participation. Finally, should an appeal of a redetermination find an employee eligible for the advance payment of the premium tax credit and cost-sharing reductions, thus implicating potential employer liability a second time, the employer will have recourse through the IRS appeals process if a penalty is later

levied, consistent with section 1411(f)(2)(A) of the Affordable Care Act.

Comment: Regarding the ability for employers and employees to appeal the same determination, a commenter sought clarification as to the sequencing of the employer appeals process if the employee also appeals his or her eligibility determination through the individual appeals process.

Response: An employee determined eligible for financial assistance through the Exchange may appeal that determination through the individual appeals process pursuant to the requirements in 45 CFR part 155, subpart F. Because of the employer notification required in some circumstances under § 155.310(h), it is possible that an employee and an employer could request appeals concerning the same eligibility determination simultaneously, although we note that this is likely to be a rare occurrence. We did not address this situation in the proposed rule and we decline to do so in the final rule. Instead, we provide flexibility to the State Exchange to determine how best to sequence the appeals.

Comment: We received support for our approach to notices in the employer appeals provisions. One commenter particularly supported the proposed content required for the notice of appeal decision in § 155.555(k), including the requirement for the notice to include an explanation of the appeal decision, factual findings relevant to the decision, and citations to the relevant regulations that support the decision. The commenter also supported the preamble discussion about the need to educate employers about the purpose and scope of the Exchange appeal versus actions taken by the IRS regarding assessment of the employer shared responsibility payment. In addition, the commenter appreciated the preamble discussion about developing notices to help employers understand their potential tax liabilities.

Response: We are finalizing the notice provisions as proposed. We also note that a paper-based process, as discussed above, is acceptable for the first year of operations with regard to notices.

Comment: We received comments recommending that an employee whose eligibility may be affected by the outcome of an employer appeal be granted more substantial rights in the employer appeal proceeding, including the right to review the full record before submitting additional evidence.

Response: We are finalizing the rule as proposed with regard to the procedural rights of the employee and employer. We have not included additional provisions allowing either party to view or respond to the information submitted by the other. Only limited information is relevant to an employer appeal such as, information about what coverage (if any) the employer makes available to the employee and what the cost of such coverage (if any) is to the employee. We expect the notices sent by the Exchange or appeals entity to the employer and the employee to make clear that only information addressing these items is relevant to the employer appeal. We also expect that the employee already will have submitted all or nearly all available, relevant information as part of the eligibility determination process; however, we anticipate that communications from the Exchange and appeals entity will help the employee understand the information that the appeals entity will be considering, and what additional information it might be helpful for the employee to submit. We note that, as relevant to household income, the employer will only be in a position to submit information about compensation the employer pays to the employee concerned. Moreover, as explained in preamble to § 155.555(k), the employee and members of his or her household, if applicable, will have the right to appeal a redetermination that results from an employer appeal decision, which is an important additional protection for the due process rights of the employee and members of his or her household, if applicable. If the employee or a member of the employee's household does appeal the redetermination, he or she will have access to the information used in that redetermination, which will include information about employer-sponsored coverage.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.555 of the proposed rule with the following modifications. In § 155.555(b), we are removing the references to § 155.505(e) to eliminate the cross-reference to standards for representatives that do not contemplate application to employers.

In § 155.555(d)(4), we are modifying the language using three subparagraphs to provide additional detail about the process for an appeals entity to send a notice of an invalid appeal request to an employer. Paragraph (d)(4) provides, ''[p]romptly and without undue delay send written notice to the employer of an appeal request that is not valid because it fails to meet the requirements of this section. The written notice must inform the employer—[.]'' Subparagraph (d)(4)(i) has been modified to require the notice inform the employer ''[t]hat the appeal request has not been accepted[.]'' We are modifying subparagraph (d)(4)(ii) to require the notice inform the employer ''[a]bout the nature of the defect in the appeal request[.]'' New subparagraph (d)(4)(iii) requires the notice inform the employer ''[t]hat the employer may cure the defect and resubmit the appeal request by the date determined under paragraph (c) of this section, or within a reasonable timeframe established by the appeals entity.'' These changes mirror similar modifications made in the individual Exchange eligibility appeals provisions.

We are modifying paragraph (f)(3) to include ''as to'' before ''why,'' and paragraph (j)(1) to include ''of this section'' after ''paragraph (i)(2).'' In paragraph (l), we are modifying the provision by adding ''and the eligibility of the employee's household members, if applicable,'' for additional clarity. Finally, we are modifying § 155.555(k)(2) to require the inclusion of additional content in the notice of employer appeal decision to the employee, specifically ''[a]n explanation that the employee and his or her household members, if applicable, may appeal a redetermination of eligibility that occurs as a result of the appeal decision.'' This modification reflects our policy to provide an employee or a member of an employee's household, if applicable, who receives an adverse redetermination of eligibility as a result of an employer appeal, the ability to appeal that redetermination through the process provided in 45 CFR part 155, subpart F.

7. Subpart H—Exchange Functions: Small Business Health Options Program (SHOP)

a. Standards for the Establishment of a SHOP (§ 155.700)

We proposed to amend § 155.700 by defining ''SHOP application filer'' to mean an applicant, an authorized representative, an agent or broker of the employer, or an employer filing for its employees where not prohibited by other law.

Comment: Several commenters to proposed § 155.700 supported the amendment of the definition of ''SHOP application filer'' to include entities that have traditionally assisted employees in filing applications to provide such assistance, such as authorized representatives, agents or brokers of an employer, or an employer on behalf of its employees. One commenter recommended adding Navigators to the definition.

Response: We disagree with the commenter that Navigators should be included in the definition of ''SHOP application filer.'' Navigators can provide important assistance in helping an employer or employee in filling out an application, but generally speaking a Navigator cannot actually file the application for an employer or employee because under existing guidance, a Navigator generally cannot select a QHP for an applicant—an inherent aspect of filing a SHOP applications.

Summary of Regulatory Changes

We are finalizing the provision as proposed.

b. Functions of a SHOP (§ 155.705)

In § 155.705, we re-proposed a new paragraph (c) to coordinate SHOP functions with the functions of the individual market Exchange for determining eligibility for insurance affordability programs with an exemption for a State operating a SHOP independently of an individual market Federally-facilitated Exchange. Specifically, we proposed that except in the case where a State is operating only a SHOP, a SHOP must provide data to the State's corresponding individual market Exchange related to eligibility and enrollment of qualified employees in the SHOP. This data sharing may improve the accuracy of the individual market Exchange's eligibility determinations for affordability programs.

In § 155.705(d), we proposed that when a State establishes and operates a SHOP independently of an individual market Federally-facilitated Exchange, the SHOP would have the flexibility to allow SHOP Navigators to fulfill their statutory and regulatory obligations under section 1311(i) of the Affordable Care Act and 45 CFR 155.210 to facilitate enrollment in QHPs, and to refer consumers with complaints, questions, and grievances to applicable offices of health insurance consumer assistance or ombudsmen, by referring small businesses to agents and brokers for these types of assistance, so long as State law permits agents and brokers to carry out these functions.

We intend to finalize proposed § 155.705(b)(6)(i) in future rulemaking when we finalize the provisions proposed in § 156.80(d) regarding the frequency of rate updates in the small group market, including coverage offered through the SHOPs.

Comment: Some commenters to proposed § 155.705(c) opposed the exemption from the requirement for SHOPs to share eligibility and enrollment information of qualified employees with the individual market Exchange in States that operate only a SHOP. Commenters believe that such coordination is necessary even in a bifurcated model where different entities are operating the SHOP and individual market Exchanges.

Response: We note there are technical challenges to seamlessly transmitting such information where the individual market Exchange is Federally operated and the SHOP is State-operated. Additionally, an individual market Federally-facilitated Exchange will still have the capability to retrieve the necessary individual application and enrollment information through other methods, such as paper notifications. As such, we are finalizing this provision as proposed.

Comment: Some commenters to proposed § 155.705(d) opposed allowing certain Navigator duties in the SHOP to be fulfilled through referrals to agents and brokers, because they thought this would weaken standards for Navigators by reducing Navigators' role in assisting small businesses. Some commenters were concerned that some small businesses would not have adequate assistance enrolling and maintaining coverage that meets their needs in States that took this option. These commenters recommended that all Navigators must perform all the Navigator duties. If the proposed policy is retained, some commenters recommend that States that take this option be required to demonstrate how the other Navigator duties will be provided. Other commenters supported the provision as proposed.

Response: Navigators in State SHOP-only Exchanges will still perform directly the duties set forth in 45 CFR 155.210(e)(1), (2), and (5), namely conducting public education activities; providing information and services in a fair, accurate, and impartial manner; and providing information in a culturally and linguistically appropriate manner and ensuring access for individuals with disabilities. SHOP Navigators in such Exchanges will also be required to comply with 45 CFR 155.210(e)(3) and (4) by providing appropriate referrals to state-licensed agents or brokers for consumers seeking help with selection of a QHP or seeking a referral of a complaint, question, or grievance to applicable offices of health insurance consumer assistance or ombudsmen. The individual market Exchanges in States operating only a SHOP Exchange that elect this option will be Federally-facilitated, and HHS will award and manage the grants to those individual market Navigators who will be required to perform directly all the duties set forth in 45 CFR 155.210(e).

Summary of Regulatory Changes

We are finalizing 155.705(c) and (d) as proposed.

c. Application Standards for SHOP (§ 155.730)

In § 155.730, we proposed amending the SHOP application filing standard to relieve SHOPs of having to accept paper applications and accept applications by telephone. In proposed 155.730(f), we also clarified that an employer or an employee application may be filed by a ''SHOP application filer.''

Comment: Some commenters to proposed § 155.730 opposed the amendment that would no longer require SHOPs to accept paper applications or applications by telephone. Commenters were concerned that this proposal would disproportionately harm low-wage, rural, minority, and immigrant businesses and would be unfriendly to consumers, especially those without access to computers, resulting in decreased accessibility to the SHOP. Some commenters recommended delaying the provision for a year. One commenter supported the proposal.

Response: We believe that small businesses and employees have options to use in-person assisters, such as Navigators, agents, or brokers for help in completing a SHOP application when a paper or telephone option is not available. Additionally, we believe that making paper and telephone applications optional provides States with more flexibility to receive applications in a way that makes the most sense for the State's applicants, and that this flexibility could reduce operational costs. Finally we believe the inherent limitations of paper applications, such as the inability to provide real time rate quotes and to complete the enrollment process at the same time the application is completed, may lead to low usage of paper applications.

Summary of Regulatory Changes

We are finalizing the provision with a correction to paragraph (f), adding to the final language the provision title ''Filing'' that is in current regulation but was mistakenly omitted from the proposed rule.

d. Termination of Coverage (§ 155.735)

In § 155.735, we proposed that each SHOP would be required to develop uniform standards for the termination of coverage in a QHP, clarified the

authority for SHOPs to establish termination standards, and set such standards for the FF–SHOP.

Comment: Many commenters supported proposed § 155.735 on terminations and grace periods. One commenter recommended that we clarify termination and reinstatement policies and recommended that SHOPs establish different standards depending on whether a participating employer offers its employees only one comprehensive medical plan or all plans at one metal level. One commenter requested that we clarify which termination and grace period provisions would be effective in 2014.

Response: We believe that grace periods and termination procedures must be standardized in all FF–SHOPs, even after employee choice is implemented in 2015, regardless of whether a participating employer offers its employees only one comprehensive medical plan or all plans at one metal level. Standardizing the timing, form, and manner of a group's termination from the FF–SHOP will simplify the complexity of QHP administration while ensuring that an employer offering coverage will be subject to uniform, predictable termination policies regardless of what coverage options the employer elects to offer its employees. Further, creating uniform termination policies for all FF–SHOPs will reduce the complexity of systems interactions with QHP issuers and therefore ease QHP issuer compliance with FF–SHOP termination polices policies.

In 2014, for the FF–SHOP and States not implementing employee choice, § 156.285(d)(1)(i)(B) and (d)(1)(iii)(B) reference the requirements in 45 CFR 156.270 as governing termination of coverage.

Summary of Regulatory Changes

We are finalizing the provision as proposed.

e. SHOP Employer and Employee Eligibility Appeals Requirements (§ 155.740)

In § 155.740, we proposed standards for SHOP employer and employee eligibility appeals We proposed that a State that operates a SHOP must provide a SHOP eligibility appeals process and that the HHS appeals entity will provide a SHOP appeals process for States that do not elect to establish and operate a SHOP. As with employer appeals in § 155.555, we did not propose that SHOP employers and employees be permitted to elevate an appeal to HHS if the State operates a SHOP and provides a SHOP eligibility appeals process.

We proposed the process and standards for requesting an appeal and the standards for providing notice of the appeal request to the SHOP employer or employee and to the SHOP. We proposed requirements for transmitting and receiving records related to the appeal between the SHOP and the appeals entity. We also provided standards for dismissing SHOP appeals and providing an opportunity for a SHOP appellant to request a dismissal be vacated. We proposed procedural rights for SHOP appellants. Finally, we proposed standards for reviewing the appeal, the content and notice of the appeal decision, and implementing the appeal decision.

Comment: One commenter supported our proposal to enable SHOP employers and employees to appeal determinations of ineligibility even though SHOP appeals were not specifically stipulated in section 1411(f) of the Affordable Care Act.

Response: We are finalizing the requirement to provide an eligibility appeals process for SHOP employers and employees as proposed in § 155.740(b).

Comment: We received comments about which entity should be responsible for providing a SHOP eligibility appeals process. One commenter sought clarification as to whether the SHOP appeals process can be delegated to HHS. Similarly, one commenter recommended that HHS consider performing eligibility appeals for all SHOPs regardless of whether the State operates its own SHOP. The commenter noted that allowing all States to defer SHOP eligibility appeals to HHS would provide for a streamlined appeals process, particularly where States take advantage of the flexibility provided in the operation of individual and employer appeals processes pursuant to § 155.505(c) and § 155.555(b) respectively.

Response: The entity that determined an employer's or employee's eligibility to participate in the SHOP will be in the best position to provide an effective appeal of that determination. We anticipate that the volume of SHOP appeals will be small, and due to the nature of the SHOP eligibility criteria, the appeals will not be complex. In addition, the SHOP was designed with flexibility to meet the individual needs of States. For example, the SHOP eligibility standards allow for a State to require additional verification before providing the employer or employee with an eligibility determination. Therefore, we anticipate that each SHOP will be in the best position to adjudicate SHOP eligibility appeals. We are finalizing the provisions of § 155.740(b)(1) as proposed.

Comment: We received comment regarding the proposed requirements for accepting SHOP appeal requests. Specifically, one commenter expressed concern over the modes proposed for accepting appeal requests. The commenter noted that the requirement to accept requests by telephone should be removed, or provided only at State option.

Response: As with the individual eligibility appeals rules we are finalizing in subpart F of part 155, we are finalizing § 155.740 as proposed; however, as noted above, appeals entities may use a paper-based process for the first year of operations. By the second year of operations, all SHOPs and appeals entities must accept appeal requests in accordance with the final rule.

Comment: We received one comment regarding the intersection between acknowledging appeal requests, the ability to cure a defective appeal request, and dismissing appeals. The commenter recommended, first, that SHOP employers and employees be notified that they can cure a defective appeal request and, second, that HHS permit the appeals entity to impose a reasonable deadline for amendment of an appeal request. Absent such a deadline, the commenter indicated that an appeals entity that issued a notice of a defective appeal request will not know when it can comply with its obligation to dismiss the appeal for being invalid under § 155.740(i).

Response: We agree that invalid appeal requests submitted toward the end of the 90-day appeal request timeframe creates this risk that the SHOP employer or employee will not have time to cure the error before the 90-day window closes. We are modifying final § 155.740(g)(3) to specifically provide that the SHOP or appeals entity must inform the SHOP employer or employee that they have an opportunity to cure the error and may resubmit the appeal request if it meets the timeliness requirements of paragraph (f), or within a reasonable timeframe established by the appeals entity.

Comment: Commenters cited operational difficulties in implementing retroactive eligibility for the SHOP and requested that retroactive eligibility be limited to specific situations. For example, one commenter suggested that retroactive eligibility should be permitted only for employers already enrolled in coverage, so that issuers will

not have to cancel coverage for that employer and all of its covered employees, and refund payments for claims submitted. Similarly, another commenter noted that retroactive effective dates should not be applied in the case of an appeal decision that would reinstate an entire group. Finally, one commenter requested that initial applicants not be permitted retroactive eligibility.

Response: We anticipate the volume of SHOP appeals, as well as the number of SHOP appeals resulting in retroactivity, will be small given the minimal and straightforward nature of SHOP eligibility for both employers and employees. Because of the SHOP rules provide for rolling enrollment, employers who are denied eligibility for the SHOP will have the ability to reapply immediately upon receiving a denial, which may be quicker than requesting an appeal. For these reasons, we are finalizing the requirements as proposed, offering retroactive eligibility if an employer or employee is determined eligible upon appeal because we consider retroactivity to be an important protective feature of the appeals process.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 155.740 of the proposed rule with the following modifications. In paragraph (b)(2), we are adding the phrases ''that provides for the establishment of a SHOP'' in two places to reflect that some States may establish and operate only a SHOP Exchange, while HHS establishes and operates the corresponding individual market Exchange. We are also making this same addition to § 155.740(f)(1)(ii). In paragraph § 155.740(b)(2), we are removing the word ''SHOP'' and leaving the requirement directed at the ''appeals entity.'' We are correcting subparagraph (f)(1)(ii) to change the period to a semicolon.

In § 155.740(g)(3)(i), we are modifying the language to provide additional detail about what happens when an appeals entity sends notice of an invalid appeal request. We are adding three subparagraphs to delineate the content requirements, including the addition that the notice must include ''an explanation that the employer or employee may cure the defect and resubmit the appeal request if it meets the timeliness requirements of paragraph (f) of this section, or within a reasonable timeframe established by the appeals entity.'' These changes mirror similar modifications made in the individual and employer appeals provisions in this final rule. Finally, we are modifying subparagraph (i)(1)(ii) to remove the reference to (f)(1) and replace it with a reference to (f) as a whole.

D. Part 156—Health Insurance Issuer Standards Under the Affordable Care Act, Including Standards Related to Exchanges

1. Subpart A—General Provisions

a. Definitions (§ 156.20)

We proposed amending 45 CFR 156.20 by adding the definition for ''Exchanges'' and adding the definitions for ''Delegated entity'' and ''Downstream entity.''

We received no direct comment on the definition of ''Exchange,'' though we did receive several general comments and comments to § 155.100 in support of permitting a State to elect to establish just a SHOP.

Comment: One commenter recommended that we broaden the definitions of delegated and downstream entities to include nonprofit community-based organizations whose purpose is health care consumer education and advocacy. The commenter expressed concern that the proposed definitions contemplate oversight of brokers and agents by carriers that may introduce a potential conflict of interest in directly providing administrative services or health care services to qualified individuals, qualified employers, or qualified employees and their dependents.

Response: We believe that broadening the definitions of delegated and downstream entities to include nonprofit community-based organizations whose purpose is health care consumer education and advocacy could be potentially unduly burdensome, as many nonprofit community-based organizations are not currently subject to all regulatory requirements applicable to delegated and downstream entities, due to the limited applicability of such requirements to the activities of these entities. In contrast, the activities of brokers and agents are subject to such regulatory requirements.

Summary of Regulatory Changes

We are finalizing this provision as proposed.

2. Subpart C—Qualified Health Plan Minimum Certification Standards

a. Termination of Coverage for Qualified Individuals (§ 156.270)

As finalized in the Exchange Eligibility and Enrollment Rule,[10] § 156.270 specifies standards for QHP issuers regarding the termination of coverage for individuals enrolled in QHPs through the Exchange. In paragraph (b), we made a drafting error in providing that if a QHP issuer terminates an enrollee's coverage in accordance with § 155.430(b)(1)(i), (ii), or (iii), the QHP issuer must, promptly and without undue delay, provide the enrollee with a notice of termination of coverage that includes the termination effective date and reason for termination. Rather, the appropriate cross-reference in § 156.270(b) should refer to § 155.430(b)(2)(i), (ii), or (iii), in order to accurately describe situations where the QHP issuer may terminate an enrollee's coverage, and as such, we make the necessary technical correction.

Summary of Regulatory Changes

We make a technical correction in paragraph (b) to appropriately refer to situations where the QHP issuer may terminate an enrollee's coverage.

b. Additional Standards Specific to SHOP (§ 156.285)

We proposed to amend § 156.285 to ensure that all QHP issuers offering coverage in a SHOP comply with the termination of coverage requirements proposed at § 155.735 as a condition of certification for plan years beginning on or after January 1, 2015, when § 155.735 will apply to all SHOPs. Some SHOPs may decide to implement employee choice and premium aggregation before January 1, 2015, and § 155.735 would apply in such SHOPs as an operational requirement.

