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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 205

[Document Number AMS–NOP–11–0073; NOP–11–14]

National Organic Program: Notice of Final Guidance on Certification Requirements for Handling Unpackaged Organic Products

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of availability of final guidance.

SUMMARY: The National Organic Program (NOP) is announcing the availability of a final guidance document intended for use by accredited certifying agents, certified operations and non-certified handlers of certified organic products. The guidance document is entitled: Certification Requirements for Handling Unpackaged Organic Products (NOP 5031). This guidance document is intended to inform the public of NOP's current thinking on this topic.

DATES: The final guidance document announced by this notice is effective on January 22, 2014.

FOR FURTHER INFORMATION CONTACT: Melissa Bailey, Ph.D., Director, Standards Division, National Organic Program, USDA–AMS–NOP, 1400 Independence Ave. SW., Room 2646-So., Ag Stop 0268, Washington, DC 20250, Email: *Melissa.bailey@ams.usda.gov;* Telephone: (202) 720–3252; Fax: (202) 205–7808.

SUPPLEMENTARY INFORMATION:

I. Background

On February 3, 2012, the National Organic Program (NOP) published in the **Federal Register** a notice of availability with request for public comment on a draft guidance document addressing the certification requirements for handlers of unpackaged products (76 FR 5415). The NOP selected the topic for the draft guidance in response to a recommendation issued by the National Organic Standards Board (NOSB) in October 2010. On October 28, 2010, the NOSB finalized a recommendation requesting that the NOP clarify the requirements and limitations of 7 CFR section 205.101(b) of the USDA organic regulations.[1] This section of the regulations addresses the conditions that a handling operation must meet in order to be excluded from the organic certification requirements of 7 CFR Part 205. The NOSB recommended that the NOP issue guidance to clarify how these conditions apply to handlers of bulk, unpackaged organic products. The draft guidance can be viewed on the NOP Web site at *http://www.ams.usda.gov/NopDraftGuidance.* The 60-day comment period closed on April 3, 2012.

NOP received approximately 25 individual comments on the draft guidance document. Based upon the comments received, the NOP revised and is publishing a final guidance document on Certification Requirements for Handling Unpackaged Organic Products (NOP 5031). The guidance document includes an appendix (NOP 5031–1) where the NOP provides a complete discussion of the comments received and the rationale behind any changes made to the guidance documents.

In addition to responding to the NOSB's October 2010 recommendation, this final guidance addresses a finding from a February 2012 Office of Inspector General (OIG) audit and a July 2013 OIG audit on organic milk.[2] The OIG audits stated that the NOP needs to ensure that organic milk is not coming into contact with prohibited substances while being transported. In OIG's recommendations, it stated that the NOP should ensure that transporters are either certified or included in the responsible parties' Organic System Plan (OSP).

In response to the OIG, this final guidance clarifies that transporters of unpackaged bulk products such as organic milk are not considered handlers under the USDA organic regulations and, therefore, do not need to obtain certification. The guidance states that it is the certified organic operation responsible for the organic products that are transported who must prevent commingling and contamination of the organic products during transportation, fully describe the transportation practices in their organic system plan, maintain sufficient records for the auditing and traceability of transported organic products, and ensure that the transportation records for organic products are available for inspection. This approach ensures that certifying agents have oversight regarding the transport of unpackaged organic products through their certified operations and can ensure that prohibited substances have not come into contact with these products through a complete, verifiable audit trail.

The final guidance is available from the NOP through ''The Program Handbook: Guidance and Instructions for Accredited Certifying Agents (ACAs) and Certified Operations''. This Handbook provides those who own, manage, or certify organic operations with guidance and instructions that can assist them in complying with the USDA organic regulations. The current edition of the Program Handbook is available online at *http://www.ams.usda.gov/nop.*

II. Significance of Guidance

This final guidance document is being issued in accordance with the Office of Management and Budget (OMB) Bulletin on Agency Good Guidance Practices (GGPs) (January 25, 2007, 72 FR 3432–3440). The purpose of GGPs is to ensure that program guidance documents are developed with adequate public participation, are readily available to the public, and are not applied as binding requirements. This guidance represents the NOP's current thinking on the topic. It does not create or confer any rights for, or on, any person and does not operate to bind the NOP or the public. Guidance documents are intended to provide a uniform

[1] NOSB Recommendation: Clarifying Limitations of § 205.101(b). Issued on October 28, 2010. Available on the NOP Web site at: *http://www.ams.usda.gov/AMSv1.0/getfile?dDocName=STELPRDC5087789&acct=nosb.*

[2] February 2012 OIG Audit on National Organic Program: Organic Milk. Available on the NOP Web site at: *http://www.ams.usda.gov/AMSv1.0/getfile?dDocName=STELPRDC5100590.* July 2013 OIG Audit on National Organic Program: Organic Milk. Available from OIG at: *http://www.usda.gov/oig/webdocs/01601-0002-32.pdf.*

method for operations to comply with the Organic Foods Production Act (OFPA) and the USDA organic regulations that can reduce the burden of developing their own methods and simplify audits and inspections. Alternative approaches that can demonstrate compliance with the OFPA, as amended (7 U.S.C. 6501–6522), and its implementing regulations are also acceptable. As with any alternative compliance approach, the NOP strongly encourages industry to discuss alternative approaches with the NOP before implementing them to avoid unnecessary or wasteful expenditures of resources, and to ensure the proposed alternative approach complies with the OFPA and its implementing regulations.

Electronic Access

Persons with access to Internet may obtain the final guidance at the NOP's Web site at *http://www.ams.usda.gov/nop.* Request for hard copies of the final guidance document can be obtained by submitting a written request to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this Notice.

Authority: 7 U.S.C. 6501–6522.

Dated: January 15, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014–01071 Filed 1–17–14; 8:45 am]

BILLING CODE 3410–02–P

FEDERAL ELECTION COMMISSION

11 CFR Part 111

[Notice 2014–01]

Extension of Administrative Fines Program

AGENCY: Federal Election Commission.

ACTION: Final rule.

SUMMARY: Under the Federal Election Commission's Administrative Fines Program (''AFP''), the Commission may assess civil monetary penalties for certain violations of the reporting requirements of the Federal Election Campaign Act of 1971, as amended (''FECA''). Congress recently amended FECA to extend the end date of the statutory authorization for the AFP to December 31, 2018. Accordingly, the Commission is extending its AFP regulations through the new statutory expiration date. The Commission is also deleting one administrative provision from its AFP regulations. Further information is provided in the Supplementary Information that follows.

DATES: *Effective Date:* January 21, 2014.

FOR FURTHER INFORMATION CONTACT: Robert M. Knop, Assistant General Counsel, 999 E Street NW., Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: Under 2 U.S.C. 437g(a)(4)(C), the Commission is authorized to assess civil monetary penalties for certain violations of FECA's reporting requirements. Congress initially enacted this authorization in 2000 with a sunset date of December 31, 2001.[1] Congress has since extended the AFP's statutory authorization several times.[2] Most recently, Congress extended the statute to encompass violations relating to reporting periods that end on or before December 31, 2018. Act of Dec. 26, 2013, Public Law 113–72, sec. 1.[3]

The Commission's regulations implementing the AFP can be found at 11 CFR 111.30–111.46. Section 111.30 specifies the end date of the program; each time Congress has extended the statute that authorizes the AFP, the Commission has revised the end date in section 111.30 accordingly.[4] To implement Congress's most recent extension of the AFP's authorization — and to obviate the need to revise section 111.30 each time Congress extends the statute—this final rule revises section 111.30 to provide that the AFP applies to reporting periods that ''end on or before the date specified in 2 U.S.C. 437g(a)(4)(C)(v).''

The Commission's current AFP regulations apply ''to reporting periods that . . . end on or before December 31, 2013.'' 11 CFR 111.30. Because the statutory extension was not enacted until late December 2013, there is a short gap between the end date of the Commission's current regulations and the effective date of this final rule on January 21, 2014. Reports covering reporting periods that end during this gap are not subject to the AFP; they are instead subject to the Commission's enforcement procedures set forth at 11 CFR part 111, subpart A.[5] *See* 11 CFR 111.31(a).

This final rule also deletes 11 CFR 111.41, which requires administrative fines to be paid by check or money order. Deleting this requirement will enable the Commission to provide filers with additional and convenient ways to pay administrative fines, such as by credit card.

The Commission is promulgating this final rule without advance notice or an opportunity for comment because it falls under the ''good cause'' exemption of the Administrative Procedure Act. *See* 5 U.S.C. 553(b)(B). That exemption allows agencies to dispense with notice and comment when ''impracticable, unnecessary, or contrary to the public interest.'' *Id.* The Commission finds that notice and comment are unnecessary here because this final rule merely extends the applicability of the existing AFP and deletes one administrative provision; the final rule makes no substantive changes to the AFP. *See* Extension of Administrative Fines Program, 73 FR 72687 (Dec. 1, 2008) (extending AFP's effective date and making one non-substantive change without notice and comment, and observing that all substantive AFP regulations were subject to notice and comment in 2000, 2002, and 2006). In addition, this final rule falls within the ''good cause'' exception to the delayed effective date provisions of the Administrative Procedure Act and the Congressional Review Act. 5 U.S.C. 553(d), 808(2). Accordingly, this final rule is effective upon publication in the **Federal Register**. The Commission is not required to submit this rule for congressional review. *See* 2 U.S.C. 438(d)(1), (4).

Certification of No Effect Pursuant to 5 U.S.C. 605(b) (Regulatory Flexibility Act)

The provisions of the Regulatory Flexibility Act are not applicable to this

[1] Treasury and General Government Appropriations Act, 2000, Public Law 106–58, sec. 640, 113 Stat. 430, 476–77 (1999).

[2] Act of Oct. 16, 2008, Public Law 110–433, sec. 1(a), 122 Stat. 4971 (extending authorization through Dec. 31, 2013); Transportation, Treasury, Housing and Urban Development, The Judiciary, The District of Columbia, and Independent Agencies Appropriations Act, 2006, Public Law 109–115, sec. 721, 119 Stat. 2396, 2493–94 (2005) (extending through Dec, 31, 2008); Consolidated Appropriations Act, 2004, Public Law 108–199, sec. 639, 118 Stat. 3, 359 (extending through Dec. 31, 2005); Treasury and General Government Appropriations Act, 2002, Public Law 107–67, sec. 642, 115 Stat. 514, 555 (2001) (extending through Dec. 31, 2003).