Although we did not receive comments directly on this provision, we received several comments to proposed § 155.735 regarding SHOP termination policies. Those comments are addressed in the discussion of § 155.735 above.

Summary of Regulatory Changes

We finalize the provision as proposed with a technical correction to a drafting error in proposed § 156.285(d)(1)(i)(B). Section 156.285(d)(1)(i)(B) is finalized to properly reference § 156.270(a) and not § 155.270.

[10] Medicaid and Children's Health Insurance Programs: Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes, and Premiums and Cost Sharing; Exchanges: Eligibility and Enrollment, 78 FR 42160 (July 15, 2013).

3. Subpart D—Federally-Facilitated Exchange Qualified Health Plan Issuer Standards

a. Standards for Downstream and Delegated Entities (§ 156.340)

We proposed in § 156.340 standards for delegated and downstream entities, similar to existing standards for such entities that contract with Medicare Advantage organizations, described at 42 CFR 422.504(i)(3)–(4). In § 156.340(a), we proposed the general requirement that, notwithstanding any relationship(s) that a QHP issuer may have with delegated or downstream entities, the QHP issuer maintains responsibility for its compliance and the compliance of any of its delegated or downstream entities, with all applicable standards, including those we proposed at § 156.340(a)(1)–(4). In paragraphs (a)(1) through (a)(4), we proposed that the QHP issuer be required to comply with Federal standards, specifically the obligations as set forth under: subpart C of part 156, which governs QHP minimum certifications standards; subpart K of part 155, which governs Exchange functions pertaining to QHP certification; subpart H of part 155, which governs the Exchange functions of the SHOP; standards in § 155.220 with respect to assisting with enrollment in QHPs; and standards in § 156.705 and § 156.715 for maintenance of records and compliance reviews for QHP issuers operating in an FFE and an FF–SHOP.

In addition, in § 156.340(b)(1)–(2), we proposed that all agreements among the QHP issuer's delegated and downstream entities be required to specify delegated activities and reporting standards, and either provide for revocation of the delegated activities and reporting standards, or specify other remedies in instances where HHS or the QHP issuer determines that such parties have not performed satisfactorily.

Furthermore, we proposed in § 156.340(b)(3) that all agreements among the QHP issuer's delegated and downstream entities be required to specify that the delegated or downstream entity must comply with all applicable laws and regulations relating to the standards specified under paragraph (a) of this section. In § 156.340(b)(4), we proposed that the QHP issuer's agreement with any delegated or downstream entity must specify that the delegated or downstream entity must permit access by the Secretary and the OIG or their designees in connection with their right to evaluate through audit, inspection, or other means, to the delegated or downstream entity's books, contracts, computers, or other electronic systems, including medical records and documentation, relating to the QHP issuer's obligations in accordance with Federal standards under paragraph (a) of this section until 10 years from the final date of the agreement period.

Finally, we proposed in § 156.340(b)(5) that all existing agreements contain specifications described in paragraph (b) of this section by no later than January 1, 2015. For agreements that are newly entered into as of October 1, 2013, we proposed an effective date for the specifications described in paragraph (b) of this section to be no later than the effective date of the agreement.

Comment: One commenter suggested that health plans have the flexibility to ensure compliance with all *applicable* requirements, rather than requiring compliance with all existing Exchange regulatory requirements. Furthermore, the commenter recommended that health plans have the ability to tailor their agreements to the scope of the entity's work for the issuer.

Response: In § 156.340(a), we proposed that a QHP issuer maintains responsibility for its compliance and the compliance of any of its delegated or downstream entities, as applicable, with all applicable standards. We believe that the proposed inclusion of ''as applicable, with all applicable standards'' in this section of the regulation addresses the commenter's suggestion. In addition, we believe that the regulation allows a health plan to tailor its agreement with a delegated or downstream entity to the scope of the entity's work for the issuer.

Comment: One commenter expressed concern that the proposed effective date of October 1, 2013, is too soon for compliance with specifications described in paragraph (b) of this section, for the reason that issuers may not know by that time which downstream and delegated entities with which they will enter into contracts to meet QHP requirements.

Response: In § 156.340(b)(5), we proposed that all existing agreements contain specifications described in paragraph (b) of this section by no later than January 1, 2015 for existing agreements, and no later than the effective date of the agreement for agreements that are newly entered into as of October 1, 2013. We believe that the proposed inclusion of ''no later than the effective date of the agreement for agreements that are newly entered into as of October 1, 2013,'' addresses the commenter's concern, in that the effective date of compliance with specifications described in paragraph (b) becomes the effective date of the agreement for agreements newly entered into after October 1, 2013.

Comment: Two commenters urged CMS to rescind the proposed regulations under § 156.340(b), expressing concern that such requirements would unduly burden physician and medical group practices and negatively affect access to care.

Response: In § 156.340(b), we proposed that all agreements among a QHP issuer's delegated and downstream entities, including entities that provide health care services, be required to specify: 1) Delegated activities, reporting responsibilities; 2) and remedies for noncompliance; 3) mandatory compliance with all applicable laws and regulations related to the QHP issuer's obligations under 156.340(a); and 4) permission for the Secretary, OIG, or their designees to audit or inspect the entity's books, contracts, computers, or other electronic systems, including medical records and documentation, relating to the QHP issuer's obligations under 45 CFR 156.340(a) for 10 years from the final date of the agreement period. In § 156.340(a), we proposed that a QHP issuer maintains responsibility for its compliance and the compliance of any of its delegated or downstream entities, as applicable, with all applicable standards. We believe that the proposed inclusion of ''as applicable, with all applicable standards'' in this section of the regulation means that health care providers that have entered into agreements with QHP issuers must comply with only those QHP standards that would be directly applicable to health care providers. We agree with the commenters that health care providers generally not be subject to many of the requirements for QHP issuers in the FFEs, unless the QHP issuer has delegated its responsibilities to the health care provider.

Comment: Many commenters strongly supported the proposed provisions of § 156.340, stating that the provisions provide greater support for the enforcement of Federal standards that protect consumers, including nondiscrimination protections that ensure equal access to care and coverage.

Response: We agree that the provisions will implement greater protections for consumers to receive equal access to care and coverage.

Summary of Regulatory Changes

We are finalizing the provision as proposed.

4. Subpart I—Enforcement Remedies in Federally-Facilitated Exchanges

a. Available Remedies; Scope (§ 156.800)

In § 156.800, we proposed that HHS may impose civil money penalties (CMPs) on QHP issuers that are not in compliance with FFE standards and decertify QHPs offered by non-compliant QHP issuers. We sought comments on the use of these proposed compliance tools.

Comment: We received a comment requesting a moratorium on enforcement actions and a two year enforcement safe harbor for QHP issuers acting in good faith to comply with QHP requirements. The commenter explained that the safe harbor would give stakeholders additional time to come into compliance with FFE standards and the moratorium would allow HHS extra time to make sure that its technology and program infrastructure are working appropriately. Separately, we received another comment requesting a one year good faith enforcement safe harbor.

Response: QHP issuers are expected to be in compliance with standards applicable to QHP issuers at the time of certification and on an ongoing basis. As we stated in the preamble to the proposed rule, we expect QHP issuers in the FFEs to cooperate with HHS in resolving any issues of non-compliance that are identified during the plan benefit year. We also noted that HHS would take enforcement actions only in egregious circumstances and as such, we expect few, if any, decertifications, especially in the first year.

In response to the comments received, we now modify the regulation text to clarify that if CMS is able to determine that an issuer offering QHPs in an FFE is making good faith efforts to comply with Exchange standards applicable to issuers offering QHPs in the FFEs, we will not, under this subpart, seek to impose CMPs, or initiate decertifications during 2014. At the appropriate time we will consider extending this good-faith compliance through 2015.

We note that the determination of good faith may require issuers to allow CMS to conduct reviews of QHP materials and to make good faith efforts to comply with plans of correction. We will coordinate closely with States to avoid unnecessary duplication of monitoring and oversight efforts.

Summary of Regulatory Changes

We are adding a new paragraph (c) to § 156.800 to implement the good faith compliance policy described above.

b. Bases and Process for Imposing Civil Money Penalties in Federally-Facilitated Exchanges (§ 156.805)

In § 156.805, we proposed the bases and process for imposing a CMP in FFEs. We received general comments supporting our proposed enforcement of FFE standards through CMPs and decertifications but did not receive any comments regarding the specific bases for CMPs.

Summary of Regulatory Changes

We are making technical edits to §§ 156.805(d)(1)(v) and 156.805(e)(3) to reflect that the proposed administrative hearing process for enforcement actions under subpart I is not being finalized in this rule. We are finalizing the rest of this section as proposed.

c. Bases and Process for Decertification of a QHP Offered by an Issuer Through the Federally-Facilitated Exchanges (§ 156.810)

In § 156.810, we proposed the bases for decertifying QHPs in the FFEs and standard and expedited processes for decertification. We proposed that when decertification is based on § 156.810(a)(7), (8) or (9), HHS may pursue the decertification on an expedited process. We sought comments on whether additional bases should be added.

Comment: We received comments in support of our proposed bases for decertification and the separate processes for standard and expedited decertification. One commenter recommended that we add § 156.810(a)(4) to the grounds for expedited decertification, citing the negative impacts that repeated, systematic, and willful violation of this standard would have on enrollees. We did not receive any comments opposing these two proposed processes.

Response: We proposed in § 156.810(a)(4) that a QHP may be decertified on the basis that the QHP issuer substantially fails to comply with the standards regarding advance payments of the premium tax credit and cost-sharing in Subpart E of Part 156. We agree with the commenter that violation of this standard may have negative impacts on enrollees; however, we envision expedited decertification to be reserved for the most serious instances of non-compliance that could present a risk to enrollees' ability to access needed health items or services and those that may substantially compromise the integrity of an FFE. After careful consideration, we will not add § 156.810(a)(4) to the bases for expedited decertification at this time; however, we will continue to assess the appropriateness of adding this as a basis for expedited decertification.

Comment: One commenter recommended that rather than pursuing decertification when a QHP issuer substantially fails to meet the requirements under § 156.230 related to network adequacy standards, or § 156.235 related to the inclusion of essential community providers, HHS require QHP issuer networks to include a number of advanced practice registered nurses that is no less than 10 percent of the number of independently practicing advanced practice registered nurses enrolled as Medicare Part B providers who have provided one or more services to Medicare fee-for-service beneficiaries in the most recent year for which CMS provider data are available.

Response: We will continue assessing whether it is appropriate to require QHP issuers to contract with certain health care providers but not others as a certification requirement, but will be not make this change to the certification requirements at this time.

Summary of Regulatory Changes

We are making a change to § 156.810(e) to reflect that the proposed administrative hearing process for enforcement actions under subpart I is not being finalized in this rule. We are making a technical correction to a typographical error in subparagraph (b)(2) and a technical correction to add violation of privacy or security standards, proposed as a basis for decertification in the preamble to the proposed rule, to the list of bases in the regulation text.

5. Subpart K—Cases Forwarded to Qualified Health Plans and Qualified Health Plan Issuers in Federally-Facilitated Exchanges by HHS

a. Standards (§ 156.1010)

We proposed in § 156.1010 to set requirements for resolving cases forwarded by HHS to a QHP issuer operating in an FFE. We proposed the definition of a case as a communication brought by a complainant that expresses dissatisfaction with a specific person or entity subject to State or Federal laws regulating insurance, concerning the person or entity's activities related to the offering of insurance, other than a communication with respect to an adverse benefit determination as defined in 45 CFR 147.136(a)(2)(i). For a case forwarded by a State to a QHP issuer operating in an FFE, we proposed that the QHP issuer be required to comply with applicable State laws and

regulations. We proposed that cases received by a QHP issuer operating in an FFE directly from a complainant or the complainant's authorized representative be handled by the issuer through its internal customer service process. For cases received by a QHP issuer operating in an FFE from HHS, we proposed that the QHP issuer be required to investigate and resolve cases, as appropriate, pursuant to the proposed standards in § 156.1010.

In § 156.1010(a), we proposed the definition of a case. In § 156.1010(b), we proposed that QHP issuers operating in an FFE must investigate and resolve, as appropriate, cases brought by a complainant or the complainant's authorized representative and forwarded to the issuer by HHS. We proposed that this subsection would not apply to adverse benefit determinations as defined in 45 CFR 147.136(a)(2)(i), which are subject to the regulations governing internal claims appeals and external review in 45 CFR 147.136.

Section 156.1010(c) proposed that cases may be forwarded to a QHP issuer operating in an FFE through a casework tracking system developed by HHS, or through other means as determined by HHS. Section 156.1010(d) proposed that cases forwarded by HHS to a QHP issuer operating in an FFE must be resolved within fifteen calendar days of receipt of the case. We proposed that such cases involving an immediate need for health services, as defined in § 156.1010(e), must be resolved no later than 72 hours after receipt of the case, unless a State law or regulation established a stricter timeframe, which would then control.

In § 156.1010(e) we proposed that an urgent case is one in which there is an immediate need for health services because the non-urgent standard could seriously jeopardize the enrollee's or potential enrollee's life, or health or ability to attain, maintain, or regain maximum function.

In § 156.1010(f), we proposed that, for cases forwarded by HHS, QHP issuers operating in an FFE are required to provide notice to complainants regarding the disposition of a case as soon as possible upon resolution of the case, but in no event later than seven business days after the case is resolved and that such notification may be by verbal or written means as determined most appropriate by the QHP issuer. In § 156.1010(g), we proposed that a QHP issuer operating in an FFE must document in a casework tracking system developed by HHS, or by other means as determined by HHS, that the case has been resolved, no later than seven business days after resolution of the case, and that the resolution record must include a clear and concise narrative explaining how the case was resolved including information about how and when the complainant was notified of the resolution.

In § 156.1010(h) we proposed that cases received by a QHP issuer operating in an FFE from a State in which the issuer offers QHPs must be investigated and resolved according to applicable State laws and regulations and that QHP issuers operating in an FFE must cooperate fully with the State, HHS, or any other appropriate regulatory authority that is handling a case.

Comment: Several commenters requested clarification regarding the definition of ''case'' and the types of cases that are subject to this subsection, and two commenters recommended that this subsection apply only to cases related to the advance payments of the premium tax credit and cost sharing reductions. Two commenters recommended that cases related to any health care services be excluded because they would necessarily be subject to the regulations governing internal claims appeals and external review in 45 CFR 147.136. Several commenters recommended that the definition of ''urgent case'' be expanded to include cases in which using the standard timeframe would jeopardize an individual's access to coverage.

Response: In response to comments received, we are adding language to § 156.1010(a) to provide that this subsection excludes cases related to eligibility determination processes, eligibility appeals, and other issues subject to Subpart F of this rule. We agree that some cases involving health care services should not be covered by this subsection, and explicitly exclude cases otherwise covered by 45 CFR 147.136. However, we do not agree that this subsection should explicitly exclude all cases related to health care services, and we also disagree that this subsection should apply only to cases related to the advance payments of the premium tax credit and cost-sharing reductions. Although complainants may bring some issues regarding advance payments of the premium tax credit and cost-sharing reductions to HHS' attention that will call for direct resolution or more intensive handling by HHS, we believe there are many areas in which HHS can act in the consumer's best interest by forwarding the consumer's case to the QHP issuer, as appropriate, including cases that may involve health care services but in which external review under 45 CFR 147.136 would not apply. For example, this would include a situation in which the consumer contacts HHS because the QHP issuer has denied a serviced based on their assessment that the service is not a covered service. In this scenario, a consumer may disagree with a QHP issuer's determination that the matter is not eligible for external review. There are a number of issues—including deductibles, application of co-payments, and coverage of a specific service—that may not fall within the scope of 45 CFR 147.136 for external review purposes, but we believe that such cases should also be resolved in a timely fashion.

We agree with commenters who noted that some cases may qualify as urgent even where there is not necessarily an immediate need for health services, such as where a consumer encounters difficulties with enrollment near the end of an open enrollment period and is put at risk of not being able to enroll in coverage in a QHP offered through the Exchange. In such cases, it is important that the issuer respond quickly so as to not jeopardize consumers' ability to enroll in coverage. Accordingly, we are adding language that expands the definition of ''urgent case'' to include instances in which the standard timeframe for case resolution would jeopardize a consumer's ability to enroll in a QHP through the FFE.

Comment: Several commenters addressed the proposed timeframes and notification requirements for the resolution of cases forwarded by HHS to QHP issuers operating in an FFE, including two commenters who recommended that the timeframes either be removed or lengthened and several commenters who supported the proposed timeframes or suggested imposing more stringent requirements. One commenter recommended that issuers be required to notify a consumer of the resolution of a case in writing in order to ensure documentation of the resolution for the consumer, and another commenter requested clarification regarding the penalties that would apply to a QHP issuer operating in the FFE in the event that the issuer does not meet the regulatory timeframes. Several commenters requested clarification regarding the information that QHP issuers will be required to enter into the tracking system.

Response: Because we expect that consumer cases may often involve a consumer's ability to access to coverage—and, relatedly, health care services—on a timely basis, we believe it is important that cases be resolved in an expedient manner. We are therefore retaining the fifteen-day required response time for consumer cases forwarded by HHS to QHP issuers

operating in an FFE, with the exception of urgent cases as defined in this final rule, which require a resolution no later than 72 hours after the case is received. We expect QHP issuers operating in an FFE to resolve the urgent case as quickly as required by the severity of the case, but in no event later than the 72-hour timeframe provided. Additionally, we agree with commenters who indicated that a seven-day timeframe for notification to the complainant of the resolution of the case may create a significant burden on consumers while not meaningfully reducing burden on QHP issuers operating in an FFE as compared to a shorter timeframe; therefore, in response to these comments, we are shortening the case disposition notification requirement from seven business days to three business days. We also agree with commenters who noted that documentation of the case resolution is important for consumers to have, and we are modifying the final rule to require issuers to provide consumers with written notification of the case disposition. Written notification is not required to satisfy the three business day timeframe for case resolution notification; verbal notification can be used to meet this requirement so long as such notification is followed by written notification in a timely manner, pursuant to § 156.1010(f)(2).

Further, we are restructuring § 156.1010(g), including by adding three new paragraphs. We are adding § 156.1010(g)(1) to provide that for cases forwarded by HHS, a QHP issuer operating in an FFE must use the HHS-developed tracking system to document the date of resolution of a case. Section 156.1010(g)(2) contains the proposed requirement that a QHP issuer use the HHS-developed tracking system to document the case resolution summary no later than seven business days after resolution of the case, including a clean and concise narrative with specified content. We are also adding § 156.1010(g)(3) to provide that for cases forwarded by HHS and which have involved an investigation by a State agency, including but not limited to a State DOI, a QHP issuer operating in an FFE must use the HHS-developed tracking system to document ''any compliance issues identified by the State agency implicating the QHP or QHP issuer.''

We remind QHP issuers operating in an FFE that compliance with all applicable Federal standards, including those related to case resolution and notification, is a condition for QHP issuers to continue participating in an FFE. We expect QHP issuers will make a good faith effort to comply with all applicable requirements. As such, as described below, during the 2014 plan year, we do not anticipating decertifying QHPs under 45 CFR 156.810(a)(1), nor pursuing civil money penalties under 45 CFR 156.805(a)(1) for non-compliance with these requirements except in the most egregious cases.

Comment: Several commenters suggested that HHS require States, issuers, and Exchanges to provide reports about consumer complaints and to make reports about consumer cases and complaints publicly available.

Response: HHS agrees that data regarding consumer complaints about an issuer is a critically important element of issuer oversight, and we intend to use the HHS tracking system to provide insight into such consumer complaints. HHS anticipates that we will be making reports and information publicly available that include analysis of the data we have collected in the HHS tracking system. However, we disagree with the recommendation that we require all States, issuers and Exchanges to provide such information. Many States already produce public reports regarding consumer complaints, and additional HHS requirements in this area would be duplicative in many instances. Additionally, we believe the enrollee satisfaction survey required by section 1311(c)(4) of the Affordable Care Act can provide HHS and consumers with the type of information that the commenters believe should be made publicly available by requiring Exchanges to publish information about enrollee satisfaction. HHS will also explore this issue as we receive cases to help us determine if requiring additional reporting in the future will help increase the effectiveness of issuer oversight.

Comment: Many commenters recommended changes related to the HHS tracking system and processes. Comments included requests for more specificity regarding issuer and State access to the system; requests for clarification regarding other methods that HHS may use to forward cases to QHP issuers operating in an FFE; and recommendations that issuers be required to track all consumer cases in the HHS tracking system, not simply those forwarded by HHS. We also received requests for clarification regarding the process that QHP issuers operating in an FFE are required to use to forward cases to the FFE.

Response: We anticipate that HHS will be using a tracking system for forwarding cases to QHP issuers operating in an FFE, and do not intend to routinely use alternate mechanisms to do so. However, we retain the language about alternate mechanisms in order to allow HHS to use other methods if the need arises, such as where the tracking system is unavailable for an extended period of time. HHS intends to provide limited access to the tracking system to State DOIs in order to ensure that departments of insurance are able to access cases that fall under their jurisdiction. HHS also intends to provide limited access to the tracking system to QHP issuers operating in an FFE to ensure that QHP issuers can access cases that concern them on a timely basis so that they are able to identify and resolve such cases. We anticipate providing more information about access to this system in forthcoming guidance.

HHS acknowledges that issuers will receive cases directly from consumers and that such cases could be an important source of data, but we are not requiring QHP issuers to track all cases in the HHS tracking system. We believe that the enrollee satisfaction survey required by § 1311(c)(4) of the Affordable Care Act will be an appropriate way to track consumer cases received directly by QHP issuers. Additionally, we are not accepting the recommendation that HHS should operate a centralized tracking system for all consumer cases because State DOIs currently operate independent tracking systems and the creation of an additional, centralized system may be duplicative by necessarily including information about cases already existing in State tracking systems. Although the current model will undoubtedly result in some overlap with State systems, there will be a significant number of cases that are not accounted for in any State system. Rather than develop one centralized system operated by HHS, we will continue to explore ways to ensure that multiple systems can interact so that there is minimal duplication of cases across systems and that also meets appropriate security and privacy standards. Additionally, we will continue to monitor these issues to ensure that the HHS and State tracking systems as well as the information contained in enrollee satisfaction surveys provide HHS and consumers with adequate data about consumer cases to assess QHP issuer performance and conduct oversight of QHP issuers operating in an FFE.

For those cases best addressed by the FFE in which a consumer directly contacts the issuer, such as cases involving eligibility determinations or the amount of an advance premium tax credit, QHP issuers operating in the FFE should refer the consumer to the FFE

Call Center in order to allow the FFE to triage the case and resolve it appropriately.

Comment: Several commenters discussed the privacy and security standards related to the HHS tracking system, including an expression of opposition to the sharing of any personally identifiable information (PII) as well as requests for clarification about the consumer permission and consent necessary for the FFE to share case information with QHP issuers operating in an FFE and for those issuers to share case information with the FFE.

Response: QHP issuers operating in an FFE are required to meet the same privacy and security standards with respect to the HHS tracking system that they are required to meet as a condition of offering a QHP in an FFE. Additionally, FFEs will obtain consumer consent before sharing any information with QHP issuers operating in an FFE or with State DOIs in order to resolve the case. We understand concerns about the privacy and security of PII, including information about health; consumer consent represents a consumer's agreement to have such information shared with appropriate entities in order to help resolve the consumer's case. When such consent is obtained, the information will be shared in a manner that appropriately protects PII and, where applicable, personal health information (PHI), so that such information is not shared with other entities that should not have access to that information. We anticipate that the information shared with the appropriate QHP issuer will include the consumer name, contact information, and details about the case provided by the consumer to HHS.

Comment: One commenter expressed concern with the proposed approach to send consumers to issuers of the QHPs in which they are enrolled in cases where the consumer has already reached out to the issuer, and another commenter recommended that the proposed processes and timeframes apply to all consumer cases in all Exchanges.

Response: We understand the concern that, in this circumstance, this approach might not seem to offer the consumer additional assistance. However, our experience with Medicare Advantage and Part D complaints has demonstrated that we are often able to facilitate tangible results for beneficiaries when HHS sends a case directly to the applicable issuer, including in instances where the beneficiary has already reached out to the issuer. This approach also allows for a more streamlined process in which the consumer's case may be dealt with more rapidly than an alternate process calling for intensive HHS involvement in every case in which a consumer has already reached out to the issuer.

Additionally, while we understand the argument for consistency across all casework systems and processes, and the compromises inherent in providing different resolution processes and timeframes for consumers depending on where they first report their case, we are not expanding this final rule to include Exchange- and QHP-related cases other than those which HHS forwards to QHP issuers operating in an FFE because we want to respect the State laws and regulations that currently apply to such cases. While in the absence of this final rule those laws and regulations would also apply to some of the cases that HHS forwards to QHP issuers operating in an FFE, we believe it is appropriate to establish additional timeframes and processes because there may be cases which are not subject to timeframes set forth by State laws and regulations, such as cases related to Exchange-specific requirements that apply to QHP issuers operating in an FFE.

Comment: One commenter recommended that the final rule require issuers to use processes and means of communication for resolving cases that are accessible to individuals with limited English proficiency and those with disabilities.

Response: We agree that it is important for consumers to receive assistance and information in a way that they can access and understand, including individuals with limited English proficiency and individuals with disabilities. However, we are not accepting the recommendation to include additional, specific language in this regulation because QHP issuers operating in an FFE are already required to provide accessible notices to enrollees pursuant to 45 CFR 156.250, which applies to communications regarding consumer cases. We will monitor this area carefully to assess whether additional guidance is necessary in order to ensure that all individuals have adequate and appropriate access to the information and tools needed to have cases resolved.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 156.1010 of the proposed rule, with the following modifications. We are amending § 156.1010(a) to provide that this section does not include cases otherwise addressed in Subpart F of this rule. In § 156.1010(e), we are expanding the definition of ''urgent case'' to include instances in which application of the non-urgent standard would jeopardize a consumer's ability to enroll in a QHP through the Federally-facilitated Exchange. In § 156.1010(f) and new paragraph (f)(1), we are requiring issuers to provide notification to consumers about the disposition of a case within three business days of the resolution, by verbal or written means as determined most appropriate by the QHP issuer operating in an FFE. In new paragraph (f)(2), we are requiring that in instances when a QHP issuer operating in an FFE notifies the consumer about the disposition of a case using non-written means, the issuer must provide the consumer with written notification of the disposition in a timely manner following the verbal communication. In new paragraph (g)(1), we are requiring that a QHP issuer operating in an FFE provide the date of resolution of a case in the HHS-developed tracking system; § 156.1010(g)(2) contains the proposed requirement that a QHP issuer document the case resolution summary no later than seven business days after resolution of the case, including a clean and concise narrative with specified content; and in new paragraph (g)(3) we are requiring that a QHP issuer operating in an FFE provide information in the HHS-developed tracking system about any compliance issues found as part of an investigation of a case by a State agency, including but not limited to a State DOI.

6. Subpart M—Qualified Health Plan Issuer Responsibilities

a. Direct Enrollment With the QHP Issuer in a Manner Considered To Be Through the Exchange (§ 156.1230)

We proposed to add paragraph § 156.1230(a)(1)(i) that would allow, at the Exchange's option, a QHP issuer to enroll an applicant who initiates enrollment directly with the QHP issuer in a manner that is considered enrollment through the Exchange if the QHP issuer follows the enrollment process for qualified individuals set forth in § 156.265.

We proposed paragraph § 156.1230(a)(1)(ii) to ensure that QHP issuers that seek to directly enroll qualified individuals in a manner considered to be through the Exchange provide applicants the ability to view the QHPs offered by the issuer with data elements set forth at 45 CFR 155.205(b)(1).

We proposed in paragraph § 156.1230(a)(1)(iii) that QHP issuers that seek to directly enroll qualified individuals in a manner considered to

be through the Exchange using the issuer's Web site must clearly distinguish between QHPs for which the consumer is eligible and non-QHPs that the issuer may offer. We proposed that this distinction must also clearly articulate that advance payments of the premium tax credit and cost-sharing reductions apply only to QHPs offered through the Exchange.

In § 156.1230(a)(1)(iv), we proposed that QHP issuers that seek to directly enroll qualified individuals in a manner considered to be through the Exchange be required to notify applicants of the availability of other QHP products offered through the Exchange to consumers, regardless of whether they apply through a Web site, in-person or by phone. The QHP issuer would also be required to display the Web link to or describe how to access the Exchange Web site. We sought comment if HHS should require a universal disclaimer to be displayed by the issuer that informs applicants that other coverage options exist in the Exchange and that not all coverage options are displayed.

In § 156.1230(a)(1)(v), we proposed that a QHP issuer be required to ensure that, when an applicant initiates enrollment directly with the QHP issuer and the QHP issuer seeks to directly enroll the applicant in a manner considered to be through the Exchange, the applicant is allowed to select an advance payment of the premium tax credit amount, if applicable, in accordance with § 155.310(d)(2), provided that the applicant makes the attestations required by § 155.310(d)(2)(ii).

In § 156.1230(a)(2), we proposed that, if permitted by the Exchange pursuant to § 155.415, a QHP issuer seeking to directly enroll applicants in a manner considered to be through the Exchange enter into an agreement with the Exchange prior to allowing any of its customer service representatives to assist qualified individuals with certain application tasks whereby the QHP issuer would agree to require each of its customer service representatives to at a minimum: (i) Receive training on QHP options and insurance affordability programs, eligibility, and benefits rules and regulations; (ii) comply with the Exchange's privacy and security standards adopted consistent with § 155.260; and (iii) comply with applicable State law related to the sale, solicitation, and negotiation of health insurance products, including applicable State law related to agent, broker, and producer licensure; confidentiality; and conflicts of interest. We solicited comments on these proposals.

We also proposed to add § 156.1230(a)(3) to ensure that the premium that a QHP issuer charges to a qualified individual or enrollee is the same as was accepted by the Exchange in its certification of the QHP issuer after accounting for any advance payments of the premium tax credit. We proposed that if the QHP issuer identifies an error in the amount it has charged the qualified individual, the QHP issuer must retroactively correct the error no later than 30 calendar days after its discovery. We also proposed that for issuers of QHPs in the FFE, HHS may review the premiums charged to qualified individuals through the compliance reviews proposed in § 156.715(a).

Finally, in § 156.1230(b), we proposed that the individual market FFEs would permit the conduct set forth in this section, to the extent permitted by applicable State law. As stated earlier in the preamble, for purposes of clarity, we will refer to ''issuer customer service representatives'' as ''issuer application assisters'' for the rest of this section.

We received the following comments concerning the proposed enrollment process provisions.

Comment: Many commenters endorsed the use of a universal disclaimer to be displayed by issuers that informs applicants that other coverage options exist in the Exchange and that not all coverage options are displayed. Almost all the commenters echoed that they believed it was important that all applicants understand the coverage options available to them. One commenter recommended giving issuers the flexibility on how to inform applicants about the availability of other QHPs offered through the Exchange and expressed the operational difficulty in adding a universal disclaimer.

Response: In response to all the comments, we agree that a universal disclaimer would allow an applicant to make a more informed decision by informing applicants where to find information on all available QHPs including language that selecting multiple enrollment groups and catastrophic plans may only be supported through the FFM. Accordingly, we modified § 156.1230(a)(1)(iv) to clarify that issuers must use an HHS-approved universal disclaimer about the availability of other QHPs offered through the Exchange. We note that this disclaimer must be made available to applicants regardless of how consumers communicate with the issuer (Web site, phone, in-person, etc.). We expect that issuers will make this available at the beginning of the plan comparison process and if an applicant is using an issuer's Web site, the issuer must prominently display this disclaimer when displaying plans to the applicant.

Comment: We received many comments supporting the proposed consumer protections requirements for direct enrollment. However, some commenters recommended adding additional disclosures such as informing applicants that other coverage options exist, requiring issuers to list all QHPs, and information on how to access available Navigators. One commenter wanted to eliminate direct enrollment altogether since the commenter believed the process would prevent applicants from receiving unbiased information from which to choose a health plan that best meets their needs.

Response: We recognize that direct enrollment may cause some confusion for the applicant, but believe the value of consumer choice outweighs potential confusion. Accordingly, in the final rule, we are finalizing § 156.1230(a)(1) to establish consumer protections. As explained previously, these protections will now include providing an HHS-approved universal disclaimer informing applicants of other coverage options. We note that the data elements displayed consistent with § 156.1230(a)(1)(ii) must provide the same information as that on the Exchange Web site and not all the data elements submitted to the Exchange on the issuer's QHP data templates. We do not believe that issuers should be required to give information about access to Navigators since applicants would have come to the issuer directly and direct enrollment would provide one of many ways in which an applicant can enroll in a QHP.

Comment: We received numerous comments on the training requirements and standards for issuer application assisters. A number of commenters were concerned that direct enrollment could lead to consumer confusion and suggested that application assisters go through the same training as certified application counselors (CACs). Some commenters recommended these individuals meet the same standards as the ones applicable to other assisters, such as Navigators, CACs, and agents/brokers, and be trained and certified by the Exchange. One commenter recommended that issuers be responsible for the requirements related to training.

Response: We intend for issuers to provide the training to their own customer service representatives. We also expect the Exchange to provide the agent/broker or other related assister training curriculum to issuers so they

can utilize those materials while conducting their training. We leave the decision on whether to establish a program for certifying these individuals up to the Exchange. The FFEs do not intend to permit issuers to allow their application assisters to perform the assistance functions set forth in this section in the first year of Exchange operations. We will evaluate whether to implement a certification requirement, which would be done through rulemaking, for future years.

Comment: Some commenters recommended that issuer application assisters ensure that individuals who are ineligible for QHPs receive the information necessary to follow up with programs that they may be eligible for such as Medicaid or CHIP.

Response: We expect that issuer application assisters who are approached by individuals and families looking for assistance with Exchange enrollment will work with all applicants, including individuals who are ultimately determined to be eligible for Medicaid or CHIP. Any applicant who is working with an issuer application assister and is determined by an Exchange to be eligible for Medicaid or CHIP will receive an appropriate notice of assessment or determination of Medicaid/CHIP eligibility from the Exchange. In such cases, we expect that the issuer application assister would refer the individual to the applicable State agency. We anticipate that issuer application assister training will provide information on where to direct Medicaid or CHIP-eligible individuals.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 156.1230 of the proposed rule, with a few modifications. We modified language in § 156.1230(a)(1)(iv) to clarify that issuers must use an HHS-approved universal disclaimer about the availability of other QHPs offered through the Exchange. We also made a technical correction in paragraph (a)(1)(iv) replacing ''or'' with ''and.'' As described in Part C(5) of this rule, we will use the term ''issuer application assisters'' in place of ''issuer customer service representatives'' to more clearly articulate the role of such individuals and for consistency, will refer to the definition of ''issuer application assisters'' being finalized at § 155.20. We also modified § 156.1230(a)(2) to remove the express requirement for an agreement between an issuer and the Exchange for its issuer application assisters, but still require that issuers ensure their application assisters comply with § 156.1230(a)(2)(i) through (a)(2)(iii). Lastly, we are not finalizing subparagraph § 155.1230(a)(3) regarding premium accuracy requirements at this time because we intend to address that provision in future rulemaking.

b. Enrollment Process for Qualified Individuals (§ 156.1240)

We proposed to require that QHP issuers, at a minimum, accept a variety of payment formats so that individuals without a bank account or a credit card will have readily available options for making monthly premium payments. We gave examples of methods including, but not limited to, paper checks, cashier's checks, money orders, replenishable pre-paid debit cards, electronic funds transfer from a bank account, and an automatic deduction from a credit or debit card. We sought comment on this proposal and whether other payment methods should be included.

We received the following comments concerning the proposed enrollment process provisions.

Comment: A majority of commenters were in favor of requiring QHP issuers to accept methods of payment customarily used by people without bank accounts or credit cards. Furthermore, commenters recommended codifying in the regulation text the specific payment methods options yielding an illustrative list of payment methods. This would ensure that issuers accept a range of payment methods instead of just one in addition to a bank account or credit card depending on an issuer's operations. Other commenters recommended that the rule not require an exhaustive list of payment methods, but rather establish a baseline for payment methods and allow issuers to include other forms of payment based on their market needs.

Response: We are finalizing a revised § 156.1240(a)(2), which lists the payment methods that QHP issuers must accept at a minimum. This will provide a range of options for those individual with and without banking accounts and/or credit cards. Most issuers already have the capability to accept these payment options.

Comment: We received several comments suggesting that we should clarify that QHP issuers must accept the proposed payment methods for all premium payments, including the initial premium payment. Commenters stated that applicants would not be able to enroll and maintain health coverage if their principal payment option is not available for all payments. Other commenters recommended using electronic payments for initial payments due to longer processing times needed, higher transaction fees, and a delay in effectuate coverage for certain payment methods.

Response: The requirement to accept the stated payment methods must apply to all payments including initial premium. Interpreting this rule any other way would defeat the purpose of this section as explained in the proposed rule, because individuals who would benefit from the protections in this section would likely not be able to effectuate coverage to make monthly premiums thereafter. Issuers should work with individuals to make them aware that certain payment methods take longer to process and plan accordingly. In this final rule, we are finalizing a revised § 156.1240(a)(2), which clarifies that this provision applies to all payments.

Comment: We received a comment to clarify whether this is a requirement in all Exchanges and whether this is specific to the individual market.

Response: This provision applies only in the individual market and we have indicated this in § 155.1240(a)(2) of the final rule. We also note that this applies to all Exchanges, including State Exchanges.

Comment: One commenter recommended that we avoid partnering with payment service companies that will profit from payment fees since some pre-paid debit cards and money transfer programs require additional fees to consumers. That commenter also recommended that we partner with reputable non-profit organizations that will provide safe and affordable services such as non-profit enrollment assisters. Another commenter suggested that we limit which pre-paid debit cards may be used in order to limit the transaction fee for both the consumer and issuer.

Response: We will leave it up to each Exchange on whether or not to partner with particular payment service companies. FFEs will not partner with any payment service companies for the first year. We will subsequently evaluate the value of having a relationship with such partner.

Comment: We received some comments suggesting that we maximize the range of payment options offered to applicants. Commenters noted that issuers should offer electronic funds transfer (EFT) for individuals with bank accounts using Automated Clearing House payments including direct deposits. Other commenters recommended that applicants be made aware of all their payment options by mail and information displayed to the applicant on the Web site. In particular, issuers should ensure that consumers

are aware of all alternative payment methods.

Response: In this final rule, we are including EFT as a payment method that issuers must accept. While we believe many individuals with bank accounts will select this option, the requirement to accept a variety of payment methods, as proposed in the proposed rule and as being finalized here, necessitates that issuers inform the consumer of all payment options when a consumer needs to make a payment, whether in the mail or on the issuer's Web site. We are therefore making explicit in this final rule that, when collecting payment, all payment method options must be equally presented to the consumer.

Comment: We received numerous comments on what payment methods QHP issuers should be required to accept. Many commenters supported the methods provided in the preamble of the proposed rule. Some commenters suggested the use of all general-purpose pre-paid debit cards instead of just reloadable or replenishable pre-paid debit cards to be more inclusive and since it doesn't make a difference operationally. Other commenters recommended money transfer platforms, the ability to deduct from an enrollee's paycheck, and automatic deductions from credit or debit cards. However, other commenters expressed concern on whether all issuers would be able to support credit or debit card payments as well as ongoing automatic deductions from credit or debit cards. We received some comments that issuers should mimic CHIP programs and accept multiple methods of payment from multiple locations, most importantly accepting cash by establishing payment providers throughout communities. Lastly, many commenters were concerned about additional administrative and transactional fees depending on which payment methods would be required, whether the fees be assessed on the issuer, Exchange, or consumer.

Response: Due to the overwhelming support for pre-paid debit cards, we have included all general-purpose pre-paid debit cards as a payment method that issuers are required to accept. Because many issuers accept debit cards, this requirement should not cause administrative or operational issues. At this time, we will allow issuers to decide whether or not to accept automatic deductions from credit or debit cards. We also think that requiring issuers to accept cash would not be operationally possible given the resource and time restraint to establish the necessary relationship with payment providers. However, we are still requiring issuers to accept other paper payment methods described in the preamble of the proposed rule including paper checks, money orders, and cashier's checks.

Summary of Regulatory Changes

We are finalizing the provisions proposed in § 156.1240 of the proposed rule, with a few modifications. We revised paragraph (a)(2) to include the minimum payment methods that issuers must accept. Additionally, we clarified that these methods must be accepted for all payments. We also clarified that this applies to the individual market only. Lastly, we added language to reflect that all payment method options must be presented equally for a consumer to select their preferred payment method.

III. Collection of Information Requirements

Under the Paperwork Reduction Act of 1995, we are required to provide 30-day notice in the **Federal Register** and solicit public comment before a collection of information requirement is submitted to the Office of Management and Budget (OMB) for review and approval. In order to fairly evaluate whether an information collection should be approved by OMB, section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (PRA) requires that we solicit comment on the following issues:

- The need for the information collection and its usefulness in carrying out the proper functions of our agency.
- The accuracy of our estimate of the information collection burden.
- The quality, utility, and clarity of the information to be collected.
- Recommendations to minimize the information collection burden on the affected public, including automated collection techniques.