[3] In addition to extending the end date of the AFP statute, the 2013 act also authorized the Commission to expand the scope of the AFP to encompass additional categories of reporting violations. The Commission intends to address that expansion of the AFP through a separate rulemaking.

[4] Extension of Administrative Fines Program, 73 FR 72687 (Dec. 1, 2008); Extension of Administrative Fines Program, 70 FR 75717 (Dec. 21, 2005); Extension of Administrative Fines Program, 69 FR 6525 (Feb. 11, 2004); Extension to Administrative Fines, 66 FR 59680 (Nov. 30, 2001).

[5] These reports are: (1) Post-general reports in relation to the December 17, 2013, special general election in Alabama's 1st congressional district; and (2) 48-hour contribution notices in relation to the January 14, 2014, special primary election in Florida's 13th congressional district.

final rule because the Commission was not required to publish a notice of proposed rulemaking or to seek public comment under 5 U.S.C. 553 or any other laws. 5 U.S.C. 603(a), 604(a). Therefore, no regulatory flexibility analysis is required.

List of Subjects in 11 CFR Part 111

Administrative practice and procedure, Elections, Law enforcement, Penalties.

For the reasons set out in the preamble, the Federal Election Commission amends Subchapter A of Chapter I of Title 11 of the *Code of Federal Regulations* as follows:

PART 111—COMPLIANCE PROCEDURE (2 U.S.C. 437g, 437d(a))

■ 1. The authority citation for part 111 continues to read as follows:

Authority: 2 U.S.C. 432(i), 437g, 437d(a), 438(a)(8); 28 U.S.C. 2461 nt; 31 U.S.C. 3701, 3711, 3716–3719, and 3720A, as amended; 31 CFR parts 285 and 900–904.

■ 2. Revise § 111.30 to read as follows:

§ 111.30 When will subpart B apply?

Subpart B applies to violations of the reporting requirements of 2 U.S.C. 434(a) committed by political committees and their treasurers that relate to the reporting periods that begin on or after July 14, 2000, and that end on or before the date specified by 2 U.S.C. 437g(a)(4)(C)(v). This subpart, however, does not apply to reports that relate to reporting periods that end between January 1, 2014, and January 21, 2014.

§ 111.41 [Removed and Reserved]

■ 3. Remove and reserve § 111.41.

Dated: January 13, 2014.

On behalf of the Commission.

Lee E. Goodman,

Chairman, Federal Election Commission.

[FR Doc. 2014–00960 Filed 1–17–14; 8:45 am]

BILLING CODE 6715–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0636; Directorate Identifier 2012–SW–065–AD; Amendment 39–17709; AD 2013–25–13]

RIN 2120–AA64

Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Sikorsky Model S–70, S–70A, and S–70C helicopters. This AD establishes a new life limit based on a prorated formula for certain identified components (parts) installed on Model S–70, S–70A, and S–70C helicopters after being previously installed on certain military model helicopters. This AD was prompted by the discovery that certain parts have been interchanged between military helicopter models with different life limits and the possibility that these same parts can be interchanged with civilian models with different life limits. The actions are intended to establish a pro-rated in service life limit for each identified part to prevent fatigue failure of a part and subsequent loss of control of the helicopter.

DATES: This AD is effective February 25, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of February 25, 2014.

ADDRESSES: For service information identified in this AD, contact Sikorsky Aircraft Corporation, Customer Service Engineering, 124 Quarry Road, Trumbull, CT 06611; telephone 1–800–Winged–S or 203–416–4299; email *sikorskywcs@sikorsky.com.* You may review a copy of the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

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 economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800–647–5527) is U.S. Department of Transportation, Docket Operations Office, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Michael Davison, Flight Test Engineer, Boston Aircraft Certification Office, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238–7156; email *michael.davison@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

On July 23, 2013, at 78 FR 44045, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Sikorsky Model S–70, S–70A, and S–70C helicopters. The NPRM proposed inserting the component life prorating formula into the airworthiness limitation section of the maintenance manual or instructions for continued airworthiness, calculating the new life limit for each part by applying the formula, and establishing life limits for certain parts without applying the formula. Furthermore, the NPRM proposed updating the component log or equivalent record with the new in-service life limit and replacing each part that has reached or exceeded its new life limit with an airworthy part. Lastly, the NPRM proposed prohibiting installation of any applicable part on a Model S–70, S–70A, or S–70C helicopter if the number of hours is unknown or if certain parts have been previously installed on a Model UH–60M helicopter. The NPRM was prompted by the discovery that certain parts with identical part numbers but different life limits have been interchanged between military helicopter models and the possibility that these same parts can be interchanged with civilian models with different life limits.

The proposed requirements were intended to establish a pro-rated in service life limit for each identified part to prevent fatigue failure of a part and subsequent loss of control of the helicopter.

Comments

We gave the public the opportunity to participate in developing this AD, but we did not receive any comments on the NPRM (78 FR 44045, July 23, 2013).

FAA's Determination

We have reviewed the relevant information and determined that an

unsafe condition exists and is likely to exist or develop on other products of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

Costs of Compliance

We estimate that this AD affects 9 helicopters of U.S. Registry.

We estimate that the cost to insert pages into the aircraft's airworthiness limitation section is negligible.

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

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 to the extent that it justifies making a regulatory distinction; 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.

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):

2013–25–13 Sikorsky Aircraft Corporation (Sikorsky): Amendment 39–17709; Docket No. FAA–2013–0636; Directorate Identifier 2012–SW–065–AD.

(a) Applicability

This AD applies to Model S–70, S–70A, and S–70C helicopters, certificated in any category, with the following parts installed:

(1) Spindle and liner assembly, part number (P/N) 38023–10374–041;

(2) Main Rotor Hub, P/N 70070–10046–055 and –056;

(3) Main Rotor Spindle nut, P/N 70102–08105–102;

(4) Main Rotor Control Horn, P/N 70102–08111–047;

(5) Main Rotor Hub, P/N 70103–08112–041 and –047;

(6) Rotating Swashplate, P/N 70104–08001–044 and –045;

(7) Main Rotor Shaft Extension, P/N 70351–08186–043;

(8) Main Rotor Gear Box Housing, P/N 70351–38110–043, –044, and –045;

(9) Main Rotor Shaft, P/N 70351–38131–042;

(10) Output Bevel Gear and Shaft, P/N 70358–06620–101 and –102;

(11) Left Tie Rod Assembly, P/N 70400–08115–043, –045, –046, and –047;

(12) Forward Bellcrank Support Assembly, P/N 70400–08162–042;

(13) Lateral Servo Bellcrank, P/N 70400–08166–041; or

(14) Tail Rotor Servo Assembly, P/N 70410–06520–044 through –046.

(b) Unsafe Condition

This AD defines the unsafe condition as a critical part remaining in service beyond its life limit due to previously being installed on a different helicopter model with higher usage and flight loads. This condition could result in fatigue failure of a critical part and subsequent loss of control of the helicopter.

(c) Effective Date

This AD becomes effective February 25, 2014.

(d) Compliance

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

(e) Required Actions

(1) Within 25 hours time-in-service (TIS):

(i) Insert into the airworthiness limitation section of the maintenance manual or instructions for continued airworthiness the component life prorating formula in Section 1.1.3, Component Life Prorating, pages 1–25 and 1–26, of Sikorsky Technical Manual TM 1–70–23AW–2, Change 3, dated April 15, 2012.

(ii) Using the service life limits in Table 1 to Paragraph (e) of this AD, apply the component life prorating formula and calculate the new life limit for each specified part. If the number of hours of a part is unknown, that part cannot be installed on a Sikorsky Model S–70, S–70A, or S–70C helicopter. Do not calculate a new life limit for the part where the Model SH–60 life limit is higher than the life limit on Models S–70, S–70A, and S–70C.

TABLE 1 TO PARAGRAPH (e)

P/N	Part description	S–70, S–70A, S–70C service life	UH–60M service life	SH–60B/F service life
38023–10374–041	Spindle and Liner Assembly	8,000	6,400	10,000
70070–10046–055 and –056	Main Rotor Hub	5,100	3,100	[1]N/A
70102–08105–102	Main Rotor Spindle Nut	8,000	6,400	10,000
70102–08111–047	Main Rotor Control Horn	20,000/1,300 [2]/ 2,500 [2]	10,000	[1] N/A
70103–08112–041 and –047	Main Rotor Hub	5,100	3,100	[1] N/A
70104–08001–044–045	Rotating Swashplate	11,000	4,600	9,600
70351–08186–043	Main Rotor Shaft Extension	14,000	4,900	16,000
70351–38110–043, –044, and –045	Main Rotor Gear Box Housing	11,000	4,000	9,000
70351–38131–042	Main Rotor Shaft	17,000	5,200	19,000
70358–06620–101 and –102	Output Bevel Gear and Shaft	5,000	1,800	[1] N/A

TABLE 1 TO PARAGRAPH (e)—Continued

P/N	Part description	S–70, S–70A, S–70C service life	UH–60M service life	SH–60B/F service life
70400–08115–043, –045, –046, and –047	Left Tie Rod Assembly	14,000	4,600	6,300
70400–08162–042	Forward Bellcrank Support Assembly	14,000/2,500 [3]	5,600	7,600
70400–08166–041	Lateral Servo Bellcrank	20,000	11,000	14,000
70410–06520–044 through –046	Tail Rotor Servo Assembly	15,000	11,000	[1] N/A

[1] There is no service life limit listed because the parts on Model SH–60B/F have a different P/N than the parts on Models S–70, S–70A, and S–70C.

[2] For serial number (S/N) 32479930 through 324791859, with CAGE code 60078, the life limit is 1,300 hours TIS.

For S/N A241–07543 through A241–07594, A241–07706 through A241–07755, A241–07768 through A241–07771, A241–07800 through A241–07831, R241–00101 through R241–00355, R241–00701 through R241–00966, and R241–01001 through R241–01166, the life limit is 2,500 hours TIS.

[3] For S/N A–367–00001 through A367–00035, with CAGE code 78286, the life limit is 2,500 hours TIS.

(iii) Record the newly-established life limit of each part on the part's component log card or equivalent record.

(2) After establishing the new life limit, replace each part that has reached or exceeded its new life limit with an airworthy part before further flight.

(3) Do not install the following parts on a Model S–70, S–70A, or S–70C helicopter if they have been previously installed on a Model UH–60M helicopter:

(i) Bolt, self retaining, P/N 70103–08801–102;

(ii) Bifilar, P/N 70107–08400–046;

(iii) Aft Bellcrank, P/N 70400–08102–045;

(iv) Aft Walking Beam Assembly, P/N 70400–08104–048; or

(v) Close Tolerance Bolt, P/N 70400–26802–102 and –103.

(f) Alternative Methods of Compliance (AMOC)

(1) The Manager, Boston Aircraft Certification Office, FAA, may approve AMOCs for this AD. Send your proposal to: Michael Davison, Flight Test Engineer, Boston Aircraft Certification Office, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238–7156; email *michael.davison@faa.gov.*

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

(g) Subject

Joint Aircraft Service Component (JASC) Code: 6220 Main Rotor Hub, 6230 Main Rotor Mast/Swashplate, 6320 Main Rotor Gearbox, 6310 Engine/Transmission Coupling, 6510 Tail Rotor Drive Shaft.

(h) 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) Pages 1–25 and 1–26, Section 1.1.3, Component Life Prorating, of Sikorsky Technical Manual TM 1–70–23AW–2, Change 3, dated April 15, 2012.

(ii) Reserved.

(3) For Sikorsky service information identified in this AD, contact Sikorsky Aircraft Corporation, Customer Service Engineering, 124 Quarry Road, Trumbull, CT 06611; telephone 1–800–Winged–S or 203–416–4299; email *sikorskywcs@sikorsky.com.*

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. For information on the availability of this material at the FAA, call (817) 222–5110.

(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 Fort Worth, Texas, on December 5, 2013.

Kim Smith,

Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2013–31459 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2012–0661; Airspace Docket No. 09–AWA–4]

RIN 2120–AA66

Amendment to Class B Airspace; Detroit, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the Detroit, MI, Class B airspace area to contain aircraft conducting published instrument procedures at Detroit Metropolitan Wayne County Airport (DTW), Detroit, MI, within Class B airspace. The FAA is taking this action to support containment of aircraft operations using the three existing dual Simultaneous Independent Instrument Landing System (SIILS) configurations, runways 22R/21L, runways 4L/3R and runways 27L/27R, as well as support containment of aircraft operations for triple SIILS operations to runways 4L/4R/3R and runways 21L/22L/22R. This action will enhance safety, improve the flow of air traffic, and reduce the potential for midair collisions in the DTW terminal area, while accommodating the concerns of all airspace users. Furthermore, this effort supports the FAA's national airspace redesign goal of optimizing terminal and enroute airspace areas to reduce aircraft delays and improve system capacity.

DATES: *Effective Date:* 0901 UTC, April 3, 2014. The Director of the Federal Register approves this incorporation by reference action under 3 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace Policy and Regulations Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

On August 14, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify the Detroit Class B airspace area (77 FR 48476). This action proposed to expand the lateral and vertical limits of the Detroit Class B airspace area to provide additional airspace needed to contain dual SIILS procedures and associated traffic patterns supporting runways 22R/21L, runways 4L/3R, and runways 27L/27R

simultaneous operations within Class B airspace. The action also supports airspace requirements necessary for planned triple SIILS procedures and associated traffic patterns to runways 4L/4R/3R and runways 21L/22L/22R operations within Class B airspace.

In addition, the FAA published in the **Federal Register** a document correcting the 5-mile arc of the DXO VOR/DME boundary reference information published in the Areas C, D, and E regulatory text descriptions to the 15-mile arc of the DXO VOR/DME (77 FR 53159, August 31, 2012). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposed action. Twenty-three written comments were received in response to the notice. The FAA considered all substantive comments received before making a determination on this final rule.

Discussion of Comments

One commenter suggested that the meetings associated with Detroit Class B airspace modification were held in secret, and without notice to the general public. The commenter stated the groups that attended were specifically invited and were not representing the interests of the flight schools in the area impacted by the proposed changes.

The FAA considers the comment to be specific to the Ad Hoc Committee process the FAA follows during the initial airspace design phase prior to the initiation of rulemaking. To ensure local user needs and suggestions are considered during the initial airspace design phase, an Ad Hoc Committee is formed. The Ad Hoc Committee's purpose is to obtain suggestions from a cross section of users and aviation organizations that could be affected by a proposed airspace change before the FAA develops a proposed airspace design. The committee makeup and size is determined by the local situation or requirements and includes representatives of local users and aviation organizations.

As noted in the NPRM in the *Discussion of Ad Hoc Committee Recommendations and Comments* section, the interests of the flight schools were represented by the Ad Hoc Committee. The committee made recommendations to the FAA addressing the western boundary remaining basically unchanged in support of outlaying airports, glider activities, and parachute operations; an ATC advisory service to VFR pilots in areas of intensive flight training; and boundary changes to maintain the ability to fly practice approaches at airports without the need for Class B airspace services.

Additionally, the FAA hosted three informal airspace meetings for the general public on July 20, 21, and 22, 2010, that were intended to inform the general public, affected airspace users, and aviation organizations of the proposed airspace changes and to gather facts and information relevant to the planned regulatory action. The FAA published notice of the meetings in the **Federal Register** (May 13, 2010; 75 FR 11496) and mailed 14,852 informal airspace meeting notification letters to all registered pilots that resided within 100 miles of DTW. As a result, the FAA received comments from 29 individuals.

Five commenters addressed public involvement in the regulatory process proposing to modify the DTW Class B airspace. One commenter praised the FAA's decision to limit western expansion of the DTW Class B airspace contained in the proposal following industry and community input. Conversely, four other commenters believed the FAA largely ignored the concerns and recommendations of the Ad Hoc Committee and public in developing the proposed DTW Class B airspace modification. In general, they argued that the FAA was going through the motions of gathering public comments, but had no intention of modifying the proposal to address the concerns raised by the committee and the public.

The purpose of modifying the DTW Class B airspace is to contain large turbine-powered aircraft conducting instrument procedures within Class B airspace once they entered it, enhance flight safety by segregating large turbine-powered aircraft and non-participating VFR aircraft flying in the vicinity of the DTW Class B airspace area, and contain the instrument procedures and associated traffic flows and patterns supporting those procedures at DTW within Class B airspace. The DTW Class B airspace design was influenced by Ad Hoc Committee and public comments and recommendations received throughout the airspace regulatory process addressing VFR aircraft training areas and activities west of DTW; protection of an uncharted VFR flyway over the Detroit River; the glider, parachute, and ultra-light activities located around DTW; the geographic location and proximity of satellite airports around DTW; and potential impacts to non-participant VFR aircraft transiting the DTW terminal area.

In direct response to comments and recommendations received, the FAA made numerous adjustments to the Class B airspace area proposal. This included reducing the western boundary and associated Class B airspace shelves, adjusting multiple Class B airspace sub-area boundaries and floor altitudes, retaining an uncharted VFR flyway, and aligning airspace boundaries with easily identifiable geographic landmarks.

The FAA removed the airspace area west of DTW from the Class B airspace proposal, from the DXO 333 radial counterclockwise to the SVM 217 radial west of Ann Arbor and Willow Run airports, and terminated the Class B airspace shelf located 25 nautical miles (NM) to 30 NM southwest of DTW and east of Meyers-Divers Airport (3TE). The reduced western boundary provides the minimum amount of Class B airspace necessary to contain large turbine-powered aircraft flying the instrument procedures and associated traffic patterns to/from DTW within Class B airspace while minimizing impact to VFR aircraft flying in existing training areas, parachute and glider activities, and airport operations all located west of DTW.

After originally planning to lower Class B airspace north of DTW in the vicinity of the highways from 4,000 feet MSL to 3,000 feet MSL, the FAA raised the proposed shelf to a minimum of 3,500 feet MSL along the entire length of Interstate 696 (I–696). That change specifically responded to concerns about a reduced volume of airspace being squeezed between the Class B airspace floor, the obstructions along I–696, and aircraft flying in and out of Oakland-Troy Airport (VLL) depicted in the original design.

With respect to recommendations for a single Class B airspace floor overlying Class D airspace areas, the FAA minimized the proposed Class B airspace to the extent practical to ensure containment of large turbine-powered aircraft flying instrument procedures within Class B airspace. The FAA does not agree with establishing a single Class B airspace floor over the two airports affected by this recommendation (Ann Arbor Municipal Airport (ARB) and Coleman A. Young Municipal Airport (DET)) because this would be excessive to what is required and unnecessarily include navigable airspace that would otherwise be available to non-participating VFR aircraft.

Based on recommendations not to lower the 3,000-foot MSL Class B airspace floor above an uncharted VFR flyway over the Detroit River, the FAA moved the proposed 2,500-foot MSL Class B airspace shelf boundary closer to DTW to a 10 NM arc of the DXO VOR/DME and reduced the proposed

Class B airspace surface area boundary to an 8 NM arc of the DXO VOR/DME. These adjustments ensure that the existing uncharted VFR flyway will be unaffected, allow easier access at the southern end of the Detroit River, and enable practice approaches at Grosse Ile Municipal Airport (ONZ) without needing a Class B airspace clearance.

The FAA also used landmarks to assist VFR pilots in non-GPS equipped aircraft with easily determining their position relative Class B airspace boundaries. As recommended by the Ad Hoc Committee and airspace users, this rule adopts boundary modifications that align with Interstate highways I–696 and I–94, the Ford World Headquarters building, and the Detroit River and Lake Erie shoreline. Additionally, the FAA retained numerous landmarks depicted on the Detroit VFR Terminal Area Chart to assist VFR pilots.

Fourteen comments addressed the proposed vertical expansion of the DTW Class B airspace ceiling from 8,000 feet MSL to 10,000 feet MSL. Four commenters challenged the operational necessity of the Class B airspace ceiling being raised. Eleven of the commenters argued that raising the Class B airspace area ceiling to 10,000 feet MSL does not increase safety.