The following sections of this document contain estimates of burden imposed by the associated information collection requirements (ICRs); however, not all of these estimates are subject to the ICRs under the PRA for the reasons noted. Estimated salaries for the positions cited were mainly taken from the Bureau of Labor Statistics (BLS) Web site (*http://www.bls.gov/oco/ooh_index.htm*).

The estimated salaries for the health policy analyst and the senior manager were taken from the Office of Personnel Management Web site. Fringe Benefits estimates were taken from the BLS March 2013 Employer Costs for Employee Compensation Report.[11]

A. ICRs Related to the Risk Corridors Program (§ 153.500)

In this final rule, we amend the definition of a QHP in § 153.500 for the purposes of the risk corridors program. We provide that a plan will be subject to the risk corridors program if it is (a) A QHP, as defined in 45 CFR 155.20; (b) a plan offered outside the Exchange that is the same plan as a QHP, as defined in 45 CFR 155.20, offered through the Exchange by the same issuer, pursuant to the criteria finalized in Part C(1)(a) of this rule; or (c) a plan offered outside the Exchange that is substantially the same as a QHP, as defined in 45 CFR 155.20, offered through the Exchange by the same issuer, pursuant to the criteria finalized in Part B(1)(a) of this rule.

In this final rule, we note that we intend to issue guidance on the operational aspects of this standard, including with respect to how HHS and issuers will identify plans submissions (including those submitted for the 2014 benefit year) that are ''substantially the same'' as a QHP offered through an Exchange for the purposes of determining whether the plan will participate in the risk corridors program. QHP issuers may be required to submit plan identification information to HHS as part of HHS's determination of which plans offered outside of the Exchange will participate in the risk corridors program. We intend to account for this information collection requirement in a PRA package that we will publish for public comment and advance for OMB approval in the future. Information related to the requirement will not be effective until comment is sought and the collection is approved by OMB.

B. ICRs Related to Ability of States To Permit Agents and Brokers To Assist Qualified Individuals, Qualified Employers, or Qualified Employees Enrolling in Qualified Health Plans in the Federally-Facilitated Exchange (§ 155.220)

In § 155.220(c)(3)(i), we amend the provision to require Web-brokers to display all QHP information provided by the Exchange or directly by QHP issuers consistent with the requirements of § 155.205(b)(1) and § 155.205(c), and to the extent that not all information required under § 155.205(b)(1) is displayed on the agent or broker's Internet Web site for a QHP,

[11] BLS March 2013 Employer Costs for Employee Compensation Report (March 12, 2013). Available at *http://www.bls.gov/news.release/ecec.toc.htm.*

prominently display a standardized disclaimer provided by HHS stating that information required under § 155.205(b)(1) for the QHP is available on the Exchange Web site, and provide a Web link to the Exchange Web site. To comply with this requirement, each Web-broker will have to program its Web site to display the standardized disclaimer language in the event that it cannot display plan information required under § 155.205(b)(1) for a particular QHP. The Web-broker will also have to include a Web link to the Exchange Web site. We estimate that it will take up to 12 hours at an hourly cost of $52.50 for a computer programmer to perform the necessary programming, and 4 hours at an hourly cost of $79.08 for a senior manager to review the Web site display, for a total cost of approximately $950 per Web-broker. Assuming that approximately 50 Web-brokers elect to access the FFE's application programming interface and that each Web-broker will have to display the standardized disclaimer language and Web link, we estimate that this provision would increase the overall burden estimate by approximately $47,300.

Section 155.220(c)(3)(vii) requires each Web-broker in FFE states to display on its Web site a standardized disclaimer provided by HHS and a link to the FFE Web site. To comply with this requirement, each Web-broker will have to program its Web site to display the standardized disclaimer and a Web link to the Exchange Web site. We estimate that it will take up to 12 hours at an hourly cost of $52.50 for a computer programmer to perform the necessary programming, and 4 hours at an hourly cost of $79.08 for a senior manager to review the Web site display, for a total cost of approximately $950 per Web-broker. At this time, we anticipate that all Web-brokers will be participating in FFE states. Assuming that approximately 50 Web-brokers elect to access the FFE's application programming interface and that each Web-broker will have to display the standardized disclaimer language and Web link, we estimate that this provision would increase the burden estimate by approximately $47,300.

Section 155.220(c)(4) requires a Web-broker to comply with several standards when the Web-broker permits other agents and brokers to use its Web site to enroll a consumer through the FFE, pursuant to a contractual or other arrangement between the Web-broker and the other agent or broker. One of the standards requires the Web-broker to provide to the FFE a list of agents or brokers who enter into such an arrangement, if requested by HHS. We understand that Web-brokers who work with other agents and brokers typically obtain and manage information on each of its agents or brokers as part of an agent onboarding process. As a result, Web-brokers already have the necessary data to list each of their agents or brokers that it contracts with under such arrangements. We estimate that it will take up to 48 hours at an hourly cost of $52.50 for a computer programmer to perform the necessary programming, and 4 hours at an hourly cost of $79.08 for a senior manager to develop a listing of affiliated third-party agents and brokers, $3,150 per Web-broker. Assuming that approximately 50 Web-brokers elect to access the FFE's application programming interface and that each has allows third-party agents to access their Web sites, we estimate that this provision would increase the burden estimate by approximately $157,600. Section 155.220(g) authorizes HHS to terminate an agent's or broker's agreement with an FFE if HHS determines that the agent or broker is out of compliance with the standards outlined in 45 CFR 155.220. Section 155.220(h) sets forth the process whereby an agent or broker can request reconsideration of HHS's termination. Specifically, the agent or broker must submit the request for reconsideration within 30 calendar days of receipt of the date of the notice of termination. Because we are finalizing this provision as proposed, and did not receive comments on our estimates, we continue to use our estimates from the proposed rule.

C. ICRs Related to the Eligibility Process (§ 155.310)

Section 155.310(k) provides that if an Exchange does not have enough information to conduct an eligibility determination for advance payments of the premium tax credit or cost-sharing reductions, the Exchange must provide notice to the applicant regarding the incomplete application. We anticipate that this notice requirement is not a separate notice to an individual but text within the eligibility determination notice described in § 155.310(g) and discussed in a separate information collection request that is associated with the notice of proposed rulemaking (January 22, 2013 (78 FR 4594)). We therefore do not include a separate burden estimate to develop this notice but the time and cost associated with this notice is included within the estimate in § 155.310(g).

Section 155.310(k)(2) provides that the Exchange must provide the applicant with a period of no less than 10 days and no more than 90 days from the date on which the notice is sent to the applicant to provide the information needed to complete the application to the Exchange. Because we are finalizing these provisions with only a minor modification to the lower limit of time that the Exchange must provide to the applicant to complete an application, and did not receive comments on our estimates, we continue to use our estimates from the proposed rule. For a detailed explanation of burden hour and cost please refer to the associated supporting statement at *http://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing-Items/CMS%E2%80%9310490.html*.

Part 155—Exchange Establishment Standards and Other Related Standards Under the Affordable Care Act

It is important to note that these regulations involve several information collections that will occur through the single, streamlined application for enrollment in a QHP and for insurance affordability programs described in 45 CFR 155.405. We have accounted for the burden associated with these collections in the Supporting Statement for Data Collection to Support Eligibility Determinations for Insurance Affordability Programs and Enrollment through Health Benefits Exchanges, Medicaid, and Children's Health Insurance Program Agencies (OMB control number 0938–1191/CMS–10440).

D. ICRs Regarding Appeals (§§ 155.505, 155.510, 155.520, 155.530, 155.535, 155.540, 155.545, 155.550, 155.555, 155.740)

The eligibility appeals provisions in subparts F and H include requirements for the collection of information that will support processing and adjudicating appeals for individuals, employers facing potential tax liability, and SHOP employers and employees. The information collection will be largely the same for each type of appeal and includes the appeal request, expedited appeal request, appeal withdrawal, request to vacate, request for additional information, special considerations form, and appointment and removal of authorized representative. Because we are finalizing these provisions as proposed, and did not receive comments on our estimates, we continue to use our estimates from the proposed rule. For a detailed explanation of burden hour and cost please refer to the associated supporting statement at *http://*

www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing-Items/CMS%E2%80%9310490.html.

E. ICRs Regarding Consumer Cases Related to Qualified Health Plans and Qualified Health Plan Issuers (§ 156.1010)

In subpart K of part 156, we describe the information collection requirements that pertain to the resolution of consumer cases related to QHPs and QHP issuers. Section 156.1010(g)(1) states that QHP issuers must include the date of case resolution, § 156.1010(g)(2) states that QHP issuers must record a clear and concise narrative documenting the resolution of a consumer case in the HHS-developed casework tracking system, and § 156.1010(g)(3) states that QHP issuers must provide information about compliance issues found by a State during the investigation of a case. The additional information required by § 156.1010(g)(1) and § 156.1010(g)(3) are clarifications of the original proposed requirements and do not represent an additional burden. Because we are finalizing these provisions as proposed, and did not receive comments on our estimates, we continue to use our estimates from the proposed rule.

For a detailed explanation of burden hour and cost please refer to the associated supporting statement at *http://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing-Items/CMS%E2%80%9310490.html.*

F. ICRs Related to Enrollment Process for Qualified Individuals (§ 156.1230)

Section § 156.1230(a)(1)(ii), issuers would be required provide information on available QHPs when they choose to use their Web site to directly enroll qualified individuals into QHPs in a manner considered to be through the Exchange. The QHP information required to be posted on the Web site would include premium and cost-sharing information, the summary of benefits and coverage, levels of coverage (''metal levels'') for each QHP, results of the enrollee satisfaction survey, quality ratings, medical loss ratio information, transparency of coverage measures, and a provider directory. Section § 156.1230(a)(1)(i) requires an issuer to direct an individual to complete an application with the Exchange and receive eligibility determinations from the Exchange to allow for an accurate plan selection process. Additionally, section § 156.1230(a)(1)(iv) would require the issuer Web site to inform applicants about the availability of other QHP products available through an Exchange and to display a Web site link to the appropriate Exchange Web site. An issuer would also submit enrollment information back to the Exchange including the APTC amount and attestation from an individual as required by § 156.1230(a)(1)(v).

Section 156.1230(a)(2) would allow qualified individuals to apply for an eligibility determination or redetermination for coverage through the Exchange and insurance affordability programs with the assistance of an issuer application assister if the issuer ensures its application assisters' compliance with requirements, including training and privacy and security standards.

We are finalizing these provisions with a few modifications. Since we are no longer requiring an additional requirement for the issuer agreement, the burden associated with amending the agreement between the issuer and the Exchange if the Exchange implements this provision is no longer applicable. The burden associated with the rest of these provisions remains the same as the proposed rule. For a detailed explanation of burden hour and cost please refer to the associated supporting statement at *http://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing-Items/CMS%E2%80%9310490.html.* We clarified that the burden in § 156.1230(a)(1) took into account an issuer needing to distinguish between QHPs for which a consumer is eligible and other non-QHPs that an issuer may offer as required by § 156.1230(a)(1)(iii).

We have submitted an information collection request to OMB for review and approval of the ICRs contained in this final rule. The requirements are not effective until approved by OMB and assigned a valid OMB control number.

If you comment on these information collection and recordkeeping requirements, please do the following:

Submit your comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: CMS Desk Officer, [CMS–9957–F], Fax: (202) 395–6974; or Email: *OIRA_submission@omb.eop.gov.*

IV. Regulatory Impact Analysis

In accordance with the provisions of Executive Order 12866, this rule was reviewed by OMB.

A. Summary

This final rule outlines Exchange standards with respect to eligibility appeals, agents and brokers, direct enrollment, the handling of consumer cases, imposing CMPs in FFEs; and decertification of a QHP offered by an issuer through a FFE. It also sets forth standards with respect to a State's operation of an Exchange and SHOP.

HHS has crafted this final rule to implement the protections intended by Congress in an economically efficient manner. We have examined the effects of this final rule as required by Executive Order 12866 (58 FR 51735, September 1993, Regulatory Planning and Review), the Regulatory Flexibility Act (RFA) (September 19, 1980, Pub. L. 96–354), the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), Executive Order 13132 on Federalism, and the Congressional Review Act (5 U.S.C. 804(2)). In accordance with OMB Circular A–4, HHS has quantified the benefits and costs where possible, and has also provided a qualitative discussion of some of the benefits and costs that may stem from this final rule.

B. Executive Orders 13563 and 12866

Executive Order 12866 (58 FR 51735) directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distributive impacts; and equity). Executive Order 13563 (76 FR 3821, January 21, 2011) is supplemental to and reaffirms the principles, structures, and definitions governing regulatory review as established in Executive Order 12866.

Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as an action that is likely to result in a final rule—(1) Having an annual effect on the economy of $100 million or more in any one year, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also referred to as ''economically significant''); (2) creating a serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

A regulatory impact analysis (RIA) must be prepared for major rules with

economically significant effects ($100 million or more in any 1 year), and a ''significant'' regulatory action is subject to review by the OMB. HHS has concluded that this final rule is not likely to have economic impacts of $100 million or more in any one year, and therefore does not meet the definition of ''economically significant rule'' under Executive Order 12866. HHS has, however, provided an assessment of the potential costs and benefits associated with this final regulation.

1. Need for Regulatory Action

Starting in 2014, qualified individuals and qualified employers will be able to use coverage provided by QHPs—private health insurance that has been certified as meeting certain standards—through Exchanges. This final rule sets forth standards related to eligibility, including standards for eligibility appeals, verification of eligibility for minimum essential coverage, and treatment of incomplete applications. It also establishes consumer protections regarding privacy and security, clarifies the role of agents, brokers, and issuer application assisters; consumer cases; methods of premium payment; enforcement actions such as CMPs and decertification of a QHP in a FFE. Finally, it sets forth provisions regarding a State's operation of a SHOP.

2. Summary of Impacts

In accordance with OMB Circular A–4, Table IV.1 below depicts an accounting statement summarizing HHS's assessment of the benefits and costs associated with this regulatory action. The period covered by the RIA is 2014—2017.

HHS anticipates that the provisions of this final rule will ensure smooth operation of Exchanges and provide consumer protections. The eligibility appeals process and the notice standards included in this final rule will support the development and implementation of a streamlined eligibility process, and in doing so, will increase enrollment in health insurance. Affected entities such as States, QHP issuers, agents, and brokers will incur costs to submit reports to HHS and Exchanges, to comply with privacy and security standards for PII, and to comply with enforcement actions. In accordance with Executive Order 12866, HHS believes that the benefits of this regulatory action justify the costs.

TABLE IV.1: ACCOUNTING TABLE

Benefits:

Qualitative:
* Ensure smooth functioning of State Exchanges and FFEs
* Increased access to fair and unbiased customer assistance and information about coverage options for consumers, enabling consumers to make informed decisions
* Ensure privacy and data security protections
* Improve access to health insurance, by ensuring accurate and fair appeals of eligibility determinations
* Improve program performance, reduce non-compliance by QHPs and agents and brokers, and decrease the likelihood of errors and adverse outcomes for consumers

Costs	Estimate	Year	Discount Rate	Period
Annualized	$17.64 million	2013	7	2014–2017
Monetized ($/year)	$17.64 million	2013	3	2014–2017

Annual costs related to eligibility appeals; enrollment process for Qualified Individuals; documentation of resolution of consumer cases; costs to agents and brokers and QHPs related to enforcement actions.[1]

Qualitative:
* Costs to Exchanges and non-Exchange entities subject to FFE privacy and data security standards to comply with privacy and data security standards
* Possible reduction in costs for SHOPs due to elimination of the requirement to accept paper applications and applications by telephone
* Cost incurred by SHOPs to develop uniform standards for the termination of a group's coverage in a QHP and to keep sufficient records of terminations and reasonable accommodations
* Eligibility appeals process may reduce administrative costs, by providing resolution options that enable the vast majority of issues to be resolved by lower-level staff

Note: 1. The bases for these costs are discussed in the Paperwork Reduction Act sections of the proposed rules associated with this final rule.

3. Anticipated Benefits and Costs

Starting in 2014, qualified individuals and qualified employers will be able to use health coverage obtained through Exchanges. The Congressional Budget Office estimated that the number of people enrolled in coverage through Exchanges will increase from 7 million in 2014 to 24 million in 2017.[12] Exchanges will create competitive marketplaces where qualified individuals and qualified employers can shop for insurance coverage, and are expected to reduce the unit price of quality insurance for the average consumer by pooling risk and promoting competition.

The final rule specifies the standards and processes for the oversight and accountability of entities responsible for certain operations of the Exchanges. Affected entities include States, in their roles of establishing and operating Exchanges and SHOPs; FFEs and FF–SHOPs; issuers of QHPs; Exchange appeals entities; and insurance agents and brokers.

a. Benefits

This final rule implements provisions that will ensure smooth functioning of State Exchanges and FFEs, improve access to health insurance and customer service, and establish consumer protection measures.

The final rule provides that, for individual eligibility determinations, applicants and enrollees may appeal eligibility determinations made through the eligibility process at the State level, if the State opts to establish an appeals process, or at the Federal level, if the State opts not to establish an appeals process or upon exhaustion of a State

[12] ''Effects on Health Insurance and the Federal Budget for the Insurance Coverage Provisions in the Affordable Care Act—May 2013 Baseline,'' Congressional Budget Office, May 14, 2013.

based appeals process. An effective eligibility appeals process improves access to health insurance, by providing recourse for issues that arise in the eligibility process that can disrupt coverage. The appeals process is based on best practices to provide flexible, transparent, and consumer-centric appeals review and resolution. By providing an efficient, but comprehensive appeals process, the provisions of this final rule will ensure accurate and fair appeals of eligibility determinations. In addition, by providing a separate appeals process for small businesses, the provisions of this final rule will help ensure that accurate and satisfactory determinations are made for small businesses.

The final rule also allows a State to operate only a State-based SHOP while the individual market Exchange is operated as an FFE. This will enable the State to focus on effective implementation of the SHOP. Each SHOP is also required to develop uniform standards for the termination of coverage in a QHP, starting in 2015, unless the SHOP offers employers the opportunity to give their employees a choice of plans at one actuarial value level (''employee choice'') before then. Standardizing the timing, form, and manner of a group's termination in the SHOP ensures that an employer offering coverage through multiple health insurance issuers (under the SHOP ''employee choice'' model) will be subject to uniform, predictable termination policies.

The final rule implements consumer protections designed to ensure privacy and security of PII, increased access to customer assistance, greater information about coverage options, and more informed coverage decisions by consumers. Permitting issuer application assisters to assist individuals with applying for eligibility determinations or redeterminations for coverage through the Exchange will increase assistance available to consumers, while the training and compliance standards will ensure that such assistance is fair and unbiased. The final rule establishes requirements for issuer application assisters and agents and brokers who assist consumers, requiring them to comply with registration and training requirements. The final rule also establishes standards under which HHS can terminate its relationship with agents and brokers in the FFE, to help ensure that agents and brokers continue to meet Exchange standards. The final rule also amends and establishes additional standards for Web-brokers. In addition, the requirement for QHP issuers conducting direct enrollment, in a manner considered to be through an Exchange, to provide standardized comparative information on their Web sites ensures that consumers can readily differentiate and compare plan choices leading to informed decisions. Consumers without bank accounts will also have a variety of payment options.

Oversight and enforcement actions such as CMPs and decertification of a QHP, termination of an agent and broker agreement for participation in the individual market of an FFE, will improve program performance, reduce non-compliance by QHPs and agents and brokers, and decrease the likelihood of errors and adverse outcomes for consumers.

b. Costs

Affected entities will incur costs to comply with the provisions of this final rule. Costs related to information collection requirements subject to PRA are discussed in detail in section III and include administrative costs incurred by States, issuers and agents and brokers related to notice and reporting requirements; enforcement actions; enrollment process for qualified individuals; and training requirements. In this section we discuss other costs related to the provisions in this final rule.

A State that establishes an eligibility appeals process, an employer appeals process, or a SHOP eligibility appeals process will incur related administrative costs. However, HHS will provide such processes if States fail to do so. In addition, an effective eligibility process will reduce administrative costs, by providing resolution options that enable the vast majority of issues to be resolved by lower-level staff.

Exchanges and agents and brokers permitted by States to assist consumers will incur costs to comply with additional standards for display of QHPs when using their Web sites as Web-brokers to assist consumers select a QHP, comply with the Exchange's privacy and security standards as required in an agreement with HHS, and to submit a request for reconsideration if HHS terminates its agreement with the agent or broker. Issuers will also incur expenses to provide privacy and security training to their customer service representatives. It is anticipated that Exchanges and issuers' IT systems will need minimal changes to comply with these provisions, particularly because they must already comply with similar standards regarding protected health information.