Raising the ceiling of the DTW Class B airspace area is necessary to enhance flight safety for all airspace users in the DTW terminal area. As mentioned in the NPRM, DTW arrivals enter the terminal area at 12,000 feet MSL, enter the traffic patterns abeam DTW descending out of 11,000 feet MSL, and are then vectored by the final controller beginning at 9,000 feet MSL on the downwind and 8,000 feet MSL on base leg of the patterns to the final approaches. As a result, a 3,000 foot gap of airspace exists between the altitude that DTW arrivals are descending out of to enter the traffic pattern at 11,000 feet MSL and the Class B ceiling of 8,000 feet. Large turbine-powered aircraft arriving DTW and non-participating VFR aircraft, not communicating with Detroit Terminal Radar Approach Control (D21), are operating simultaneously within this gap of airspace today.

The FAA identified several issues with the 8,000 foot MSL ceiling. It does not segregate large turbine-powered aircraft arriving/departing DTW from the conflicting non-participant VFR aircraft flying over the DTW Class B airspace at 8,500 and 9,500 feet MSL. Additionally, VHF Omnidirectional Range (VOR) Federal airways V–2, V–10, V–65, V–116, V–133, V–176, V–188, V–276, V–383, V–410, and V–426 traverse the DTW terminal area and enable VFR aircraft, not communicating with D21, to fly over the DTW Class B airspace area and conflict with the DTW arrival/departure flows operating in the same airspace area. Raising the ceiling of the DTW Class B airspace will enhance flight safety by segregating the large turbine-powered aircraft arriving/departing DTW and the non-participating VFR aircraft overflying DTW.

Raising the DTW Class B airspace ceiling to 10,000 feet MSL also provides operational and safety advantages by establishing additional airspace for ATC to more efficiently vector and sequence arrival and departure aircraft within the Class B airspace, as well as segregate them from non-participating VFR aircraft that are operating in the same volume of airspace overhead DTW, as they do today. The raised ceiling ensures departure aircraft achieve the required 1,000 feet of standard separation over the top of the downwind arrival traffic flying at 9,000 feet MSL, while remaining 1,000 feet below the traffic pattern aircraft at 11,000 feet MSL. Currently, aircraft departing DTW and requesting to climb to 10,000 feet MSL and above are impacted when D21 must vector the aircraft, at low altitudes, to avoid conflicting non-participant VFR traffic overflying the DTW Class B airspace area. In some instances, D21 must stop all departures until the conflicting traffic is clear. Raising the Class B airspace ceiling to 10,000 feet MSL requires non-participant VFR over flight traffic, which opt to obtain Class B airspace services, to communicate with D21. This will enhance the operational and flight safety benefits for all aircraft operating above DTW, up to 10,000 feet MSL, by enabling D21 to efficiently sequence and separate arriving, departing, and non-participant VFR over flight aircraft simultaneously operating within DTW Class B airspace.

Also, as noted in the NPRM, the eastern portion of the DTW Class B airspace area extends into Canadian airspace. The equivalent Canadian airspace to Class B airspace, as designated in the United States, is Class C airspace. NAV CANADA, the Canadian air service navigation provider, generally designates Class C airspace with a 12,500 feet MSL ceiling, however, has advised the FAA of its willingness to establish corresponding Canadian Class C airspace adjoining the FAA's DTW Class B airspace with a ceiling of 10,000 feet MSL. Additionally, NAV CANADA advised it would make the Canadian Class C airspace action effective to match the effective date of this DTW Class B airspace modification action.

Six commenters asserted that there was insufficient justification to expand the Class B airspace area boundary from 20 NM to 30 NM and that the proposed expansion was based solely on future procedures. One of the commenters further argued that extending the lateral boundaries of DTW Class B airspace to 30 NM will greatly affect the VFR flight areas for airports like Brighton and Livingston County for aircraft without electrical systems.

Extending the DTW Class B airspace to a 30 NM boundary is designed to address current and future issues of containing aircraft executing instrument procedures within the confines of Class B airspace. Today, large turbine-powered aircraft conducting dual SIILS procedures are unable to be contained within existing Class B airspace and are entering, exiting, and reentering DTW Class B airspace while flying the published instrument approach procedures and associated traffic patterns. There are approximately 1,770 operations daily at DTW and D21 is experiencing an average of 156 Class B airspace excursions by large turbine-powered aircraft per day. As a result, large turbine-powered aircraft and non-participating VFR aircraft flying in the vicinity of the Class B airspace boundaries, not in communication with D21, are operating simultaneously in the same volume of airspace.

The existing dual SIILS approaches in use today enable an arrival capacity of 72 arrivals an hour. The expanded boundary provides the minimum amount of airspace essential to contain the large turbine-powered aircraft arriving from multiple arrival streams being sequenced for and conducting the SIILS procedures. Aircraft flying dual SIILS procedures are assigned altitudes that differ by at least 1,000 feet and they are turned on to SIILS approaches so as to ensure they are established on the localizer signal at or outside mandatory turn on points. For dual SIILS approach configurations to Runways 21L/22R, the mandatory turn on point is 18 NM from the runways; for Runways 3R/4L, the mandatory turn on point is 18 NM from the runways; and for Runways 27L/27R, the mandatory turn on point is 20 NM from the runways. These are the minimum distances that large turbine-powered aircraft must be established on the localizer signal for dual SIILS approaches and facilitate D21 controllers to meet minimum aircraft separation guidance requirements for simultaneous independent ILS approaches. During moderate to heavy arrival rushes, the turn on distances extend outward an additional four to ten NM beyond the minimum turn on

distances; extending beyond the 20 NM DTW Class B airspace boundary.

Although the existing dual SIILS procedures enable an arrival capacity of 72 aircraft per hour, DTW demand exceeds that level on a daily basis. To address this shortcoming of capacity, triple SIILS approach procedures, which increase DTW is arrival capacity to 112 arrivals per hour, are planned for implementation in spring 2014. As with dual SIILS procedures, aircraft conducting triple SIILS procedures will be assigned altitudes differing by at least 1,000 feet and turned on to the SIILS approaches so they are established on the localizer signal at or outside mandatory turn on points. For triple SIILS approaches to a Runways 21L/22L/22R configuration, the mandatory turn on point is 21 NM from the runways, and for a Runways 3R/4R/4L configuration, the mandatory turn on point is 20 NM from the runways. These are the minimum distances aircraft must be established on the localizer signal for triple SIILS approaches, thereby allowing D21 controllers to meet minimum aircraft separation guidance requirements for simultaneous independent ILS approaches. And, during moderate to heavy arrival rushes, the turn on distances will again extend an additional 4 to 10 NM beyond these minimum turn on distances; extending beyond the 20 NM DTW Class B airspace boundary.

With respect to the comment that extending the lateral boundaries to 30 NM will greatly affect the VFR flight areas of airports like Brighton and Livingston County for aircraft without electrical systems, both airports fall outside the 30 NM DTW Class B airspace area boundary. As such, there is no affect or impact expected to the VFR flight areas of these airports for aircraft with or without electrical systems. Modifying the Class B airspace boundary to extend to 30 NM is necessary to enhance flight safety by containing the large turbine-powered aircraft flying instrument procedures at DTW within Class B airspace, as well as segregating those aircraft and non-participating VFR aircraft operating in the vicinity of the DTW Class B airspace area from one another.

Five commenters addressed the new Class B airspace shelves included in the proposal and the floor altitudes of those areas. Specifically the commenters contend that the FAA ignored user feedback and requests to raise the newly proposed outermost ring of Class B airspace to a floor of 8,000 feet MSL and commenting that the lower 6,000 foot MSL floors were unjustified. They further argued that the Class B airspace shelves proposed southwest of DTW that lowered a portion of an existing Class B airspace from 4,000 feet MSL to 3,000 feet MSL and established two new Class B airspace shelves with floors at 4,000 feet MSL and 6,000 feet MSL were unnecessary.

The DTW Class B airspace area boundary, extending to 30 NM north of DTW clockwise to the southwest of DTW, is necessary for the reasons stated above. Specific to the comments received about Class B airspace floor altitudes, the Class B airspace modifications accomplished by this action establishing new Class B airspace shelves with 3,000-foot MSL, 4,000-foot MSL, and 6,000-foot MSL floors, which are necessary to contain the large turbine-powered aircraft being vectored for and conducting instrument procedures at DTW within Class B airspace. Additionally, the amended and new Class B airspace floor altitudes are aligned with the glide slopes of all the ILS approaches to ensure aircraft flying the instrument procedures are contained within Class B airspace throughout the entire approach.

Operationally, aircraft conducting dual SIILS approaches to any of the three existing dual SIILS runway configurations enter the DTW terminal area at 12,000 feet MSL descending to enter the traffic pattern at either 6,000 feet MSL, descending further to as low as 4,000 feet MSL on a base leg, or at 7,000 feet MSL abeam DTW on a downwind, descending further to as low as 4,000 feet MSL on a base leg. Regardless of traffic flow (north, south, or west), or the direction from which the aircraft enters the DTW terminal area, all aircraft are descended to as low as 4,000 feet MSL in preparation for turn on to the final approach course prior to the mandatory turn on points mentioned previously. When the planned triple SIILS procedures are implemented to either of the triple SIILS runway configurations, aircraft assigned the ''middle runway'' will enter the terminal area at 12,000 feet MSL, be delivered to, and vectored by, the final controller at 9,000 feet MSL on the downwind and at 8,000 feet MSL on a base leg. The aircraft assigned the outboard runways will continue to enter the traffic pattern at 6,000 feet MSL and 7,000 feet MSL abeam DTW on a downwind, descending to as low as 4,000 feet MSL on base leg, as described above for dual SIILS procedures.

The DTW Class B airspace area floor altitudes established by this rule, extending to 30 NM, ensure containment of large turbine-powered aircraft being vectored for and conducting SIILS approaches to the three existing dual SIILS configurations today (runways 4L/3R, runways 22R/21L, and runways 27L/27R) within Class B airspace; assure segregation of large turbine-powered aircraft and non-participating VFR aircraft from operating simultaneously in the same airspace; and provide a Class B airspace configuration that ensures future containment needs when DTW implements triple SIILS procedures to meet arrival capacity requirements.

Six commenters contended that there are safety concerns associated with the Class B airspace modifications. Five of the commenters submitted that the proposed changes would force non-participating VFR aircraft to fly at lower altitudes to circumnavigate Class B airspace and would compress this transient VFR traffic into the same airspace areas that general aviation airports are operating, thereby creating a dangerous situation due to increased congestion and risk of mid-air collision. One commenter objected to the proposed changes stating that the modifications would decrease the usability and safety of Detroit's airspace.

The primary purpose of a Class B airspace area is to reduce the potential for midair collisions in the airspace surrounding airports with high density air traffic operations by providing an area in which all aircraft are subject to certain operating rules and equipment requirements. FAA directives require Class B airspace areas be designed to contain all instrument procedures, and that air traffic controllers vector aircraft as appropriate to remain within Class B airspace after entry.

With the DTW Class B airspace configuration established in 1987, arriving large turbine-powered aircraft routinely enter, exit, and then re-enter Class B airspace while flying published instrument procedures today, which is contrary to FAA directives. The procedural requirements for establishing these aircraft on the final approach courses, to conduct simultaneous independent approaches to the existing parallel runways, has resulted in aircraft exceeding the lateral boundaries of the Class B airspace by up to 10 NM during moderate to heavy arrival rushes. The DTW Class B airspace modified by this rule enhances flight safety by containing all instrument approach procedures and associated traffic patterns within the boundaries of Class B airspace, supporting increased operations to the current dual and planned triple SIILS runways, and better segregating the large turbine-powered aircraft arriving/departing DTW and non-participating VFR aircraft operating in the vicinity of DTW Class B airspace from one another.

The FAA acknowledges and recognizes that VFR pilots electing to fly below the floor of Class B airspace may be compressed. However, the lower floors are necessary to segregate those aircraft operations from the large turbine-powered aircraft arriving and departing DTW. The Detroit terminal area encompasses the world's eleventh (out of fifty) busiest airport (with over 443,000 airport operations in CY 2011), plus numerous other airports situated in and around the Detroit terminal area. These factors create a complex, high density airspace environment containing a highly diverse mix of aircraft types and aviation activities. In some areas, large turbine-powered aircraft and non-participating VFR aircraft are flying simultaneously in the same airspace. It is essential to segregate the large turbine-powered aircraft arriving/departing DTW and the non-participating VFR aircraft that may not be in communication with ATC. Consequently, some non-participating VFR aircraft may have to fly further, or at different altitudes, in order to remain clear of the modified DTW Class B airspace area. Ultimately, it is the pilot's responsibility to evaluate all factors that could affect a planned flight and determine the safest course of action whether it is circumnavigating the Class B airspace, flying over or beneath the Class B airspace, utilizing a charted VFR flyway, or requesting Class B clearance and services from D21.

Six commenters asserted that the Class B airspace modifications will place an undue burden on general aviation operators wishing to conduct VFR training flights. The commenters claimed that the modifications will have a negative impact on training and further believed that there will not be sufficient altitudes available to conduct most maneuvers.

The DTW Class B airspace will not cause any VFR training practice areas to be lost due to the modified design. The FAA acknowledges that the floor of the Class B airspace established by this action could impact the available altitudes in portions of some training areas located southwest of DTW and a portion of one training area northwest of DTW, should VFR training aircraft choose not to request Class B services with D21. However, by adopting a number of recommendation submitted by the Ad Hoc Committee and during informal airspace meetings, the FAA adjusted the western boundary of Class B airspace to alleviate many practice area impacts. The result is that the practice areas west and north of Ann Arbor would be unaffected.

The Class B airspace established southwest of DTW is required to contain large turbine-powered aircraft conducting dual SIILS arrival procedures to Runways 4L/3R, as well as arrivals entering the DTW terminal airspace via the POLAR1 STAR. It extends over approximately three quarters of the Eastern Michigan University (EMU) Aviation flight school's southern practice area with 3,500-foot MSL, 4,000-foot MSL, and 6,000-foot MSL Class B airspace floors. The EMU southern practice area is subdivided into four sub-areas with virtually no impact to the west northwest sub-area and minor impacts to the southern sub-area, but training activities in the northeast and southeast sub-areas will be limited to 4,000 feet MSL, unless pilots receive a Class B airspace clearance. The FAA does not expect a substantive change to the concentration of VFR training aircraft or training activities conducted in that practice area or the other practice areas located further southwest of DTW under the 6,000-foot MSL Class B airspace shelf. The training activities conducted in those practice areas today could continue under the DTW Class B airspace or within Class B airspace with the appropriate Class B airspace clearance.

The VFR practice area near the General Motors Proving Ground, located north of DTW and southwest of PTK, is partially under a DTW Class B airspace shelf with a 6,000-foot MSL floor; however, VFR training flight activities above 6,000 feet MSL are not normally accomplished there and the 6,000-foot MSL Class B airspace floor will have negligible impact.

And, as noted in the NPRM, the FAA will continue working with the local flight training schools to discuss and pursue aircraft training program activities, scheduling, and airspace alternatives, as required, independent of this Class B airspace modification action.

Three commenters challenged the DTW Class B airspace modifications arguing that they increase the waste of fuel, time, and cost to the VFR traffic that currently uses the airspace areas being established as Class B airspace. One commenter contends that there would be increases to the cost of flight training to clear the Class B airspace area completely, while another commenter allege that the Class B airspace hampers the effectiveness of the General Aviation (GA) community in the Detroit Metropolitan area and costs them more to operate in and around DTW.

The FAA recognizes the Class B airspace modifications could increase fuel burn for non-participating VFR aircraft. To remain clear of the DTW Class B airspace area, non-participating VFR pilots who elect not to contact D21 for Class B services may end up flying at lower altitude or further distances to circumnavigate the Class B airspace. However, this action is necessary to separate them from the large turbine-powered aircraft being contained within the Class B airspace while flying instrument procedures and associated traffic flows/patterns. While some GA pilots will opt to fly additional distance or different altitudes to circumnavigate the Class B airspace, the FAA believes any increase in fuel burn or cost to be minimal and justified by the overall increase in flight safety. The DTW Class B airspace has no impact to the routes or altitudes assigned to IFR and participating VFR aircraft flying in the Detroit terminal area. Additionally, the VFR flyways that are charted on the Detroit VFR Terminal Area Chart remain available for use by GA pilots to transit north and south or east and west under and around the DTW Class B airspace area.

As addressed previously, the Class B airspace design incorporated recommended changes received from the Ad Hoc Committee and informal airspace meetings to prevent impacts, operationally and economically, to the non-participating VFR training aircraft flying in the vicinity of the DTW Class B airspace area.

Fifteen comments were received from the public regarding the fair and equitable access to the DTW Class B airspace area. Eleven of the commenters asserted that the Class B airspace design unfairly affects the activities of the local GA community, limiting their access, without a demonstrated need. Three commenters stated that D21 routinely denies Class B airspace entry requests, or ignores the requests altogether, to highlight the limited access.

The FAA remains committed to providing Class B airspace services to all National Airspace System (NAS) users operating in the airspace surrounding DTW in a manner that keeps the Detroit terminal area safe for all users. As mentioned previously, the primary purpose of a Class B airspace area is to reduce the potential for midair collisions in the airspace surrounding airports with high density air traffic operations by providing an area in which all aircraft are subject to certain operating rules and equipment requirements.

Class B airspace services are not restricted to only those aircraft landing

or departing the primary airports around which the Class B airspace is established. Various types of aircraft are routinely cleared into and through DTW Class B airspace when traffic conditions permit doing so safely. Based on historical data and forecast trends, the D21 average daily traffic count includes 684 air carrier, 707 air taxi, 364 general aviation, 15 military IFR operations and 69 VFR operations. When VFR aircraft request Class B services to transit the DTW Class B airspace, they are initially told to remain outside the Class B airspace until radar identification is established; unfortunately and oftentimes, this is misunderstood as denial of Class B services. In 2012, D21 provided Class B services to 25,216 VFR aircraft operations. Routinely, D21 provides Class B airspace clearances and services to VFR aircraft requesting access into and through the DTW Class B airspace when the arrival/departure traffic volume and airspace capacity conditions enable doing so safely.

Differences From the NPRM

Editorial corrections have been made to the Detroit Class B airspace description for clarity and for standardization. Areas A, C, D, F, and H have editorial corrections whereas, the Detroit Class B airspace header and all Areas with reference to ''DXO VOR–DME'' have been corrected to read ''DXO VOR/DME'' for standardization. Also, in the NPRM description of Area A, a typographical error that listed a geographic reference as ''lat. 42°5′17″ N., long. 83°26′04″ W.'' on the 4.4-mile radius of the Detroit Willow Run Airport has been corrected to read ''lat. 42°15′17″ N., long. 83°26′04″ W.''. With the exception of the above noted changes and minor editorial corrections, this rule reflects the same Class B airspace area as that published in the NPRM.

The Rule

The FAA is amending Title 14 of the Code of Federal Regulations (14 CFR) part 71 to modify the Detroit Class B airspace area. This action (depicted on the chart in Figure 1—Amendment of the Detroit, MI Class B Airspace Area) lowers the floor of Class B airspace in portions of the Detroit Class B airspace area; extends Class B airspace out to 30 NM to the north, east (designated Class C airspace in Canada), and south of DTW; and raises the ceiling of the entire Class B airspace area from 8,000 feet MSL to 10,000 feet MSL. These modifications provide the airspace needed to contain large turbine-powered aircraft conducting instrument procedures within the confines of Class B airspace, especially when flying existing dual and planned triple SIILS approaches. Additionally, these airspace modifications will ensure efficient airspace utilization and enhance safety by better segregating the large turbine-powered IFR aircraft arriving/departing DTW and the non-participating VFR aircraft operating in the vicinity of the Detroit Class B airspace area. The modifications to the Detroit Class B airspace area are summarized below:

Area A. Area A extends from the ground upward to 10,000 feet MSL, centered on the Detroit VOR/DME antenna. The surface area is expanded by relocating the southern boundary approximately 2.5 NM further south and lowering the Class B airspace floor in that expanded portion of existing Class B airspace from 2,500 feet MSL to the surface.

Area B. Area B extends upward from 2,500 feet MSL to 10,000 feet MSL. The Area B extends from north clockwise to the southwest of DTW between the 8 NM and the 10 NM arcs of the Detroit VOR/DME antenna. The Class B airspace floor is lowered from 3,000 feet MSL to 2,500 feet MSL in the expanded portions of existing Class B airspace northeast and southeast of DTW.