The final rule also amends existing requirements so that SHOPs are no longer be required to accept paper applications and applications by telephone. This may reduce the cost of operating a SHOP. A SHOP will also incur costs to develop uniform standards for the termination of a group's coverage in a QHP and to keep sufficient records of terminations and reasonable accommodations.

C. Regulatory Alternatives

Under the Executive Order, HHS is required to consider alternatives to issuing rules and alternative regulatory approaches.

One alternative considered was to establish only a Federal eligibility appeals process and not to offer State Exchanges the option to establish their own appeals processes. This alternative, however, was not selected because it would limit State flexibility and negate the administrative efficiencies available through the use of existing appeals processes. HHS believes that the option adopted for this final rule strikes the best balance of ensuring efficient operation and integrity of Exchanges while providing flexibility to the States and minimizing the burden on States.

D. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires agencies that issue a rule to analyze options for regulatory relief of small businesses if a rule has a significant impact on a substantial number of small entities. The RFA generally defines a ''small entity'' as—(1) A proprietary firm meeting the size standards of the Small Business Administration (SBA), (2) a nonprofit organization that is not dominant in its field, or (3) a small government jurisdiction with a population of less than 50,000 (States and individuals are not included in the definition of ''small entity''). HHS uses as its measure of significant economic impact on a substantial number of small entities a change in revenues of more than 3 percent to 5 percent. HHS anticipates that the final rule would not have a significant economic impact on a substantial number of small entities.

As discussed in the Web Portal final rule published on May 5, 2010 (75 FR 24481), HHS examined the health insurance industry in depth in the RIA we prepared for the final rule on establishment of the Medicare Advantage program (69 FR 46866, August 3, 2004). In that analysis it was determined that there were few, if any, insurance firms underwriting comprehensive health insurance policies (in contrast, for example, to travel insurance policies or dental discount policies) that fell below the

size thresholds for ''small'' business established by the SBA (currently $7 million in annual receipts for health issuers).[13] In addition, HHS used the data from Medical Loss Ratio (MLR) annual report submissions for the 2011 MLR reporting year to develop an estimate of the number of small entities that offer comprehensive major medical coverage. These estimates may overstate the actual number of small health insurance issuers that would be affected, since they do not include receipts from these companies' other lines of business. It is estimated that out of 466 issuers nationwide, there are 22 small entities each with less than $7 million in earned premiums that offer individual or group health insurance coverage and would therefore be subject to the requirements of this final regulation. Thirty six percent of these small issuers belong to larger holding groups, and many if not all of these small issuers are likely to have other lines of business that would result in their revenues exceeding $7 million. It is uncertain how many of these 466 issuers will offer QHPs and be subject to the provisions of this final rule. Based on this analysis, however, HHS expects that this final rule will not affect small issuers.

Some of the agents and brokers affected by the provisions of this final rule may be small entities and will incur costs to comply with the provisions of this final rule. The size threshold for ''small'' business established by the SBA is currently $7 million in annual receipts for insurance agencies and brokerages. We anticipate that agents and brokers will continue to be an important source of assistance for many consumers seeking access to health insurance coverage through an Exchange, including those who own and/or are employed by small businesses. Due to lack of data, HHS is unable to estimate how many agents and brokers permitted by States to assist consumers would be small entities.

This final rule establishes an appeals process through which an employer may appeal a determination that the employer does not provide qualifying coverage in an eligible employer-sponsored plan with respect to the employee referenced in the notice pursuant to section 1411(f)(2) of the Affordable Care Act, or an eligibility determination for SHOP. This rule establishes standards for employers that choose to participate in a SHOP. The SHOP is limited by statute to employers with at least one but not more than 100 employees. For this reason, we expect that many employers eligible to participate in the SHOP would meet the SBA standard for small entities. However, since participation in the SHOP is voluntary, this final rule does not place any requirements on small employers.

E. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act (UMRA) of 1995 requires that agencies assess anticipated costs and benefits before issuing any final rule that includes a Federal mandate that could result in expenditure in any one year by State, local or tribal governments, in the aggregate, or by the private sector, of $100 million in 1995 dollars, updated annually for inflation. In 2013, that threshold level is approximately $141 million.

UMRA does not address the total cost of a final rule. Rather, it focuses on certain categories of cost, mainly those ''Federal mandate'' costs resulting from—(1) imposing enforceable duties on State, local, or tribal governments, or on the private sector; or (2) increasing the stringency of conditions in, or decreasing the funding of, State, local, or tribal governments under entitlement programs.

The final rule directs States to undertake activities for State Exchanges. There are no mandates on local or tribal governments. The private sector, for example, QHP issuers and agents and brokers, will incur costs to comply with the requirements set forth in this final rule. The related costs are estimated to be approximately $17.5 million in 2014. However, consistent with policy embodied in UMRA, this final rule has been designed to be a low-burden alternative for State, local and tribal governments, and the private sector while achieving the objectives of the Affordable Care Act.

F. Federalism

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a final rule that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications.

States are the primary regulators of health insurance coverage. States will continue to apply State laws regarding health insurance coverage. If any State law or requirement prevents the application of a Federal standard, then that particular State law or requirement would be preempted. State requirements that are more stringent than the Federal requirements would be not be preempted by this final rule. Accordingly, States have significant latitude to impose requirements with respect to health insurance coverage that are more restrictive than the Federal law.

States will continue to license, monitor and regulate all agents and brokers, both inside and outside of Exchanges. All State laws related to agents and brokers, including State laws related to appointments, contractual relationships with issuers, and licensing and marketing requirements, will continue to apply. Under the final rule, States have the option to establish and operate only a State-based SHOP while the individual market Exchange is operated as an FFE. The final rule also provides additional flexibility to States with respect to the operation of a SHOP-specific Navigator program when the State establishes and operates only a SHOP Exchange. HHS would coordinate enforcement actions for QHP issuers with State efforts in order to streamline the oversight of QHP issuers by States and to avoid inappropriate duplication of enforcement actions. Because QHPs are one of several commercial market insurance products operating in State markets, HHS would not seek to inappropriately duplicate or interfere with the traditional regulatory roles played by the State departments of insurance. HHS would generally confine its QHP oversight to Exchange-specific requirements and attributes. HHS would also seek to work collaboratively with State DOIs on topics of mutual concern, in the interest of efficiently deploying oversight resources and avoiding needlessly duplicative regulatory roles. HHS may consider the regulatory action taken by a State against a QHP issuer as a factor in determining whether to decertify a QHP. HHS recognizes that States play an important role in handling consumer cases related to health insurance and HHS anticipates that States will continue to assist consumers with these grievances and complaints. QHP issuers are expected to comply with standards established by State law and regulation for cases forwarded to an issuer by a State in which it offers QHPs. States may opt to establish an eligibility appeals process and an employer appeals process or HHS will provide such a process if a State fails to do so.

The requirements specified in this final rule will impose direct costs on State and local governments and HHS has made every effort to minimize those costs. In compliance with the requirement of Executive Order 13132

[13] ''Table of Size Standards Matched To North American Industry Classification System Codes,'' effective January 7, 2013, U.S. Small Business Administration, available at *http://www.sba.gov*.

that agencies examine closely any policies that may have Federalism implications or limit the policymaking discretion of the States, HHS has engaged in efforts to consult with and work cooperatively with affected States. Throughout the process of developing this final rule, HHS has attempted to balance the States' interests in regulating health insurance issuers, and Congressional intent to provide uniform protections to consumers in every State. By doing so, it is HHS's view that it has complied with the requirements of Executive Order 13132. Under the requirements set forth in section 8(a) of Executive Order 13132, and by the signatures affixed to this rule, HHS certifies that the CMS Center for Consumer Information and Insurance Oversight has complied with the requirements of Executive Order 13132 for the attached final rule in a meaningful and timely manner.

G. Congressional Review Act

This final rule is subject to the Congressional Review Act provisions of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801 et seq.), which specifies that before a rule can take effect, the Federal agency promulgating the rule shall submit to each House of the Congress and to the Comptroller General a report containing a copy of the rule along with other specified information, and has been transmitted to the Congress and the Comptroller General for review.

List of Subjects

45 CFR Part 147

Health care, Health insurance, Reporting and recordkeeping requirements, and State regulation of health insurance.

45 CFR Part 153

Administrative practice and procedure, Adverse selection, Health care, Health insurance, Health records, Organization and functions (Government agencies), Premium stabilization, Reporting and recordkeeping requirements, Reinsurance, Risk adjustment, Risk corridors, Risk mitigation, State and local governments.

45 CFR Part 155

Administrative practice and procedure, Health care access, Health insurance, Reporting and recordkeeping requirements, State and local governments, Cost-sharing reductions, Advance payments of premium tax credit, Administration and calculation of advance payments of the premium tax credit, Plan variations, Actuarial value.

45 CFR Part 156

Administrative practice and procedure, Advertising, Advisory Committees, Brokers, Conflict of interest, Consumer protection, Grant programs-health, Grants administration, Health care, Health insurance, Health maintenance organization (HMO), Health records, Hospitals, American Indian/Alaska Natives, Individuals with disabilities, Loan programs-health, Organization and functions (Government agencies), Medicaid, Public assistance programs, Reporting and recordkeeping requirements, State and local governments, Sunshine Act, Technical assistance, Women, and Youth.

For the reasons set forth in the preamble, the Department of Health and Human Services amends 45 CFR parts 147, 153, 155, and 156 as set forth below:

PART 147—HEALTH INSURANCE REFORM REQUIREMENTS FOR THE GROUP AND INDIVIDUAL HEALTH INSURANCE MARKETS

■ 1. The authority citation for part 147 continues to read as follows:

Authority: Secs. 2701 through 2763, 2791, and 2792 of the Public Health Service Act (42 U.S.C. 300gg through 300gg–63, 300gg–91, and 300gg–92), as amended.

■ 2. Section 147.102 is amended by revising paragraph (a) introductory text and adding two sentences at the end of paragraph (a)(1)(ii) to read as follows:

§ 147.102 Fair health insurance premiums.

(a) *In general.* With respect to the premium rate charged by a health insurance issuer in accordance with § 156.80 of this subchapter for health insurance coverage offered in the individual or small group market—

(1) * * *

(ii) * * * For purposes of this paragraph, rating area is determined in the small group market using the group policyholder's principal business address and in the individual market using the primary policyholder's address. For plans (other than qualified health plans offered through the Federally-facilitated Small Business Health Options Program) for which an issuer can demonstrate that it relied in good faith on guidance from an applicable State authority issued before August 28, 2013, that differs from this paragraph (a)(1)(ii), the preceding sentence will not apply until the first plan year beginning on or after January 1, 2015 with respect to coverage in the small group market.

* * * * *

PART 153—STANDARDS RELATED TO REINSURANCE, RISK CORRIDORS, AND RISK ADJUSTMENT UNDER THE AFFORDABLE CARE ACT

■ 3. Authority citation for part 153 is revised to read as follows:

Authority: Secs. 1311, 1321, 1341–1343, Pub. L. 111–148, 24 Stat. 119.

§ 153.20 [Amended]

■ 4. Section 153.20 is amended by removing the definition of ''Qualified health plan or QHP''.

■ 5. Section 153.500 is amended by adding a definition of ''Qualified health plan or QHP'' to read as follows:

§ 153.500 Definitions.

* * * * *

Qualified health plan or *QHP* means, with respect to the risk corridors program only —

(1) A qualified health plan, as defined at § 155.20 of this subchapter;

(2) A health plan offered outside the Exchange by an issuer that is the same plan as a qualified health plan, as defined at § 155.20 of this subchapter, offered through the Exchange by the issuer. To be the same plan as a qualified health plan (as defined at § 155.20 of this subchapter) means that the health plan offered outside the Exchange has identical benefits, premium, cost-sharing structure, provider network, and service area as the qualified health plan (as defined at § 155.20 of this subchapter); or

(3) A health plan offered outside the Exchange that is substantially the same as a qualified health plan, as defined at § 155.20 of this subchapter, offered through the Exchange by the issuer. To be substantially the same as a qualified health plan (as defined at § 155.20 of this subchapter) means that the health plan meets the criteria set forth in paragraph (2) of this definition with respect to the qualified health plan, except that its benefits, premium, cost-sharing structure, and provider network may differ from those of the qualified health plan (as defined at § 155.20 of this subchapter) provided that such differences are tied directly and exclusively to Federal or State requirements or prohibitions on the coverage of benefits that apply differently to plans depending on whether they are offered through or outside an Exchange.

* * * * *

PART 155—EXCHANGE ESTABLISHMENT STANDARDS AND OTHER RELATED STANDARDS UNDER THE AFFORDABLE CARE ACT

■ 6. Authority citation for part 155 continues to read as follows:

Authority: Title I of the Affordable Care Act, sections 1301, 1302, 1303, 1304, 1311, 1312, 1313, 1321, 1322, 1331, 1334, 1402, 1411, 1412, 1413, Pub. L. 111–148, 124 Stat. 119 (42 U.S.C. 18021–18024, 18031–18033, 18041–18042, 18051, 18054, 18071, and 18081–18083.

■ 7. Section 155.20 is amended by revising the definition for ''Exchange'' and by adding a definition for ''Issuer application assister'' to read as follows:

§ 155.20 Definitions.

* * * * *

Exchange means a governmental agency or non-profit entity that meets the applicable standards of this part and makes QHPs available to qualified individuals and/or qualified employers. Unless otherwise identified, this term includes an Exchange serving the individual market for qualified individuals and a SHOP serving the small group market for qualified employers, regardless of whether the Exchange is established and operated by a State (including a regional Exchange or subsidiary Exchange) or by HHS.

* * * * *

Issuer application assister means an employee, contractor, or agent of a QHP issuer who is not licensed as an agent, broker, or producer under State law and who assists individuals in the individual market with applying for a determination or redetermination of eligibility for coverage through the Exchange or for insurance affordability programs.

* * * * *

■ 8. Section 155.100 is amended by revising paragraph (a), by redesignating paragraph (b) as paragraph (c) and by adding a new paragraph (b) to read as follows:

§ 155.100 Establishment of a State Exchange.

(a) *General requirements.* Each State may elect to establish:

(1) An Exchange that facilitates the purchase of health insurance coverage in QHPs in the individual market and that provides for the establishment of a SHOP; or

(2) An Exchange that provides only for the establishment of a SHOP.

(b) *Timing.* For plan years beginning before January 1, 2015, only States that provide reasonable assurances to CMS that they will be in a position to establish and operate only a SHOP for 2014 may elect to establish an Exchange that provides only for the establishment of a SHOP, pursuant to the process in § 155.105(c), (d), and/or (e), whichever is applicable. For plan years beginning on or after January 1, 2015, any State may elect to establish an Exchange that provides only for the establishment of a SHOP, pursuant to the process in § 155.106(a).

* * * * *

■ 9. Section 155.105 is amended by revising paragraphs (b)(1) and (2) and (f) to read as follows:

§ 155.105 Approval of a State Exchange.

* * * * *

(b) * * *

(1) The Exchange is able to carry out the required functions of an Exchange consistent with subparts C, D, E, F, G, H, and K of this part unless the State is approved to operate only a SHOP by HHS pursuant to § 155.100(a)(2), in which case the Exchange must perform the minimum functions described in subpart H and all applicable provisions of other subparts referenced therein;

(2) The Exchange is capable of carrying out the information reporting requirements in accordance with section 36B of the Code, unless the State is approved to operate only a SHOP by HHS pursuant to § 155.100(a)(2); and

* * * * *

(f) *HHS operation of an Exchange.* (1) If a State does not elect to operate an Exchange under § 155.100(a)(1) or an electing State does not have an approved or conditionally approved Exchange pursuant to § 155.100(a)(1) by January 1, 2013, HHS must (directly or through agreement with a not-for-profit entity) establish and operate such Exchange within the State. In this case, the requirements in § 155.120(c), § 155.130 and subparts C, D, E, F, G, H, and K of this part will apply.

(2) If an electing State has an approved or conditionally approved Exchange pursuant to § 155.100(a)(2) by January 1, 2013, HHS must (directly or through agreement with a not-for-profit entity) establish and operate an Exchange that facilitates the purchase of health insurance coverage in QHPs in the individual market and operate such Exchange within the State. In this case, the requirements in § 155.120(c), § 155.130 and subparts C, D, E, F, G, and K of this part will apply to the Exchange operated by HHS.

■ 10. Section 155.140 is amended by revising paragraph (c)(2)(ii) to read as follows:

§ 155.140 Establishment of a regional Exchange or subsidiary Exchange.

* * * * *

(c) * * *

(2) * * *

(ii) Encompass the same geographic area for its regional or subsidiary SHOP and its regional or subsidiary Exchange except:

(A) In the case of a regional Exchange established pursuant to § 155.100(a)(2), the regional SHOP must encompass a geographic area that matches the combined geographic areas of the individual market Exchanges established to serve the same set of States establishing the regional SHOP; and

(B) In the case of a subsidiary Exchange established pursuant to § 155.100(a)(2), the combined geographic area of all subsidiary SHOPs established in the State must encompass the geographic area of the individual market Exchange established to serve the State.

■ 11. Section 155.200 is amended by revising paragraph (a) to read as follows:

§ 155.200 Functions of an Exchange.

(a) *General requirements.* The Exchange must perform the minimum functions described in this subpart and in subparts D, E, F, G, H, and K of this part unless the State is approved to operate only a SHOP by HHS pursuant to § 155.100(a)(2), in which case the Exchange operated by the State must perform the minimum functions described in subpart H and all applicable provisions of other subparts referenced therein while the Exchange operated by HHS must perform the minimum functions described in this subpart and in subparts D, E, F, G, and K of this part.

* * * * *

■ 12. Section 155.220 is amended by:

■ a. Revising paragraph (c)(3)(i);

■ b. Removing the word ''and'' from the end of paragraph (c)(3)(v) and removing the period at the end of paragraph (c)(3)(vi) and adding ''; and'' in its place;

■ c. Adding paragraphs (c)(3)(vii) and (c)(4);

■ d. Revising paragraph (d)(3); and

■ e. Adding paragraphs (f), (g), and (h).

The revisions and additions read as follows:

§ 155.220 Ability of States to permit agents and brokers to assist qualified individuals, qualified employers, or qualified employees enrolling in QHPs.

* * * * *

(c) * * *

(3) * * *

(i) Disclose and display all QHP information provided by the Exchange

or directly by QHP issuers consistent with the requirements of § 155.205(b)(1) and § 155.205(c), and to the extent that not all information required under § 155.205(b)(1) is displayed on the agent or broker's Internet Web site for a QHP, prominently display a standardized disclaimer provided by HHS stating that information required under § 155.205(b)(1) for the QHP is available on the Exchange Web site, and provide a Web link to the Exchange Web site;

* * * * *

(vii) For the Federally-facilitated Exchange, prominently display a standardized disclaimer provided by HHS, and provide a Web link to the Exchange Web site.

(4) When an agent or broker, through a contract or other arrangement, uses the Internet Web site of another agent or broker to help an applicant or enrollee complete a QHP selection in the Federally-facilitated Exchange, and the agent or broker accessing the Web site pursuant to the arrangement is listed as the agent of record on the enrollment:

(i) The agent or broker who makes the Web site available must:

(A) Provide HHS with a list of agents and brokers who enter into such an arrangement to the Federally-facilitated Exchange, if requested by HHS;

(B) Verify that any agent or broker accessing or using the Web site pursuant to the arrangement is licensed in the State in which the consumer is selecting the QHP; and has completed training and registration and has signed all required agreements with the Federally-facilitated Exchange pursuant to paragraph (d) of this section and § 155.260(b);

(C) Ensure that its name and any identifier required by HHS prominently appears on the Internet Web site and on written materials containing QHP information that can be printed from the Web site, even if the agent or broker that is accessing the Internet Web site is able to customize the appearance of the Web site;

(D) Terminate the agent or broker's access to its Web site if HHS determines that the agent or broker is in violation of the provisions of this section and/or HHS terminates any required agreement with the agent or broker;

(E) Report to HHS and applicable State departments of insurance any potential material breach of the standards in paragraphs (c) and (d) of this section, or the agreement entered into pursuant to § 155.260(b), by the agent or broker accessing the Internet Web site, should it become aware of any such potential breach.

(ii) HHS retains the right to temporarily suspend the ability of the agent or broker making its Web site available to transact information with HHS, if HHS discovers a security and privacy incident or breach, for the period in which HHS begins to conduct an investigation and until the incident or breach is remedied to HHS' satisfaction.

* * * * *

(f) *Termination notice to HHS.* (1) An agent or broker may terminate its agreement with HHS by sending to HHS a written notice at least 30 days in advance of the date of intended termination.

(2) The notice must include the intended date of termination, but if it does not specify a date of termination, or the date provided is not acceptable to HHS, HHS may set a different termination date that will be no less than 30 days from the date on the agent's or broker's notice of termination.

(3) Prior to the date of termination, an agent or broker should—

(i) Notify applicants, qualified individuals, or enrollees that the agent or broker is assisting, of the agent's or broker's intended date of termination;

(ii) Continue to assist such individuals with Exchange-related eligibility and enrollment services up until the date of termination; and

(iii) Provide such individuals with information about alternatives available for obtaining additional assistance, including but not limited to the Federally-facilitated Exchange Web site.

(4) When termination becomes effective under paragraph this paragraph (f) or paragraph (g) of this section, the agent or broker will not be able to assist any individual through the Federally-facilitated Exchange, and the agent's or broker's agreement with the Exchange pursuant to § 155.260(b) will also be terminated through the termination without cause process set forth in that agreement. The agent or broker must continue to protect any personally identifiable information accessed during the term of either of these agreements with the Federally-facilitated Exchange.

(g) *Standards for termination for cause from the Federally-facilitated Exchange.* (1) If, in HHS's determination, a specific finding of noncompliance or pattern of noncompliance is sufficiently severe, HHS may terminate an agent's or broker's agreement with the Federally-facilitated Exchange for cause.

(2) An agent or broker may be determined noncompliant if HHS finds that the agent or broker violated—

(i) Any standard specified under this section;

(ii) Any term or condition of its agreement with the Federally-facilitated Exchange required under paragraph (d) of this section, or if the agreement with the Federally-facilitated Exchange under § 155.260(b) is terminated;

(iii) Any State law applicable to agents or brokers, as required under paragraph (e) of this section, including but not limited to State laws related to confidentiality and conflicts of interest; or

(iv) Any Federal law applicable to agents or brokers.

(3) HHS will notify the agent or broker of the specific finding of noncompliance or pattern of noncompliance, and after 30 days from the date of the notice, may terminate the agreement for cause if the matter is not resolved to the satisfaction of HHS.

(4) After the period in paragraph (g)(3) of this section has elapsed, the agent or broker will no longer be registered with the Federally-facilitated Exchange or able to transact information with HHS

(h) *Request for reconsideration of termination for cause from the Federally-facilitated Exchange.* (1) *Request for reconsideration.* An agent or broker whose agreement with the Federally-facilitated Exchange has been terminated may request reconsideration of such action in the manner and form established by HHS.

(2) *Timeframe for request.* The agent or broker must submit a request for reconsideration to the HHS reconsideration entity within 30 calendar days of the date of the written notice from HHS.

(3) *Notice of reconsideration decision.* The HHS reconsideration entity will provide the agent or broker with a written notice of the reconsideration decision within 30 calendar days of the date it receives the request for reconsideration. This decision will constitute HHS's final determination.

■ 13. Section 155.270 is amended by revising paragraph (a) to read as follows:

§ 155.270 Use of standards and protocols for electronic transactions.

(a) *HIPAA administrative simplification.* To the extent that the Exchange performs electronic transactions with a covered entity, the Exchange must use standards, implementation specifications, operating rules, and code sets that are adopted by the Secretary in 45 CFR parts 160 and 162 or that are otherwise approved by HHS.

* * * * *

■ 14. Section 155.280 is added to subpart C to read as follows:

§ 155.280 Oversight and monitoring of privacy and security requirements.

(a) *General.* HHS will oversee and monitor the Federally-facilitated Exchanges and non-Exchange entities required to comply with the privacy and security standards established and implemented by a Federally-facilitated Exchange pursuant to § 155.260 for compliance with those standards. HHS will oversee and monitor State Exchanges for compliance with the standards State Exchanges establish and implement pursuant to § 155.260. State Exchanges will oversee and monitor non-Exchange entities required to comply with the privacy and security standards established and implemented by a State Exchange pursuant to § 155.260.

(b) *Audits and investigations.* HHS may conduct oversight activities that include but are not limited to the following: audits, investigations, inspections, and any reasonable activities necessary for appropriate oversight of compliance with the Exchange privacy and security standards. HHS may also pursue civil, criminal or administrative proceedings or actions as determined necessary.

■ 15. Section 155.310 is amended by adding paragraph (k) to read as follows:

§ 155.310 Eligibility process.

* * * * *

(k) *Incomplete application.* If an application filer submits an application that does not include sufficient information for the Exchange to conduct an eligibility determination for enrollment in a QHP through the Exchange or for insurance affordability programs, if applicable, the Exchange must—

(1) Provide notice to the applicant indicating that information necessary to complete an eligibility determination is missing, specifying the missing information, and providing instructions on how to provide the missing information; and

(2) Provide the applicant with a period of no less than 10 days and no more than 90 days from the date on which the notice described in paragraph (k)(1) of this section is sent to the applicant to provide the information needed to complete the application to the Exchange.

(3) During the period described in paragraph (k)(2) of this section, the Exchange must not proceed with an applicant's eligibility determination or provide advance payments of the premium tax credit or cost-sharing reductions, unless an application filer has provided sufficient information to determine his or her eligibility for enrollment in a QHP through the Exchange, in which case the Exchange must make such a determination for enrollment in a QHP.

■ 16. Section 155.320 is amended by revising the section heading and paragraph (b) to read as follows:

§ 155.320 Verification of eligibility for minimum essential coverage other than through an eligible employer-sponsored plan.

* * * * *

(b) *Verification of eligibility for minimum essential coverage other than through an eligible employer-sponsored plan.* (1)(i) The Exchange must verify whether an applicant is eligible for minimum essential coverage other than through an eligible employer-sponsored plan, Medicaid, CHIP, or the BHP, using information obtained by transmitting identifying information specified by HHS to HHS for verification purposes.

(ii) The Exchange must verify whether an applicant has already been determined eligible for coverage through Medicaid, CHIP, or the BHP, if a BHP is operating in the service area of the Exchange, within the State or States in which the Exchange operates using information obtained from the agencies administering such programs.

(2) Consistent with § 164.512(k)(6)(i) of this subchapter, the disclosure to HHS of information regarding eligibility for and enrollment in a health plan, which may be considered protected health information, as that term is defined in § 160.103 of this subchapter, is expressly authorized, for the purposes of verification of applicant eligibility for minimum essential coverage as part of the eligibility determination process for advance payments of the premium tax credit or cost-sharing reductions.

* * * * *

■ 17. Section 155.345 is amended by revising paragraphs (i) and (j) to read as follows:

§ 155.345 Coordination with Medicaid, CHIP, the Basic Health Program, and the Pre-existing Condition Insurance Plan.

* * * * *

(i) *Standards for sharing information between the Exchange and the agencies administering Medicaid, CHIP, and the BHP.* (1) The Exchange must utilize a secure electronic interface to exchange data with the agencies administering Medicaid, CHIP, and the BHP, if a BHP is operating in the service area of the Exchange, including to verify whether an applicant for insurance affordability programs has been determined eligible for Medicaid, CHIP, or the BHP, as specified in § 155.320(b)(1)(ii), and for other functions required under this subpart.

(2) *Model agreements.* The Exchange may utilize any model agreements as established by HHS for the purpose of sharing data as described in this section.

(j) *Transition from the Pre-existing Condition Insurance Plan (PCIP).* The Exchange must follow procedures established in accordance with 45 CFR 152.45 to transition PCIP enrollees to the Exchange to ensure that there are no lapses in health coverage.

■ 18. Section 155.415 is added to read as follows:

§ 155.415 Allowing issuer application assisters to assist with eligibility applications.

(a) *Exchange option.* An Exchange, to the extent permitted by State law, may permit issuer application assisters, as defined at § 155.20, to assist individuals in the individual market with applying for a determination or redetermination of eligibility for coverage through the Exchange and insurance affordability programs, provided that such issuer application assisters meet the requirements set forth in § 156.1230(a)(2) of this subchapter.

(b) [Reserved]

■ 19. Add Subpart F to read as follows:

Subpart F—Appeals of Eligibility Determinations for Exchange Participation and Insurance Affordability Programs

Sec.

155.500 Definitions.
155.505 General eligibility appeals requirements.
155.510 Appeals coordination.
155.515 Notice of appeal procedures.
155.520 Appeal requests.
155.525 Eligibility pending appeal.
155.530 Dismissals.
155.535 Informal resolution and hearing requirements.
155.540 Expedited appeals.
155.545 Appeal decisions.
155.550 Appeal record.
155.555 Employer appeals process.

Subpart F—Appeals of Eligibility Determinations for Exchange Participation and Insurance Affordability Programs

§ 155.500 Definitions.

In addition to those definitions in §§ 155.20 and 155.300, for purposes of this subpart and § 155.740 of subpart H, the following terms have the following meanings:

Appeal record means the appeal decision, all papers and requests filed in the proceeding, and, if a hearing was held, the transcript or recording of hearing testimony or an official report containing the substance of what happened at the hearing, and any exhibits introduced at the hearing.

Appeal request means a clear expression, either orally or in writing, by an applicant, enrollee, employer, or small business employer or employee to have any eligibility determination or redetermination contained in a notice issued in accordance with §§ 155.310(g), 155.330(e)(1)(ii), 155.335(h)(1)(ii), 155.610(i), or 155.715(e) or (f), reviewed by an appeals entity.

Appeals entity means a body designated to hear appeals of eligibility determinations or redeterminations contained in notices issued in accordance with §§ 155.310(g), 155.330(e)(1)(ii), 155.335(h)(1)(ii), 155.610(i), or 155.715(e) and (f).

Appellant means the applicant or enrollee, the employer, or the small business employer or employee who is requesting an appeal.

De novo review means a review of an appeal without deference to prior decisions in the case.

Evidentiary hearing means a hearing conducted where evidence may be presented.

Vacate means to set aside a previous action.

§ 155.505 General eligibility appeals requirements.

(a) *General requirements.* Unless otherwise specified, the provisions of this subpart apply to Exchange eligibility appeals processes, regardless of whether the appeals process is provided by a State Exchange appeals entity or by the HHS appeals entity.

(b) *Right to appeal.* An applicant or enrollee must have the right to appeal—

(1) An eligibility determination made in accordance with subpart D, including—

(i) An initial determination of eligibility, including the amount of advance payments of the premium tax credit and level of cost-sharing reductions, made in accordance with the standards specified in § 155.305(a) through (h); and

(ii) A redetermination of eligibility, including the amount of advance payments of the premium tax credit and level of cost-sharing reductions, made in accordance with §§ 155.330 and 155.335;

(2) An eligibility determination for an exemption made in accordance § 155.605;

(3) A failure by the Exchange to provide timely notice of an eligibility determination in accordance with §§ 155.310(g), 155.330(e)(1)(ii), 155.335(h)(1)(ii), or 155.610(i); and

(4) A denial of a request to vacate dismissal made by a State Exchange appeals entity in accordance with § 155.530(d)(2), made pursuant to paragraph (c)(2)(i) or this section; and

(c) *Options for Exchange appeals.* Exchange eligibility appeals may be conducted by—

(1) A State Exchange appeals entity, or an eligible entity described in paragraph (d) of this section that is designated by the Exchange, if the Exchange establishes an appeals process in accordance with the requirements of this subpart; or

(2) The HHS appeals entity—

(i) Upon exhaustion of the State Exchange appeals process;

(ii) If the Exchange has not established an appeals process in accordance with the requirements of this subpart; or

(iii) If the Exchange has delegated appeals of exemption determinations made by HHS pursuant to § 155.625(b) to the HHS appeals entity, and the appeal is limited to a determination of eligibility for an exemption.

(d) *Eligible entities.* An appeals process established under this subpart must comply with § 155.110(a).

(e) *Representatives.* An appellant may represent himself or herself, or be represented by an authorized representative under § 155.227, or by legal counsel, a relative, a friend, or another spokesperson, during the appeal.

(f) *Accessibility requirements.* Appeals processes established under this subpart must comply with the accessibility requirements in § 155.205(c).

(g) *Judicial review.* An appellant may seek judicial review to the extent it is available by law.

§ 155.510 Appeals coordination.

(a) *Agreements.* The appeals entity or the Exchange must enter into agreements with the agencies administering insurance affordability programs regarding the appeals processes for such programs as are necessary to fulfill the requirements of this subpart. Such agreements must include a clear delineation of the responsibilities of each entity to support the eligibility appeals process, and must—

(1) Minimize burden on appellants, including not asking the appellant to provide duplicative information or documentation that he or she already provided to an agency administering an insurance affordability program or eligibility appeals process;

(2) Ensure prompt issuance of appeal decisions consistent with timeliness standards established under this subpart; and

(3) Comply with the requirements set forth in—

(i) 42 CFR 431.10(d), if the state Medicaid agency delegates authority to hear fair hearings under 42 CFR 431.10(c)(ii) to the Exchange appeals entity; or

(ii) 42 CFR 457.348(b), if the state CHIP agency delegates authority to review appeals under § 457.1120 to the Exchange appeals entity.

(b) *Coordination for Medicaid and CHIP appeals.* (1) Where the Medicaid or CHIP agency has delegated appeals authority to the Exchange appeals entity consistent with 42 CFR 431.10(c)(1)(ii) or 457.1120, and the Exchange appeals entity has accepted such delegation—

(i) The Exchange appeals entity will conduct the appeal in accordance with—

(A) Medicaid and CHIP MAGI-based income standards and standards for citizenship and immigration status, in accordance with the eligibility and verification rules and procedures, consistent with 42 CFR parts 435 and 457.

(B) Notice standards identified in this subpart, subpart D, and by the State Medicaid or CHIP agency, consistent with applicable law.

(ii) Consistent with 42 CFR 431.10(c)(1)(ii), an appellant who has been determined ineligible for Medicaid must be informed of the option to opt into pursuing his or her appeal of the adverse Medicaid eligibility determination with the Medicaid agency, and if the appellant elects to do so, the appeals entity transmits the eligibility determination and all information provided via secure electronic interface, promptly and without undue delay, to the Medicaid agency.

(2) Where the Medicaid or CHIP agency has not delegated appeals authority to the appeals entity and the appellant seeks review of a denial of Medicaid or CHIP eligibility, the appeals entity must transmit the eligibility determination and all relevant information provided as part of the initial application or appeal, if applicable, via secure electronic interface, promptly and without undue delay, to the Medicaid or CHIP agency, as applicable.

(3) The Exchange must consider an appellant determined or assessed by the appeals entity as not potentially eligible for Medicaid or CHIP as ineligible for Medicaid and CHIP based on the applicable Medicaid and CHIP MAGI-based income standards for purposes of determining eligibility for advance payments of the premium tax credit and cost-sharing reductions.

(c) *Data exchange.* The appeals entity must—

(1) Ensure that all data exchanges that are part of the appeals process, comply

with the data exchange requirements in §§ 155.260, 155.270, and 155.345(i); and

(2) Comply with all data sharing requests made by HHS.

§ 155.515 Notice of appeal procedures.

(a) *Requirement to provide notice of appeal procedures.* The Exchange must provide notice of appeal procedures at the time that the—

(1) Applicant submits an application; and

(2) Notice of eligibility determination is sent under §§ 155.310(g), 155.330(e)(1)(ii), 155.335(h)(1)(ii), and 155.610(i).

(b) *General content on right to appeal and appeal procedures.* Notices described in paragraph (a) of this section must contain—

(1) An explanation of the applicant or enrollee's appeal rights under this subpart;

(2) A description of the procedures by which the applicant or enrollee may request an appeal;

(3) Information on the applicant or enrollee's right to represent himself or herself, or to be represented by legal counsel or another representative;

(4) An explanation of the circumstances under which the appellant's eligibility may be maintained or reinstated pending an appeal decision, as described in § 155.525; and

(5) An explanation that an appeal decision for one household member may result in a change in eligibility for other household members and that such a change will be handled as a redetermination of eligibility for all household members in accordance with the standards specified in § 155.305.

§ 155.520 Appeal requests.

(a) *General standards for appeal requests.* The Exchange and the appeals entity—

(1) Must accept appeal requests submitted—

(i) By telephone;

(ii) By mail;

(iii) In person, if the Exchange or the appeals entity, as applicable, is capable of receiving in-person appeal requests; and

(iv) Via the Internet.

(2) Must assist the applicant or enrollee in making the appeal request, if requested;

(3) Must not limit or interfere with the applicant or enrollee's right to make an appeal request; and

(4) Must consider an appeal request to be valid for the purpose of this subpart, if it is submitted in accordance with the requirements of paragraphs (b) and (c) of this section and § 155.505(b).

(b) *Appeal request.* The Exchange and the appeals entity must allow an applicant or enrollee to request an appeal within—

(1) 90 days of the date of the notice of eligibility determination; or

(2) A timeframe consistent with the state Medicaid agency's requirement for submitting fair hearing requests, provided that timeframe is no less than 30 days, measured from the date of the notice of eligibility determination.

(c) *Appeal of a State Exchange appeals entity decision to HHS.* If the appellant disagrees with the appeal decision of a State Exchange appeals entity, he or she may make an appeal request to the HHS appeals entity within 30 days of the date of the State Exchange appeals entity's notice of appeal decision or notice of denial of a request to vacate a dismissal.

(d) *Acknowledgement of appeal request.* (1) Upon receipt of a valid appeal request pursuant to paragraph (b), (c), or (d)(3)(i) of this section, the appeals entity must—

(i) Send timely acknowledgment to the appellant of the receipt of his or her valid appeal request, including—

(A) Information regarding the appellant's eligibility pending appeal pursuant to § 155.525; and

(B) An explanation that any advance payments of the premium tax credit paid on behalf of the tax filer pending appeal are subject to reconciliation under 26 CFR 1.36B–4.

(ii) Send timely notice via secure electronic interface of the appeal request and, if applicable, instructions to provide eligibility pending appeal pursuant to § 155.525, to the Exchange and to the agencies administering Medicaid or CHIP, where applicable.

(iii) If the appeal request is made pursuant to paragraph (c) of this section, send timely notice via secure electronic interface of the appeal request to the State Exchange appeals entity.

(iv) Promptly confirm receipt of the records transferred pursuant to paragraph (d)(3) or (4) of this section to the Exchange or the State Exchange appeals entity, as applicable.

(2) Upon receipt of an appeal request that is not valid because it fails to meet the requirements of this section or § 155.505(b), the appeals entity must—

(i) Promptly and without undue delay, send written notice to the applicant or enrollee informing the appellant:

(A) That the appeal request has not been accepted;

(B) About the nature of the defect in the appeal request; and

(C) That the applicant or enrollee may cure the defect and resubmit the appeal request by the date determined under paragraph (b) or (c) of this section, as applicable, or within a reasonable timeframe established by the appeals entity.

(ii) Treat as valid an amended appeal request that meets the requirements of this section and § 155.505(b).

(3) Upon receipt of a valid appeal request pursuant to paragraph (b) of this section, or upon receipt of the notice under paragraph (d)(1)(ii) of this section, the Exchange must transmit via secure electronic interface to the appeals entity—

(i) The appeal request, if the appeal request was initially made to the Exchange; and

(ii) The appellant's eligibility record.

(4) Upon receipt of the notice pursuant to paragraph (d)(1)(iii) of this section, the State Exchange appeals entity must transmit via secure electronic interface the appellant's appeal record, including the appellant's eligibility record as received from the Exchange, to the HHS appeals entity.

§ 155.525 Eligibility pending appeal.

(a) *General standards.* After receipt of a valid appeal request or notice under § 155.520(d)(1)(ii) that concerns an appeal of a redetermination under § 155.330(e) or § 155.335(h), the Exchange or the Medicaid or CHIP agency, as applicable, must continue to consider the appellant eligible while the appeal is pending in accordance with standards set forth in paragraph (b) of this section or as determined by the Medicaid or CHIP agency consistent with 42 CFR parts 435 and 457, as applicable.

(b) *Implementation.* If the tax filer or appellant, as applicable, accepts eligibility pending an appeal, the Exchange must continue the appellant's eligibility for enrollment in a QHP, advance payments of the premium tax credit, and cost-sharing reductions, as applicable, in accordance with the level of eligibility immediately before the redetermination being appealed.

§ 155.530 Dismissals.

(a) *Dismissal of appeal.* The appeals entity must dismiss an appeal if the appellant—

(1) Withdraws the appeal request in writing;

(2) Fails to appear at a scheduled hearing without good cause;

(3) Fails to submit a valid appeal request as specified in § 155.520(a)(4); or

(4) Dies while the appeal is pending.

(b) *Notice of dismissal to the appellant.* If an appeal is dismissed under paragraph (a) of this section, the

appeals entity must provide timely written notice to the appellant, including—

(1) The reason for dismissal;

(2) An explanation of the dismissal's effect on the appellant's eligibility; and

(3) An explanation of how the appellant may show good cause why the dismissal should be vacated in accordance with paragraph (d) of this section.