Area C. Area C continues to surround Areas A and B and extends upward from 3,000 feet MSL to 10,000 feet MSL. The Area C boundary from east clockwise to the southwest of DTW is expanded to match the 20 NM arc of the Detroit VOR/DME antenna and from north clockwise to the northeast of DTW is expanded to match the 15 NM arc of the Detroit VOR/DME antenna. The Class B airspace floor is lowered from 4,000 feet MSL to 3,000 feet MSL in the expanded portions of existing Class B airspace and established at 4,000 feet MSL for the expanded portions that were previously outside the Detroit Class B airspace area.

Area D. Area D is redefined to extend upward from 3,500 feet MSL to 10,000 feet MSL. Area D overlays the southeastern half of the Ann Arbor Class D airspace area and extends approximately 7 NM south of the Ann Arbor Class D airspace area between the 15 NM and 20 NM arcs of the Detroit VOR/DME antenna. The Class B airspace floor is raised from 3,000 feet MSL to 3,500 feet MSL for a portion of existing Class B airspace area, lowered from 4,000 feet MSL to 3,500 feet MSL for another portion of existing Class B airspace area, and established at 3,500 feet MSL for the portion that was previously outside the Detroit Class B airspace area.

Area E. Area E is a new subarea that extends upward from 3,500 feet MSL to 10,000 feet MSL. Area E is located north clockwise to northeast of DTW between the 15 NM and 20 NM arcs of the Detroit VOR/DME antenna. The Class B airspace floor is lowered from 4,000 feet MSL to 3,500 feet MSL in the portion of existing Class B airspace and established at 3,500 feet MSL for the portions that were previously outside the Detroit Class B airspace area.

Area F. Area F is a new subarea that extends upward from 4,000 feet MSL to 10,000 feet MSL. This area is established from north clockwise to west southwest of DTW between the 20 NM and 25 NM arcs of the Detroit VOR/DME antenna. The Class B airspace floor is raised from 3,000 feet MSL to 4,000 feet MSL in the portion of existing Class B airspace located west of DTW and established at 4,000 feet MSL for the portion that was previously outside the Detroit Class B airspace area.

Area G. Area G is a new subarea that extends upward from 6,000 feet MSL to 10,000 feet MSL. This new area is located southwest of DTW between the 25 NM and 30 NM arcs of the Detroit VOR/DME antenna. This area abuts Area F and I (described below) and establishes the Class B airspace floor at 6,000 feet MSL in airspace previously outside of the Detroit Class B airspace area.

Area H. Area H is also a new subarea that extends upward from 6,000 feet MSL to 10,000 feet MSL. This new area is located from north northwest clockwise to southeast of DTW and abuts Areas C, E, F, and I (described below) extending to the 25 NM arc of the Detroit VOR/DME antenna. The Class B airspace floor is established at 6,000 feet MSL in airspace previously outside of the Detroit Class B airspace area.

Area I. Area I is another new subarea that extends upward from 9,000 feet MSL to 10,000 feet MSL. This new area is established south of DTW and abuts Areas F, G, and H extending to the 30 NM arc of the Detroit VOR/DME antenna. The Class B airspace floor is established at 9,000 feet MSL in airspace previously outside the Detroit Class B airspace area.

Finally, this action updates the DTW airport reference point coordinates to reflect current NAS data; includes all airports and navigation aids, with geographic coordinates, used to describe the Detroit Class B airspace in the Detroit Class B airspace area legal description header; and describes the Detroit Class B airspace area centered on the Detroit VOR/DME (DXO) antenna.

All radials listed in the Detroit Class B airspace area description in this rule are stated in degrees relative to True

North. All geographic coordinates listed in the Detroit Class B airspace area description in this rule are stated in degrees, minutes, and seconds based on North American Datum 83. And, all mileages listed in the Detroit Class B airspace area description in this rule are nautical miles.

Class B airspace areas are published in paragraph 3000 of FAA Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR section 71.1. The Class B airspace area listed in this rule will be published subsequently in the Order.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures,'' paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that the FAA consider the impact of paperwork and other information collection burdens imposed on the public. We have determined that there is no new information collection requirement associated with this rule.

Regulatory Evaluation Summary

Changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 and Executive Order 13563 direct that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 (Pub. L. 96–354) requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Trade Agreements Act (Pub. L. 96–39) prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, the Trade Act requires agencies to consider international standards and, where appropriate, that they be the basis of U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of $100 million or more annually (adjusted for inflation with base year of 1995). This portion of the preamble summarizes the FAA's analysis of the economic impacts of this final rule.

Department of Transportation Order DOT 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If the expected cost impact is so minimal that a proposed or final rule does not warrant a full evaluation, this order permits that a statement to that effect and the basis for it be included in the preamble if a full regulatory evaluation of the cost and benefits is not prepared. Such a determination has been made for this final rule. The reasoning for this determination follows:

In conducting these analyses, the FAA has determined that this final rule:

(1) Imposes minimal incremental costs and provides benefits,

(2) Is not an economically ''significant regulatory action'' as defined in section 3(f) of Executive Order 12866,

(3) Is not significant as defined in DOT's Regulatory Policies and Procedures;

(4) Will not have a significant economic impact on a substantial number of small entities;

(5) Will not have a significant effect on international trade; and

(6) Will not impose an unfunded mandate on state, local, or tribal governments, or on the private sector by exceeding the monetary threshold identified.

These analyses are summarized below.

This final rule modifies the Detroit, MI, Class B airspace to contain aircraft conducting published instrument procedures at Detroit Metropolitan Wayne County (DTW), Detroit, MI, within Class B airspace. The FAA is taking this action to support all three existing Simultaneous Instrument Landing System (SILS) configurations today; runways 22/21, runways 4/3 and runways 27L/27R, as well as to support containment for triple SILS operations planned for the very near future for runways 4L/4R/3R and runways 21L/22L/22R.

The benefits of this rule are enhanced safety, improved flow of air traffic, and reduced potential for midair collisions in the DTW terminal area. In addition, this rule supports the FAA's national airspace redesign goal of optimizing terminal and enroute airspace areas to reduce aircraft delays and improve system capacity.

As described in the NPRM, the costs of this final rule will include the costs of general aviation aircraft that might have to fly further. However, the FAA believes that any such costs will be minimal because the FAA designed the airspace to minimize the effect on aviation users who would not fly in the Class B airspace. In addition the FAA held a series of meetings to solicit comments from people who thought that they might be affected by the proposal. Wherever possible the FAA included the comments from those meetings in this final rule.

The FAA received no comments on the FAA's request for comments on the minimal cost determination. Therefore, the FAA has determined that this final rule is not a ''significant regulatory action'' as defined in section 3(f) of Executive Order 12866, and is not ''significant'' as defined in DOT's Regulatory Policies and Procedures.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (Pub. L. 96–354) (RFA) establishes ''as a principle of regulatory issuance that agencies shall endeavor, consistent with the objective of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the business, organizations, and governmental jurisdictions subject to regulation.'' To achieve that principle, the RFA requires agencies to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure that such proposals are given serious consideration. The RFA covers a wide-range of small entities, including small businesses, not-for-profit organizations and small governmental jurisdictions.

Agencies must perform a review to determine whether a proposed or final rule will have a significant economic impact on a substantial number of small entities. If the agency determines that it will, the agency must prepare a regulatory flexibility analysis as described in the Act.

However, if an agency determines that a proposed or final rule is not expected to have a significant economic impact on a substantial number of small entities, section 605(b) of the 1980 RFA provides that the head of the agency may so certify and a regulatory flexibility analysis is not required. The certification must include a statement providing the factual basis for this determination, and the reasoning should be clear.

In the Initial Regulatory Flexibility Analysis the FAA determined that the proposed rule was expected to improve safety by redefining Class B airspace

boundaries and was expected to impose only minimal costs on small entities. The FAA requested comments on this determination.

The FAA received no comments on small entity considerations.

Therefore, the FAA Administrator certifies that this final rule will not have a significant economic impact on a substantial number of small entities.

International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

The FAA assessed the potential effect of this proposed rule in the NPRM and determined that it would encourage international cooperation between the United States and Canada and increase safety in both the United States and Canada because the proposal affects airspace in both these countries. The FAA received no comments on this determination.

Therefore, the FAA has determined that this final rule will encourage international cooperation and increase safety between the United States and Canada.

Unfunded Mandates Assessment

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in an expenditure of $100 million or more (adjusted annually for inflation) in any one year by State, local, and tribal governments, in the aggregate, or by the private sector; such a mandate is deemed to be a ''significant regulatory action.'' The FAA currently uses an inflation-adjusted value of $143.1 million in lieu of $100 million. This final rule does not contain such a mandate; therefore the requirements of Title II do not apply.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, is amended as follows:

Paragraph 3000 Subpart B—Class B Airspace

* * * * *

AGL MI B Detroit, MI

Detroit Metropolitan Wayne County Airport, MI (Primary Airport)
(Lat. 42°12′45″ N., long. 83°21′12″ W.)
Detroit, Willow Run Airport, MI
(Lat. 42°14′21″ N., long. 83°31′51″ W.)
Ann Arbor Municipal Airport, MI
(Lat. 42°13′23″ N., long. 83°44′44″ W.)
Coleman A. Young Municipal Airport, MI
(Lat. 42°24′33″ N., long. 83°00′36″ W.)
Detroit (DXO) VOR/DME
(Lat. 42°12′47″ N., long. 83°22′00″ W.)
Salem (SVM) VORTAC
(Lat. 42°24′32″ N., long. 83°35′39″ W.)

Area A. That airspace extending upward from the surface to and including 10,000 feet MSL within an area bounded by a line beginning at lat. 42°17′18″ N., long. 83°27′27″ W. on the 4.4-mile radius of the Detroit Willow Run Airport; thence northeast to lat. 42°20′47″ N., long. 83°22′12″ W. on the 8-mile arc of the DXO VOR/DME; thence clockwise along the 8-mile arc of the DXO VOR/DME to intercept the 4.4-mile radius of the Detroit Willow Run Airport at lat. 42°09′57″ N., long. 83°32′04″ W.; thence counterclockwise along the 4.4-mile radius of the Detroit Willow Run Airport to lat. 42°12′08″ N., long. 83°26′44″ W.; thence north to lat. 42°15′17″ N., long. 83°26′04″ W. on the 4.4-mile radius of the Detroit Willow Run Airport; thence counterclockwise along the 4.4-mile radius of the Detroit Willow Run Airport to the point of beginning.