(c) *Notice of the dismissal to the Exchange, Medicaid, and CHIP.* If an appeal is dismissed under paragraph (a) of this section, the appeals entity must provide timely notice to the Exchange, and to the agency administering Medicaid or CHIP, as applicable, including instruction regarding—

(1) The eligibility determination to implement; and

(2) Discontinuing eligibility provided under § 155.525, if applicable.

(d) *Vacating a dismissal.* The appeals entity must—

(1) Vacate a dismissal and proceed with the appeal if the appellant makes a written request within 30 days of the date of the notice of dismissal showing good cause why the dismissal should be vacated; and

(2) Provide timely written notice of the denial of a request to vacate a dismissal to the appellant, if the request is denied.

§ 155.535 Informal resolution and hearing requirements.

(a) *Informal resolution.* The HHS appeals process will provide an opportunity for informal resolution and a hearing in accordance with the requirements of this section. A State Exchange appeals entity may also provide an informal resolution process prior to a hearing, provided that—

(1) The process complies with the scope of review specified in paragraph (e) of this section;

(2) The appellant's right to a hearing is preserved in any case in which the appellant remains dissatisfied with the outcome of the informal resolution process;

(3) If the appeal advances to hearing, the appellant is not asked to provide duplicative information or documentation that he or she previously provided during the application or informal resolution process; and

(4) If the appeal does not advance to hearing, the informal resolution decision is final and binding.

(b) *Notice of hearing.* When a hearing is scheduled, the appeals entity must send written notice to the appellant of the date, time, and location or format of the hearing no later than 15 days prior to the hearing date.

(c) *Conducting the hearing.* All hearings under this subpart must be conducted—

(1) At a reasonable date, time, and location or format;

(2) After notice of the hearing, pursuant to paragraph (b) of this section;

(3) As an evidentiary hearing, consistent with paragraph (e) of this section; and

(4) By one or more impartial officials who have not been directly involved in the eligibility determination or any prior Exchange appeal decisions in the same matter.

(d) *Procedural rights of an appellant.* The appeals entity must provide the appellant with the opportunity to—

(1) Review his or her appeal record, including all documents and records to be used by the appeals entity at the hearing, at a reasonable time before the date of the hearing as well as during the hearing;

(2) Bring witnesses to testify;

(3) Establish all relevant facts and circumstances;

(4) Present an argument without undue interference; and

(5) Question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.

(e) *Information and evidence to be considered.* The appeals entity must consider the information used to determine the appellant's eligibility as well as any additional relevant evidence presented during the course of the appeals process, including at the hearing.

(f) *Standard of review.* The appeals entity will review the appeal *de novo* and will consider all relevant facts and evidence adduced during the appeals process.

§ 155.540 Expedited appeals.

(a) *Expedited appeals.* The appeals entity must establish and maintain an expedited appeals process for an appellant to request an expedited process where there is an immediate need for health services because a standard appeal could jeopardize the appellant's life, health, or ability to attain, maintain, or regain maximum function.

(b) *Denial of a request for expedited appeal.* If the appeals entity denies a request for an expedited appeal, it must—

(1) Handle the appeal request under the standard process and issue the appeal decision in accordance with § 155.545(b)(1); and

(2) Inform the appellant, promptly and without undue delay, through electronic or oral notification, if possible, of the denial and, if notification is oral, follow up with the appellant by written notice, within the timeframe established by the Secretary. Written notice of the denial must include—

(i) The reason for the denial;

(ii) An explanation that the appeal request will be transferred to the standard process; and

(iii) An explanation of the appellant's rights under the standard process.

§ 155.545 Appeal decisions.

(a) *Appeal decisions.* Appeal decisions must—

(1) Be based exclusively on the information and evidence specified in § 155.535(e) and the eligibility requirements under subpart D or G of this part, as applicable, and if the Medicaid or CHIP agencies delegate authority to conduct the Medicaid fair hearing or CHIP review to the appeals entity in accordance with 42 CFR 431.10(c)(1)(ii) or 457.1120, the eligibility requirements under 42 CFR parts 435 and 457, as applicable;

(2) State the decision, including a plain language description of the effect of the decision on the appellant's eligibility;

(3) Summarize the facts relevant to the appeal;

(4) Identify the legal basis, including the regulations that support the decision;

(5) State the effective date of the decision; and

(6) If the appeals entity is a State Exchange appeals entity—

(i) Provide an explanation of the appellant's right to pursue the appeal before the HHS appeals entity, including the applicable timeframe, if the appellant remains dissatisfied with the eligibility determination; and

(ii) Indicate that the decision of the State Exchange appeals entity is final, unless the appellant pursues the appeal before the HHS appeals entity.

(b) *Notice of appeal decision.* The appeals entity—

(1) Must issue written notice of the appeal decision to the appellant within 90 days of the date of an appeal request under § 155.520(b) or (c) is received, as administratively feasible.

(2) In the case of an appeal request submitted under § 155.540 that the appeals entity determines meets the criteria for an expedited appeal, must issue the notice as expeditiously as reasonably possible, consistent with the timeframe established by the Secretary.

(3) Must provide notice of the appeal decision and instructions to cease pended eligibility to the appellant, if applicable, via secure electronic

interface, to the Exchange or the Medicaid or CHIP agency, as applicable.

(c) *Implementation of appeal decisions.* The Exchange, upon receiving the notice described in paragraph (b), must promptly—

(1) Implement the appeal decision effective—

(i) Prospectively, on the first day of the month following the date of the notice of appeal decision, or consistent with § 155.330(f)(2) or (3), if applicable; or

(ii) Retroactively, to the date the incorrect eligibility determination was made, at the option of the appellant.

(2) Redetermine the eligibility of household members who have not appealed their own eligibility determinations but whose eligibility may be affected by the appeal decision, in accordance with the standards specified in § 155.305.

§ 155.550 Appeal record.

(a) *Appellant access to the appeal record.* Subject to the requirements of all applicable Federal and State laws regarding privacy, confidentiality, disclosure, and personally identifiable information, the appeals entity must make the appeal record accessible to the appellant at a convenient place and time.

(b) *Public access to the appeal decision.* The appeals entity must provide public access to all appeal decisions, subject to all applicable Federal and State laws regarding privacy, confidentiality, disclosure, and personally identifiable information.

§ 155.555 Employer appeals process.

(a) *General requirements.* The provisions of this section apply to employer appeals processes through which an employer may, in response to a notice under § 155.310(h), appeal a determination that the employer does not provide minimum essential coverage through an employer-sponsored plan or that the employer does provide that coverage but it is not affordable coverage with respect to an employee.

(b) *Exchange employer appeals process.* An Exchange may establish an employer appeals process in accordance with the requirements of this section, § 155.505(f) through (g), and § 155.510(a)(1), (a)(2), and (c). Where an Exchange has not established an employer appeals process, HHS will provide an employer appeals process that meets the requirements of this section, §§ 155.505(f) through (g), and 155.510(a)(1), (a)(2), and (c).

(c) *Appeal request.* The Exchange and appeals entity, as applicable, must—

(1) Allow an employer to request an appeal within 90 days from the date the notice described under § 155.310(h) is sent;

(2) Allow an employer to submit relevant evidence to support the appeal;

(3) Allow an employer to submit an appeal request to—

(i) The Exchange or the Exchange appeals entity, if the Exchange establishes an employer appeals process; or

(ii) The HHS appeals entity, if the Exchange has not established an employer appeals process;

(4) Comply with the requirements of § 155.520(a)(1) through (3); and

(5) Consider an appeal request valid if it is submitted in accordance with paragraph (c)(1) of this section and with the purpose of appealing the determination identified in the notice specified in § 155.310(h).

(d) *Notice of appeal request.* Upon receipt of a valid appeal request, the appeals entity must—

(1) Send timely acknowledgement of the receipt of the appeal request to the employer, including an explanation of the appeals process;

(2) Send timely notice to the employee of the receipt of the appeal request, including—

(i) An explanation of the appeals process;

(ii) Instructions for submitting additional evidence for consideration by the appeals entity; and

(iii) An explanation of the potential effect of the employer's appeal on the employee's eligibility.

(3) Promptly notify the Exchange of the appeal, if the employer did not initially make the appeal request to the Exchange.

(4) Promptly and without undue delay send written notice to the employer of an appeal request that is not valid because it fails to meet the requirements of this section. The written notice must inform the employer—

(i) That the appeal request has not been accepted;

(ii) About the nature of the defect in the appeal request; and

(iii) That the employer may cure the defect and resubmit the appeal request by the date determined under paragraph (c) of this section, or within a reasonable timeframe established by the appeals entity.

(iv) Treat as valid an amended appeal request that meets the requirements of this section, including standards for timeliness.

(e) *Transmittal and receipt of records.* (1) Upon receipt of a valid appeal request under this section, or upon receipt of the notice under paragraph (d)(3) of this section, the Exchange must promptly transmit via secure electronic interface to the appeals entity—

(i) The appeal request, if the appeal request was initially made to the Exchange; and

(ii) The employee's eligibility record.

(2) The appeals entity must promptly confirm receipt of records transmitted pursuant to paragraph (e)(1) of this section to the entity that transmitted the records.

(f) *Dismissal of appeal.* The appeals entity—

(1) Must dismiss an appeal under the circumstances specified in § 155.530(a)(1) or if the request fails to comply with the standards in paragraph (c)(4) of this section.

(2) Must provide timely notice of the dismissal to the employer, employee, and Exchange including the reason for dismissal; and

(3) May vacate a dismissal if the employer makes a written request within 30 days of the date of the notice of dismissal showing good cause as to why the dismissal should be vacated.

(g) *Procedural rights of the employer.* The appeals entity must provide the employer the opportunity to—

(1) Provide relevant evidence for review of the determination of an employee's eligibility for advance payments of the premium tax credit or cost-sharing reductions;

(2) Review—

(i) The information described in § 155.310(h)(1);

(ii) Information regarding whether the employee's income is above or below the threshold by which the affordability of employer-sponsored minimum essential coverage is measured, as set forth by standards described in 26 CFR 1.36B; and

(iii) Other data used to make the determination described in § 155.305(f) or (g), to the extent allowable by law, except the information described in paragraph (h) of this section.

(h) *Confidentiality of employee information.* Neither the Exchange nor the appeals entity may make available to an employer any tax return information of an employee as prohibited by section 6103 of the Code.

(i) *Adjudication of employer appeals.* Employer appeals must—

(1) Be reviewed by one or more impartial officials who have not been directly involved in the employee eligibility determination implicated in the appeal;

(2) Consider the information used to determine the employee's eligibility as well as any additional relevant evidence provided by the employer or the employee during the course of the appeal; and

(3) Be reviewed *de novo.*

(j) *Appeal decisions.* Employer appeal decisions must—

(1) Be based exclusively on the information and evidence described in paragraph (i)(2) of this section and the eligibility standards in 45 CFR part 155, subpart D;

(2) State the decision, including a plain language description of the effect of the decision on the employee's eligibility; and

(3) Comply with the requirements set forth in § 155.545(a)(3) through (5).

(k) *Notice of appeal decision.* The appeals entity must provide written notice of the appeal decision within 90 days of the date the appeal request is received, as administratively feasible, to—

(1) The employer. Such notice must include—

(i) The appeal decision; and

(ii) An explanation that the appeal decision does not foreclose any appeal rights the employer may have under subtitle F of the Code.

(2) The employee. Such notice must include—

(i) The appeal decision; and

(ii) An explanation that the employee and his or her household members, if applicable, may appeal a redetermination of eligibility that occurs as a result of the appeal decision.

(3) The Exchange.

(l) *Implementation of the appeal decision.* After receipt of the notice under paragraph (k)(3) of this section, if the appeal decision affects the employee's eligibility, the Exchange must promptly redetermine the employee's eligibility and the eligibility of the employee's household members, if applicable, in accordance with the standards specified in § 155.305.

(m) *Appeal record.* Subject to the requirements of § 155.550 and paragraph (h) of this section, the appeal record must be accessible to the employer and to the employee in a convenient format and at a convenient time.

■ 14. In § 155.700, paragraph (b) is amended by adding the definition of ''SHOP application filer'' in alphabetical order to read as follows:

§ 155.700 Standards for the establishment of a SHOP.

* * * * *

(b) * * *

SHOP application filer means an applicant, an authorized representative, an agent or broker of the employer, or an employer filing for its employees where not prohibited by other law.

■ 15. Section 155.705 is amended by adding paragraphs (c) and (d) to read as follows:

§ 155.705 Functions of a SHOP.

* * * * *

(c) *Coordination with individual market Exchange for eligibility determinations.* A SHOP must provide data related to eligibility and enrollment of a qualified employee to the individual market Exchange that corresponds to the service area of the SHOP, unless the SHOP is operated pursuant to § 155.100(a)(2).

(d) *Duties of Navigators in the SHOP.* In States that have elected to operate only a SHOP pursuant to § 155.100(a)(2), at State option and if State law permits the Navigator duties described in § 155.210(e)(3) and (4) may be fulfilled through referrals to agents and brokers.

■ 16. Section 155.730 is amended by revising paragraph (f) to read as follows:

§ 155.730 Application standards for SHOP.

* * * * *

(f) *Filing.* The SHOP must:

(1) Accept applications from SHOP application filers; and

(2) Provide the tools to file an application via an Internet Web site.

* * * * *

■ 17. Section 155.735 is added to subpart H to read as follows:

§ 155.735 Termination of coverage.

(a) *General requirements.* The SHOP must determine the timing, form, and manner in which coverage in a QHP may be terminated.

(b) *Termination of employer group health coverage at the request of the employer.* (1) The SHOP must establish policies for advance notice of termination required from the employer and effective dates of termination.

(2) In the FF–SHOP, an employer may terminate coverage for all enrollees covered by the employer group health plan effective on the last day of any month, provided that the employer has given notice to the FF–SHOP on or before the 15th day of any month. If notice is given after the 15th of the month, the FF–SHOP may terminate the coverage on the last day of the following month.

(c) *Termination of employer group health coverage for non-payment of premiums.* (1) The SHOP must establish policies for termination for non-payment of premiums, including but not limited to policies regarding due dates for payment of premiums to the SHOP, grace periods, employer and employee notices, and reinstatement provisions.

(2) In an FF–SHOP—

(i) For a given month of coverage, premium payment is due by the first day of the coverage month.

(ii) If premium payment is not received 31 days from the first of the coverage month, the FF–SHOP may terminate the qualified employer for lack of payment.

(iii) If a qualified employer is terminated due to lack of premium payment, but within 30 days following its termination the qualified employer requests reinstatement, pays all premiums owed including any prior premiums owed for coverage during the grace period, and pays the premium for the next month's coverage, the FF–SHOP must reinstate the qualified employer in its previous coverage.

(d) *Termination of employee or dependent coverage.* (1) The SHOP must establish consistent policies regarding the process for and effective dates of termination of employee or dependent coverage in the following circumstances:

(i) The employee or dependent is no longer eligible for coverage under the employer's group health plan;

(ii) The employee requests that the SHOP terminate the coverage of the employee or a dependent of the employee under the employer's group health plan;

(iii) The QHP in which the employee is enrolled terminates or is decertified as described in § 155.1080;

(iv) The enrollee changes from one QHP to another during the employer's annual open enrollment period or during a special enrollment period in accordance with § 155.725(j); or

(v) The enrollee's coverage is rescinded in accordance with § 147.128 of this subtitle.

(2) In the FF–SHOP, termination is effective on the last day of the month in which the FF–SHOP receives notice of an event described in paragraph (d)(1) of this section, and notice must have been received by the FF–SHOP prior to the proposed date of termination.

(e) *Termination of coverage tracking and approval.* The SHOP must comply with the standards described in § 155.430(c).

(f) *Applicability date.* The provisions of this section apply to coverage—

(1) Beginning on or after January 1, 2015; and

(2) In any SHOP providing qualified employers with the option described in § 155.705(b)(2) or the option described in § 155.705(b)(4) before January 1, 2015, beginning with the date that option is offered.

■ 20. Section 155.740 is added to Subpart H to read as follows:

§ 155.740 SHOP employer and employee eligibility appeals requirements.

(a) *Definitions.* The definitions in §§ 155.20, 155.300, and 155.500 apply to this section.

(b) *General requirements.* (1) A State, establishing an Exchange that provides for the establishment of a SHOP pursuant to § 155.100 must provide an eligibility appeals process for the SHOP. Where a State has not established an Exchange that provides for the establishment of a SHOP pursuant to § 155.100, HHS will provide an eligibility appeals process for the SHOP that meets the requirements of this section and the requirements in paragraph (b)(2) of this section.

(2) The appeals entity must conduct appeals in accordance with the requirements established in this section, §§ 155.505(e) through (g), and 155.510(a)(1), (a)(2), and (c).

(c) *Employer right to appeal.* An employer may appeal—

(1) A notice of denial of eligibility under § 155.715(e); or

(2) A failure of the SHOP to make an eligibility determination in a timely manner.

(d) *Employee right to appeal.* An employee may appeal—

(1) A notice of denial of eligibility under § 155.715(f); or

(2) A failure of the SHOP to make an eligibility determination in a timely manner.

(e) *Appeals notice requirement.* Notices of the right to appeal a denial of eligibility under § 155.715(e) or (f) must be written and include—

(1) The reason for the denial of eligibility, including a citation to the applicable regulations; and

(2) The procedure by which the employer or employee may request an appeal of the denial of eligibility.

(f) *Appeal request.* The SHOP and appeals entity must—

(1) Allow an employer or employee to request an appeal within 90 days from the date of the notice of denial of eligibility to—

(i) The SHOP or the appeals entity; or

(ii) HHS, if no State Exchange that provides for establishment of a SHOP has been established;

(2) Accept appeal requests submitted through any of the methods described in § 155.520(a)(1);

(3) Comply with the requirements of § 155.520(a)(2) and (3); and

(4) Consider an appeal request valid if it is submitted in accordance with paragraph (f)(1) of this section.

(g) *Notice of appeal request.* Upon receipt of a valid appeal request, the appeals entity must—

(1) Send timely acknowledgement to the employer, or employer and employee if an employee is appealing, of the receipt of the appeal request, including—

(i) An explanation of the appeals process; and

(ii) Instructions for submitting additional evidence for consideration by the appeals entity.

(2) Promptly notify the SHOP of the appeal, if the appeal request was not initially made to the SHOP.

(3) Upon receipt of an appeal request that is not valid because it fails to meet the requirements of this section, the appeals entity must—

(i) Promptly and without undue delay, send written notice to the employer or employee that is appealing that—

(A) The appeal request has not been accepted,

(B) The nature of the defect in the appeal request; and

(C) An explanation that the employer or employee may cure the defect and resubmit the appeal request if it meets the timeliness requirements of paragraph (f) of this section, or within a reasonable timeframe established by the appeals entity.

(ii) Treat as valid an amended appeal request that meets the requirements of this section.

(h) *Transmittal and receipt of records.* (1) Upon receipt of a valid appeal request under this section, or upon receipt of the notice under paragraph (g)(2) of this section, the SHOP must promptly transmit, via secure electronic interface, to the appeals entity—

(i) The appeal request, if the appeal request was initially made to the SHOP; and

(ii) The eligibility record of the employer or employee that is appealing.

(2) The appeals entity must promptly confirm receipt of records transmitted pursuant to paragraph (h)(1) of this section to the SHOP that transmitted the records.

(i) *Dismissal of appeal.* The appeals entity—

(1) Must dismiss an appeal if the employer or employee that is appealing—

(i) Withdraws the request in writing; or

(ii) Fails to submit an appeal request meeting the standards specified in paragraph (f) of this section.

(2) Must provide timely notice to the employer or employee that is appealing of the dismissal of the appeal request, including the reason for dismissal, and must notify the SHOP of the dismissal.

(3) May vacate a dismissal if the employer or employee makes a written request within 30 days of the date of the notice of dismissal showing good cause why the dismissal should be vacated.

(j) *Procedural rights of the employer or employee.* The appeals entity must provide the employer, or the employer and employee if an employee is appealing, the opportunity to submit relevant evidence for review of the eligibility determination.

(k) *Adjudication of SHOP appeals.* SHOP appeals must—

(1) Comply with the standards set forth in § 155.555(i)(1) and (3); and

(2) Consider the information used to determine the employer or employee's eligibility as well as any additional relevant evidence submitted during the course of the appeal by the employer or employee.

(l) *Appeal decisions.* Appeal decisions must—

(1) Be based solely on—

(i) The evidence referenced in paragraph (k)(2) of this section;

(ii) The eligibility requirements for the SHOP under § 155.710(b) or (e), as applicable.

(2) Comply with the standards set forth in § 155.545(a)(2) through (5); and

(3) Be effective retroactive to the date the incorrect eligibility determination was made, if the decision finds the employer or employee eligible, or effective as of the date of the notice of the appeal decision, if eligibility is denied.

(m) *Notice of appeal decision.* The appeals entity must issue written notice of the appeal decision to the employer, or to the employer and employee if an employee is appealing, and to the SHOP within 90 days of the date the appeal request is received.

(n) *Implementation of SHOP appeal decisions.* The SHOP must promptly implement the appeal decision upon receiving the notice under paragraph (m) of this section.

(o) *Appeal record.* Subject to the requirements of § 155.550, the appeal record must be accessible to the employer, or employer and employee if an employee is appealing, in a convenient format and at a convenient time.

PART 156—HEALTH INSURANCE ISSUER STANDARDS UNDER THE AFFORDABLE CARE ACT, INCLUDING STANDARDS RELATED TO EXCHANGES

■ 21. The authority citation for part 156 continues to read as follows:

Authority: Title I of the Affordable Care Act, sections 1301–1304, 1311–1313, 1321, 1322, 1324, 1334, 1342–1343, and 1401–1402, Pub. L. 111–148, 124 Stat. 119 (42 U.S.C. 18042).

■ 22. Section 156.20 is amended by adding definitions for ''*Delegated*

entity'' and ''*Downstream entity''* to read as follows:

§ 156.20 Definitions.

* * * * *

Delegated entity means any party, including an agent or broker, that enters into an agreement with a QHP issuer to provide administrative services or health care services to qualified individuals, qualified employers, or qualified employees and their dependents.

Downstream entity means any party, including an agent or broker, that enters into an agreement with a delegated entity or with another downstream entity for purposes of providing administrative or health care services related to the agreement between the delegated entity and the QHP issuer. The term ''downstream entity'' is intended to reach the entity that directly provides administrative services or health care services to qualified individuals, qualified employers, or qualified employees and their dependents.

* * * * *

■ 23. Section 156.270 is amended by revising paragraph (b) introductory text to read as follows:

§ 156.270 Termination of coverage for qualified individuals.

* * * * *

(b) *Termination of coverage notice requirement.* If a QHP issuer terminates an enrollee's coverage in accordance with § 155.430(b)(2)(i), (ii), or (iii), the QHP issuer must, promptly and without undue delay:

* * * * *

■ 24. Section 156.285 is amended by revising paragraphs (d)(1)(i) and (iii) to read as follows:

§ 156.285 Additional standards specific to SHOP.

* * * * *

(d) * * *

(1)* * *

(i)(A) Effective in plan years beginning on or after January 1, 2015, requirements regarding termination of coverage established in § 155.735 of this subchapter, if applicable to the coverage being terminated; otherwise

(B) General requirements regarding termination of coverage established in § 156.270(a) of this subchapter.

* * * * *

(iii)(A) Effective in plan years beginning on or after January 1, 2015, requirements regarding termination of coverage effective dates as set forth in § 155.735 of this subchapter, if applicable to the coverage being terminated; otherwise

(B) Requirements regarding termination of coverage effective dates as set forth in § 156.270(i).

* * * * *

■ 25. Subpart D is added to read follows:

Subpart D—Federally-Facilitated Exchange Qualified Health Plan Issuer Standards

§ 156.340 Standards for downstream and delegated entities.

(a) *General requirement.* Effective October 1, 2013, notwithstanding any relationship(s) that a QHP issuer may have with delegated and downstream entities, a QHP issuer maintains responsibility for its compliance and the compliance of any of its delegated or downstream entities, as applicable, with all applicable standards, including—

(1) Standards of subpart C of part 156 with respect to each of its QHPs on an ongoing basis;

(2) Exchange processes, procedures, and standards in accordance with subparts H and K of part 155 and, in the small group market, § 155.705 of this subchapter;

(3) Standards of § 155.220 of this subchapter with respect to assisting with enrollment in QHPs; and

(4) Standards of §§ 156.705 and 156.715 for maintenance of records and compliance reviews for QHP issuers operating in a Federally-facilitated Exchange or FF–SHOP.

(b) *Delegation agreement specifications.* If any of the QHP issuer's activities or obligations, in accordance with paragraph (a) of this section, are delegated to other parties, the QHP issuer's agreement with any delegated or downstream entity must—

(1) Specify the delegated activities and reporting responsibilities;

(2) Provide for revocation of the delegated activities and reporting standards or specify other remedies in instances where HHS or the QHP issuer determines that such parties have not performed satisfactorily;

(3) Specify that the delegated or downstream entity must comply with all applicable laws and regulations relating to the standards specified under paragraph (a) of this section;

(4) Specify that the delegated or downstream entity must permit access by the Secretary and the OIG or their designees in connection with their right to evaluate through audit, inspection, or other means, to the delegated or downstream entity's books, contracts, computers, or other electronic systems, including medical records and documentation, relating to the QHP issuer's obligations in accordance with Federal standards under paragraph (a) of this section until 10 years from the final date of the agreement period; and

(5) Contain specifications described in paragraph (b) of this section by no later than January 1, 2015, for existing agreements; and no later than the effective date of the agreement for agreements that are newly entered into as of October 1, 2013.

■ 26. Subpart I is added to read as follows:

Subpart I—Enforcement Remedies in Federally-Facilitated Exchanges

Sec.
156.800 Available remedies; Scope.
156.805 Bases and process for imposing civil money penalties in Federally-facilitated Exchanges.
156.810 Bases and process for decertification of a QHP offered by an issuer through a Federally-facilitated Exchange.

Subpart I—Enforcement Remedies in Federally-Facilitated Exchanges

§ 156.800 Available remedies; Scope.

(a) *Kinds of sanctions.* HHS may impose the following types of sanctions on QHP issuers in a Federally-facilitated Exchange that are not in compliance with Exchange standards applicable to issuers offering QHPs in the Federally-facilitated Exchange:

(1) Civil money penalties as specified in § 156.805; and

(2) Decertification of a QHP offered by the non-compliant QHP issuer in a Federally-facilitated Exchange as described in § 156.810.

(b) *Scope.* Sanctions under subpart I are applicable only for non-compliance with QHP issuer participation standards and other standards applicable to issuers offering QHPs in a Federally-facilitated Exchange.

(c) *Compliance standard.* For 2014, sanctions under this subpart will not be imposed if the QHP issuer has made good faith efforts to comply with applicable requirements.

§ 156.805 Bases and process for imposing civil money penalties in Federally-facilitated Exchanges.

(a) *Grounds for imposing civil money penalties.* Civil money penalties may be imposed on an issuer in a Federally-facilitated Exchange by HHS if, based on credible evidence, HHS has reasonably determined that the issuer has engaged in one or more of the following actions:

(1) Misconduct in the Federally-facilitated Exchange or substantial non-compliance with the Exchange standards applicable to issuers offering QHPs in the Federally-facilitated Exchange under subparts C through G of part 153 of this subchapter;

(2) Limiting the QHP's enrollees' access to medically necessary items and services that are required to be covered as a condition of the QHP issuer's ongoing participation in the Federally-facilitated Exchange, if the limitation has adversely affected or has a substantial likelihood of adversely affecting one or more enrollees in the QHP offered by the QHP issuer;

(3) Imposing on enrollees premiums in excess of the monthly beneficiary premiums permitted by Federal standards applicable to QHP issuers participating in the Federally-facilitated Exchange;

(4) Engaging in any practice that would reasonably be expected to have the effect of denying or discouraging enrollment into a QHP offered by the issuer (except as permitted by this part) by qualified individuals whose medical condition or history indicates the potential for a future need for significant medical services or items;

(5) Intentionally or recklessly misrepresenting or falsifying information that it furnishes—

(i) To HHS; or

(ii) To an individual or entity upon which HHS relies to make its certifications or evaluations of the QHP issuer's ongoing compliance with Exchange standards applicable to issuers offering QHPs in the Federally-facilitated Exchange;

(6) Failure to remit user fees assessed under § 156.50(c); or

(7) Failure to comply with the cost-sharing reductions and advance payments of the premium tax credit standards of subpart E of this Part.

(b) *Factors in determining the amount of civil money penalties assessed.* In determining the amount of civil money penalties, HHS may take into account the following:

(1) The QHP issuer's previous or ongoing record of compliance;

(2) The level of the violation, as determined in part by—

(i) The frequency of the violation, taking into consideration whether any violation is an isolated occurrence, represents a pattern, or is widespread; and

(ii) The magnitude of financial and other impacts on enrollees and qualified individuals; and

(3) Aggravating or mitigating circumstances, or other such factors as justice may require, including complaints about the issuer with regard to the issuer's compliance with the medical loss ratio standards required by the Affordable Care Act and as codified by applicable regulations.

(c) *Maximum penalty.* The maximum amount of penalty imposed for each violation is $100 for each day for each QHP issuer for each individual adversely affected by the QHP issuer's non-compliance; and where the number of individuals cannot be determined, HHS may estimate the number of individuals adversely affected by the violation.

(d) *Notice of intent to issue civil money penalty.* If HHS proposes to assess a civil money penalty in accordance with this part, HHS will send a written notice of this decision to—

(1) The QHP issuer against whom the civil money penalty is being imposed, whose notice must include the following:

(i) A description of the basis for the determination;

(ii) The basis for the penalty;

(iii) The amount of the penalty;

(iv) The date the penalty is due;

(v) An explanation of the issuer's right to a hearing under an applicable administrative hearing process; and

(vi) Information about where to file the request for hearing.

(2) [Reserved]

(e) *Failure to request a hearing.* (1) If the QHP issuer does not request a hearing within 30 days of the issuance of the notice described in paragraph (d)(1) of this section, HHS may assess the proposed civil money penalty.

(2) HHS will notify the QHP issuer in writing of any penalty that has been assessed and of the means by which the responsible entity may satisfy the judgment.

(3) The QHP issuer has no right to appeal a penalty with respect to which it has not requested a hearing in accordance with the requirements of the applicable administrative hearing process unless the QHP issuer can show good cause, as determined under § 156.905(b), for failing to timely exercise its right to a hearing.

§ 156.810 Bases and process for decertification of a QHP offered by an issuer through a Federally-facilitated Exchange.

(a) *Bases for decertification.* A QHP may be decertified on one or more of the following grounds:

(1) The QHP issuer substantially fails to comply with the Federal laws and regulations applicable to QHP issuers participating in the Federally-facilitated Exchange;

(2) The QHP issuer substantially fails to comply with the standards related to the risk adjustment, reinsurance, or risk corridors programs under 45 CFR part 153, including providing HHS with valid risk adjustment, reinsurance or risk corridors data;

(3) The QHP issuer substantially fails to comply with the transparency and marketing standards in §§ 156.220 and 156.225;

(4) The QHP issuer substantially fails to comply with the standards regarding advance payments of the premium tax credit and cost-sharing in subpart E of this part;

(5) The QHP issuer is operating in the Federally-facilitated Exchange in a manner that hinders the efficient and effective administration of the Exchange;

(6) The QHP no longer meets the conditions of the applicable certification criteria;

(7) Based on credible evidence, the QHP issuer has committed or participated in fraudulent or abusive activities, including submission of false or fraudulent data;

(8) The QHP issuer substantially fails to meet the requirements under § 156.230 related to network adequacy standards or, § 156.235 related to inclusion of essential community providers;

(9) The QHP issuer substantially fails to comply with the law and regulations related to internal claims and appeals and external review processes; or

(10) The State recommends to HHS that the QHP should no longer be available in a Federally-facilitated Exchange.

(11) The QHP issuer substantially fails to comply with the privacy or security standards set forth in § 156.260.

(b) *State sanctions and determinations.* (1) *State sanctions.* HHS may consider regulatory or enforcement actions taken by a State against a QHP issuer as a factor in determining whether to decertify a QHP offered by that issuer.

(2) *State determinations.* HHS may decertify a QHP offered by an issuer in a Federally-facilitated Exchange based on a determination or action by a State as it relates to the issuer offering QHPs in a Federally-facilitated Exchange, including when a State places an issuer or its parent organization into receivership or when the State recommends to HHS that the QHP no longer be available in a Federally-facilitated Exchange.

(c) *Standard decertification process.* For decertification actions on grounds other than those described in paragraphs (a)(7), (8), or (9) of this section, HHS will provide written notices to the QHP issuer, enrollees in that QHP, and the State department of insurance in the State in which the QHP is being decertified. The written notice must include the following:

(1) The effective date of the decertification, which will be a date specified by HHS that is no earlier than 30 days after the date of issuance of the notice;

(2) The reason for the decertification, including the regulation or regulations that are the basis for the decertification;

(3) For the written notice to the QHP issuer, information about the effect of the decertification on the ability of the issuer to offer the QHP in the Federally-facilitated Exchange and must include information about the procedure for appealing the decertification by making a hearing request; and

(4) The written notice to the QHP enrollees must include information about the effect of the decertification on enrollment in the QHP and about the availability of a special enrollment period, as described in § 155.420 of this subchapter.

(d) *Expedited decertification process.* For decertification actions on grounds described in paragraphs (a)(7), (8), or (9) of this section, HHS will provide written notice to the QHP issuer, enrollees, and the State department of insurance in the State in which the QHP is being decertified. The written notice must include the following:

(1) The effective date of the decertification, which will be a date specified by HHS; and

(2) The information required by paragraphs (c)(2) through (4) of this section.

(e) *Appeals.* An issuer may appeal the decertification of a QHP offered by that issuer under paragraph (c) or (d) of this section by filing a request for hearing under an applicable administrative hearing process.

(1) *Effect of request for hearing.* If an issuer files a request for hearing under this paragraph,

(i) If the decertification is under paragraph (c) of this section, the decertification will not take effect prior to the issuance of the final administrative decision in the appeal, notwithstanding the effective date specified in the notice under paragraph (c)(1) of this section.

(ii) If the decertification is under paragraph (d) of this section, the decertification will be effective on the date specified in the notice of decertification, but the certification of the QHP may be reinstated immediately upon issuance of a final administrative decision that the QHP should not be decertified.

(2) [Reserved]

■ 27. Subpart K is added to read as follows:

Subpart K–Cases Forwarded to Qualified Health Plans and Qualified Health Plan Issuers in Federally-facilitated Exchanges

§ 156.1010 Standards.

(a) A case is a communication brought by a complainant that expresses dissatisfaction with a specific person or entity subject to State or Federal laws regulating insurance, concerning the person or entity's activities related to the offering of insurance, other than a communication with respect to an adverse benefit determination as defined in § 147.136(a)(2)(i) of this subchapter. Issues related to adverse benefit determinations are not addressed in this section and are subject to the provisions in § 147.136 of this subchapter governing internal claims appeals and external review. Issues related to eligibility determination processes and appeals are not addressed in this section and are subject to the provisions in Subpart F of Part 155.

(b) QHP issuers operating in a Federally-facilitated Exchange must investigate and resolve, as appropriate, cases from the complainant forwarded to the issuer by HHS. Cases received by a QHP issuer operating in a Federally-facilitated Exchange directly from a complainant or the complainant's authorized representative will be handled by the issuer through its internal customer service process.

(c) Cases may be forwarded to a QHP issuer operating in a Federally-facilitated Exchange through a casework tracking system developed by HHS or other means as determined by HHS.

(d) Cases received by a QHP issuer operating in a Federally-facilitated Exchange from HHS must be resolved within 15 calendar days of receipt of the case. Urgent cases as defined in paragraph (e) of this section that do not otherwise fall within the scope of § 147.136 of this subchapter must be resolved no later than 72 hours after receipt of the case. Where applicable State laws and regulations establish timeframes for case resolution that are stricter than the standards contained in this paragraph, QHP issuers operating in a Federally-facilitated Exchange must comply with such stricter laws and regulations.

(e) For cases received from HHS by a QHP issuer operating in a Federally-facilitated Exchange, an urgent case is one in which there is an immediate need for health services because the non-urgent standard could seriously jeopardize the enrollee's or potential enrollee's life, or health or ability to attain, maintain, or regain maximum function; or one in which the process for non-urgent cases would jeopardize the enrollee's or potential enrollee's ability enroll in a QHP through the Federally-facilitated Exchange.

(f) For cases received from HHS, QHP issuers operating in a Federally-facilitated Exchange are required to notify complainants regarding the disposition of the as soon as possible upon resolution of the case, but in no event later than three (3) business days after the case is resolved.

(1) For the purposes of meeting the requirement in this paragraph (f), notification may be by verbal or written means as determined most appropriate by the QHP issuer.

(2) In instances when the initial notification of a case's disposition is not written, written notification must be provided to the consumer in a timely manner.

(g) For cases received from HHS, QHP issuers operating in a Federally-facilitated Exchange must use the casework tracking system developed by HHS, or other means as determined by HHS, to document the following:

(1) The date of resolution of a case received from HHS;

(2) A resolution summary of the case no later than seven (7) business days after resolution of the case. The record must include a clear and concise narrative explaining how the case was resolved including information about how and when the complainant was notified of the resolution; and

(3) For a case in which a State agency, including but not limited to a State department of insurance, conducts an investigation related to that case, any compliance issues identified by the State agency implicating the QHP or QHP issuer.

(h) Cases received by a QHP issuer operating in a Federally-facilitated Exchange from a State in which the issuer offers QHPs must be investigated and resolved according to applicable State laws and regulations. With respect to cases directly handled by the State, HHS or any other appropriate regulatory authority, QHP issuers operating in a Federally-facilitated Exchange must cooperate fully with the efforts of the State, HHS, or other regulatory authority to resolve the case.

■ 28. Subpart M is added to read as follows:

Subpart M—Qualified Health Plan Issuer Responsibilities

Sec.

156.1230 Direct enrollment with the QHP issuer in a manner considered to be through the Exchange.

156.1240 Enrollment process for qualified individuals.

Subpart M—Qualified Health Plan Issuer Responsibilities

§ 156.1230 Direct enrollment with the QHP issuer in a manner considered to be through the Exchange.

(a) A QHP issuer that is directly contacted by a potential applicant may, at the Exchange's option, enroll such applicant in a QHP in a manner that is considered through the Exchange. In order for the enrollment to be made directly with the issuer in a manner that is considered to be through the Exchange, the QHP issuer needs to comply with at least the following requirements:

(1) *QHP issuer general requirements.* (i) The QHP issuer follows the enrollment process for qualified individuals consistent with § 156.265.

(ii) The QHP issuer's Web site provides applicants the ability to view QHPs offered by the issuer with the data elements listed in § 155.205(b)(1)(i) through (viii) of this subchapter.

(iii) The QHP issuer's Web site clearly distinguishes between QHPs for which the consumer is eligible and other non-QHPs that the issuer may offer, and indicate that advance payments of the premium tax credit and cost sharing reductions apply only to QHPs offered through the Exchange.

(iv) The QHP issuer informs all applicants of the availability of other QHP products offered through the Exchange through an HHS-approved universal disclaimer and displays the Web link to and describes how to access the Exchange Web site.

(v) The QHP issuer's Web site allows applicants to select and attest to an advance payment of the premium tax credit amount, if applicable, in accordance with § 155.310(d)(2) of this subchapter.

(2) *QHP issuer application assister eligibility application assistance requirements.* If permitted by the Exchange pursuant to § 155.415 of this subchapter, and to the extent permitted by State law, a QHP issuer may permit its issuer application assisters, as defined at § 155.20, to assist individuals in the individual market with applying for a determination or redetermination of eligibility for coverage through the Exchange and for insurance affordability programs, provided that such issuer ensures that each of its application assisters at least-

(i) Receives training on QHP options and insurance affordability programs, eligibility, and benefits rules and regulations;

(ii) Complies with the Exchange's privacy and security standards adopted consistent with § 155.260 of this subchapter; and

(iii) Complies with applicable State law related to the sale, solicitation, and negotiation of health insurance products, including applicable State law related to agent, broker, and producer licensure; confidentiality; and conflicts of interest.

(b) *Direct enrollment in a Federally-facilitated Exchange.* The individual market Federally-facilitated Exchanges will permit issuers of QHPs in each Federally-facilitated Exchange to directly enroll applicants in a manner that is considered to be through the Exchange, pursuant to paragraph (a) of this section, to the extent permitted by applicable State law.

§ 156.1240 Enrollment process for qualified individuals.

(a) *Premium payment.* A QHP issuer must—

(1) Follow the premium payment process established by the Exchange in accordance with § 155.240.

(2) At a minimum, for all payments in the individual market, accept paper checks, cashier's checks, money orders, EFT, and all general-purpose pre-paid debit cards as methods of payment and present all payment method options equally for a consumer to select their preferred payment method.

(b) [Reserved]

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)
(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: August 13, 2013.

Marilyn Tavenner,

Administrator, Centers for Medicare & Medicaid Services.

Approved: August 15, 2013.

Kathleen Sebelius,

Secretary, Department of Health and Human Services.

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