Area B. That airspace extending upward from 2,500 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the DXO VOR/DME 354° radial and the Detroit Willow Run Airport 047° bearing; thence north along the DXO VOR/DME 354° radial to intercept the 10-mile arc of the DXO VOR/DME; thence clockwise along the 10-mile arc of the DXO VOR/DME to intercept the DXO VOR/DME 234° radial; thence northeast along the DXO VOR/DME 234° radial to intercept the 8-mile arc of the DXO VOR/DME; thence counterclockwise along the 8-mile arc of the DXO VOR/DME arc to lat. 42°20′47″ N., long. 83°22′12″ W.; thence southwest to the point of beginning.

Area C. That airspace extending upward from 3,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the 5-mile arc of the SVM VORTAC and the 15-mile arc of the DXO VOR/DME at lat. 42°26′42″ N., long. 83°29′34″ W.; thence clockwise along the 15-mile arc of the DXO VOR/DME to intercept the DXO VOR/DME 063° radial; thence northeast along the DXO VOR/DME 063° radial to intercept the 4.1-mile radius of the Coleman A. Young Municipal Airport at lat. 42°20′30″ N., long. 83°01′31″ W.; thence counterclockwise along the 4.1-mile radius of the Coleman A. Young Municipal Airport to intercept the 20-mile arc of the DXO VOR/DME at lat. 42°21′09″ N., long. 82°57′31″ W.; thence clockwise along the DXO 20-mile arc to intercept the DXO VOR/DME 234° radial; thence northeast along the DXO 234° radial to intercept the 15-mile arc of the DXO VOR/DME; thence clockwise along the 15-mile arc of the DXO VOR/DME to intercept the 4.4-mile radius of the Ann Arbor Municipal Airport at lat. 42°09′36″ N., long. 83°41′43″ W.; thence counterclockwise along the 4.4-mile radius of the Ann Arbor Municipal Airport to intercept the SVM VORTAC 214° radial at lat. 42°17′21″ N., long. 83°42′10″ W.; thence northeast along the SVM VORTAC 214° radial to intercept the 5-mile arc of the SVM VORTAC at lat. 42°20′23″ N., long. 83°39′25″ W.; thence counterclockwise along the 5-mile arc of the SVM VORTAC to the point of beginning, excluding Areas A and B.

Area D. That airspace extending upward from 3,500 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the SVM VORTAC 214° radial and the 20-mile arc of the DXO VOR/DME; thence counterclockwise along the 20-mile arc of the DXO VOR/DME to intercept the DXO VOR/DME 234° radial; thence northeast along the DXO VOR/DME 234° radial to intercept the 15-mile arc of the DXO VOR/DME at lat. 42°03′57″ N., long. 83°38′18″ W.; thence clockwise along the 15-mile arc of the DXO VOR/DME to intercept the 4.4-mile radius of the Ann Arbor Municipal Airport at lat. 42°09′36″ N., long. 83°41′43″ W.; thence counterclockwise along the 4.4-mile radius of the Ann Arbor Municipal Airport to intercept the SVM VORTAC 214° radial at lat. 42°17′21″ N., long. 83°42′10″ W.; thence southwest along the SVM VORTAC 214° radial to the point of beginning.

Area E. That airspace extending upward from 3,500 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the 5-mile arc of the SVM VORTAC and the 15-mile arc of the DXO VOR/DME at lat. 42°26′42″ N., long. 83°29′34″ W.; thence clockwise along the 15-mile arc of the DXO VOR/DME to intercept

the DXO VOR/DME 063° radial; thence northeast along the DXO VOR/DME 063° radial to intercept the 4.1-mile radius of the Coleman A. Young Municipal Airport at lat. 42°20′30″ N., long. 83°01′31″ W.; thence counterclockwise along the 4.1-mile radius of the Coleman A. Young Municipal Airport to intercept the 20-mile arc of the DXO VOR/DME at lat. 42°21′09″ N., long. 82°57′31″ W.; thence counterclockwise along the 20-mile arc of the DXO VOR/DME to intercept the SVM VORTAC 044° radial; thence southwest along the SVM VORTAC 044° radial to intercept the 5-mile arc of the SVM VORTAC at lat. 42°28′08″ N., long. 83°30′58″ W.; thence clockwise along the 5-mile arc of the SVM VORTAC to the point of beginning.

Area F. That airspace extending upward from 4,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the SVM VORTAC 044° radial and the 25-mile arc of the DXO VOR/DME; thence clockwise along the 25-mile arc of the DXO VOR/DME to lat. 41°48′32″ N., long. 83°13′49″ W.; thence west to intercept the 25-mile arc of the DXO VOR/DME at lat. 41°48′11″ N., long. 83°28′00″ W.; thence clockwise along the 25-mile arc of the DXO VOR/DME to intercept the SVM VORTAC 214° radial; thence northeast along the SVM VORTAC 214° radial to intercept the 20-mile arc of the DXO VOR/DME at lat. 42°10′10″ N., long. 83°48′40″ W.; thence counterclockwise along the 20-mile arc of the DXO VOR/DME to intercept the SVM VORTAC 044° radial; thence northeast along the SVM VORTAC 044° radial to the point of beginning.

Area G. That airspace extending upward from 6,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the SVM VORTAC 214° radial and the 25-mile arc of the DXO VOR/DME at lat. 42°04′33″ N., long. 83°53′44″ W.; thence counterclockwise along the 25-mile arc of the DXO VOR/DME to lat. 41°48′11″ N., long. 83°28′00″ W.; thence west to intercept the 30-mile arc of the DXO VOR/DME at lat. 41°47′43″ N., long. 83°44′08″ W.; thence clockwise along the 30-mile arc of the DXO VOR/DME to lat. 41°51′00″ N., long. 83°49′42″ W.; thence north to the point of beginning.

Area H. That airspace extending upward from 6,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at a point on the DXO VOR/DME 327° radial at 30-miles at lat. 42°37′56″ N., long. 83°44′08″ W.; thence clockwise along the 30-mile arc of the DXO VOR/DME to lat. 41°46′30″ N., long. 83°02′36″ W.; thence northwest to lat. 41°48′44″ N., long. 83°05′28″ W.; thence west to intercept the 25-mile arc of the DXO VOR/DME at lat. 41°48′32″ N., long. 83°13′49″ W.; thence counterclockwise along the 25-mile arc of the DXO VOR/DME until intercepting the SVM VORTAC 044° radial; thence southwest along the SVM VORTAC 044° radial until intercepting the 5-mile arc of the SVM VORTAC; thence clockwise along the 5-mile arc of the SVM VORTAC to intercept the DXO VOR/DME 327° radial at lat. 42°21′52″ N., long. 83°29′57″ W.; thence northwest along the DXO VOR/DME 327° radial to the point of beginning.

Area I. That airspace extending upward from 9,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at lat. 41°47′43″ N., long. 83°44′08″ W. on the 30-mile arc of the DXO VOR/DME; thence counterclockwise along the 30-mile arc of the DXO VOR/DME to lat. 41°46′30″ N., long. 83°02′36″ W.; thence northwest to lat. 41°48′44″ N., long. 83°05′28″ W.; thence west to the point of beginning.

Note: The Canadian airspace depicted in Areas C, F, and H above are included in the legal description for the Detroit Class B to accommodate charting. This accommodation reflects airspace established by Transport Canada to complete the Detroit Class B airspace area.

Issued in Washington, DC, on January 9, 2014.

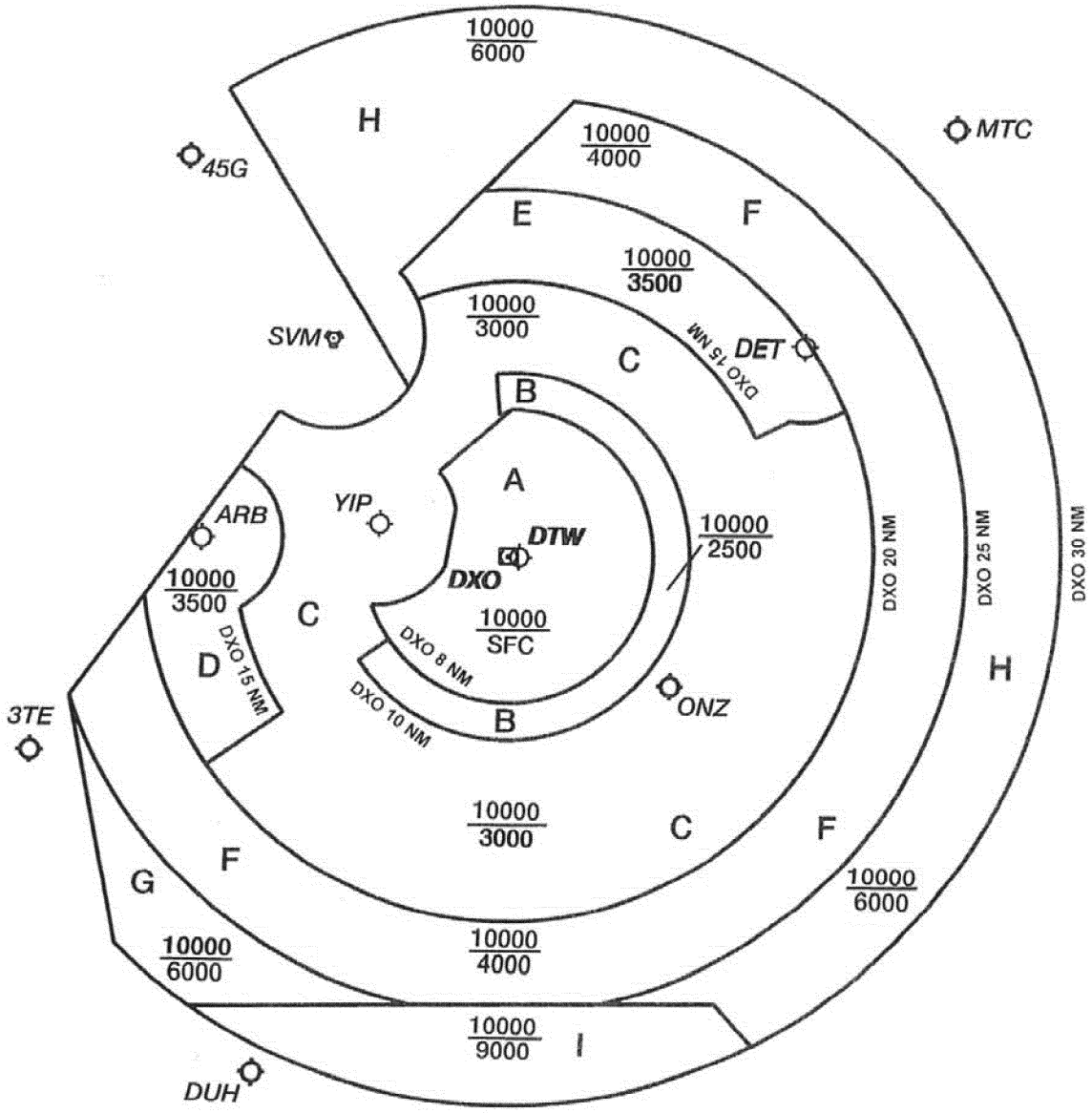
Gary A. Norek,

Manager, Airspace Policy and Regulations Group.

BILLING CODE 4910–13–P

Figure 1

Modification of the Detroit, MI Class B Airspace Area
(Docket No. 09-AWA-4)



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[FR Doc. 2014–00622 Filed 1–17–14; 8:45 am]
BILLING CODE 4910–13–C

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2012–1168; Airspace Docket No. 07–AWA–3]

RIN 2120–AA66

Modification of the Dallas/Fort Worth Class B Airspace Area; TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the Dallas/Fort Worth, TX, Class B airspace area to ensure containment of large turbine-powered aircraft flying instrument procedures to and from the Dallas/Fort Worth International Airport (DFW) and Dallas Love Field Airport (DAL) within Class B airspace. The FAA is taking this action to further support its national airspace redesign goal of optimizing terminal and en route airspace areas to enhance safety, improve the flow of air traffic, and reduce the potential for near midair collision in the DFW terminal area.

DATES: *Effective Date:* 0901 UTC, March 6, 2014. The Director of the Federal Register approves this incorporation by reference action under 3 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace Policy and Regulations Group, AJV–11, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

On January 22, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify the Dallas/Fort Worth, TX, Class B airspace area (78 FR 4356). This action proposed to expand the lateral and vertical dimensions of the Dallas/Fort Worth Class B airspace area to provide additional airspace needed to contain large turbine-powered aircraft flying instrument procedures to and from the Dallas/Fort Worth International Airport (DFW) and Dallas Love Field Airport (DAL) within Class B airspace. The NPRM noted that large turbine-powered aircraft routinely entered, exited, and then re-entered Class B airspace while flying published instrument approach procedures to DFW runway13R and DAL runways 13L/13R and 31R/31L, which is contrary to FAA policy.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. A total of 73 responses to the NPRM were received; of which, 13 responses opposed the proposed action and did not provide any rationale or information for consideration. On April 25, 2013, and subsequent to the close of the public comment period, the FAA received an inquiry from two Congressional members requesting that the FAA withdraw the NPRM and consider the alternative solution submitted by a commenter to the NPRM. This inquiry was added to the docket (making 74 responses total) and considered along with the responses received during the comment period. The FAA considered all substantive comments received before making a determination on the final rule.

Discussion of Comments

Of the 74 responses received to the NPRM, 61 concerned the airspace in the vicinity of Addison Airport (ADS). All of these commenters opposed the proposed modification to Area F, contending that it would result in lower flight paths for DAL arrivals and ADS arrivals and departures, and lead to various adverse impacts such as compression of VFR aircraft, safety of flight issues, increased noise, air pollution and health issues, lower property values, detrimental effect on local businesses, and decreased commerce at ADS.

The above perceived impacts appear to be based on the belief that the Class B airspace modification would lead to an increased number of IFR and VFR flights operating at lower altitudes than they do today. This is incorrect. The Class B airspace modifications, including Area F, are based on the need to contain existing large turbine-powered IFR aircraft that are now operating below Class B airspace. It is important to note that existing DAL IFR arrival and departure operating altitudes, flight paths, traffic patterns, and procedures will not change. As stated in the NPRM, the Area F modification will continue to support IFR and VFR aircraft arriving and departing ADS as they do today without compression and ensure large turbine-powered aircraft flying instrument procedures to DAL runways 13L/13R are contained within Class B airspace.

Five commenters argued that the FAA should not lower the Class B airspace over the entire Addison Class D airspace area. They believed it would create an unsafe condition with arrivals and departures to from ADS from the north and east would be forced to operate at the same, or close to the same altitudes; create the possibility of unintentional airspace incursions; and have operational issues associated with separation from the existing DAL traffic patterns at 1,600 feet MSL and 2,000 feet MSL. Additionally, one of the commenters also argued that lowering the entire ADS Class D airspace to a 2,500-foot MSL ceiling under the 3,000-foot MSL Class B airspace floor would result in a wedge of uncontrolled airspace above ADS to the north and east.

As noted in the NPRM, the FAA reduced the lateral dimensions of Area F over the ADS Class D airspace to only extend from the 10-nautical mile (NM) arc from the Point of Origin to the 13–NM arc from the Point of Origin; matching the outer boundary with the adjacent Area B outer boundary at 13–NM arc from the Point of Origin, and not overlay the entire ADS Class D airspace. The ADS Class D airspace beyond the 13–NM arc is unchanged and the existing 3,000-foot MSL ceiling is unaffected by this rule. By lowering only the portion of Class B airspace necessary to contain aircraft flying instrument procedures to DAL within Class B airspace [Area F] and retaining the existing arrival/departure traffic flows, altitudes, and procedures, the concerns that the ADS arrival/departure aircraft from the north and east would be operating at the same altitudes are addressed. ADS arrival and departure aircraft will be unaffected and are not expected to create any unintentional Class B incursions or impact the two existing ADS traffic patterns. Finally, the ADS Class D airspace beyond the 13–NM arc of the Point of Origin will remain unchanged by this airspace action.

Thirty commenters stated that VFR flights operating at ADS would be compressed as a result of establishing Area F with a 2,500 feet MSL floor over a portion of the ADS Class D airspace. They further argue that this compression into less airspace at ADS, below Area F, could result in the loss of operational flexibility and options for VFR aircraft to vary from air traffic control (ATC) recommended arrival and departure altitudes; the introduction of new flight safety hazards to VFR pilots forced to fly 500 feet lower; a greater potential for midair collision; and inadvertent incursions into Class B

airspace through the Area F 2,500-foot MSL floor. Lastly, they contend that ADS departures at 2,000 feet MSL and arrivals at 2,500 feet MSL today would be forced to operate at the same (or close to the same) altitudes, which would reduce traffic separation for VFR pilots and introduce a greater possibility of wake turbulence due to more large aircraft flying at lower altitudes.

The primary purpose of a Class B airspace area is to reduce the potential for midair collisions in the airspace surrounding airports with high density air traffic operations by providing an area in which all aircraft are subject to certain operating rules and equipment requirements. FAA directives require Class B airspace areas be designed to contain all instrument procedures, and that air traffic controllers vector aircraft as appropriate to remain within Class B airspace after entry.

The FAA recognizes that VFR pilots electing to fly below the floor of Class B airspace may be compressed. However, the airspace designated as Area F with a 2,500-foot MSL floor over the ADS Class D airspace is necessary to contain the large turbine-powered aircraft flying instrument procedures to/from DAL within Class B airspace. The Dallas/Fort Worth terminal area encompasses DFW (third busiest airport in the U.S. with over 646,800 airport operations in 2011), DAL (over 179,190 airport operations in 2011), ADS (over 91,120 airport operations in 2011), plus numerous other airports situated in and around the terminal area. These airport operations create a complex, high density airspace environment containing a highly diverse mix of aircraft types and aviation activities. In some areas, large turbine-powered aircraft and non-participating VFR aircraft are flying simultaneously in the same airspace. It is essential to segregate the large turbine-powered aircraft arriving/departing DFW/DAL and the non-participating VFR aircraft in the vicinity of ADS, who may not be communicating with ATC.

Additionally, it must be noted that there are no planned changes to existing flight paths, altitudes, or procedures supporting ADS IFR/VFR arrivals and departures. Due to the high volume of VFR traffic mixed with IFR corporate aircraft, the Dallas Terminal Radar Control (TRACON) (D10) will continue to sequence all arrivals to ADS. Aircraft on the downwind also will continue to be sequenced inbound at 2,500 feet MSL while IFR departures will be climbing to 2,000 feet MSL. VFR aircraft will be assigned 2,000 feet MSL altitude initially until conflicts between arrivals and departures are resolved. ADS departures (IFR/VFR) will continue to be issued a 050 degree heading at 2,000 feet MSL to avoid a tower located 8-miles east of ADS with a minimum vectoring altitude (MVA) restriction of 2,200 feet MSL. While this obstruction reduces multiple headings that could be used for departing and arriving aircraft, the use of additional altitude segregation by local procedures ensure flight safety in the area. VFR aircraft in the ADS Class D airspace will continue to receive traffic advisories.

Consequently, some non-participating VFR aircraft may have to fly further, or at different altitudes, in order to remain clear of the modified Class B airspace. Ultimately, it is the pilot's responsibility to evaluate all factors that could affect a planned flight and determine the safest course of action whether it is circumnavigating the Class B airspace, flying over or beneath the Class B airspace, utilizing a charted VFR flyway, or requesting Class B clearance and services from D10.

Seven commenters recommended that the FAA move the Area F outer boundary over the ADS Class D airspace to an 11.5–NM arc of the Point of Origin instead of the 13–NM mile arc that was proposed. The requested boundary move would lower Class B airspace to 2,500 feet MSL west of ADS only and was considered a reasonable alternative by the commenters attempting to minimize the compression concerns while containing the majority of large turbine-powered aircraft flying instrument procedures to DFW and DAL within Class B airspace. Three commenters asserted that the FAA's own radar data slides presented at the Informal Airspace Meetings suggested that there was no need to lower the Class B airspace floor east of ADS. One commenter stated that moving the Area F outer boundary to an 11.5–NM arc from the Point of Origin was consistent with the recommendation of the Ad Hoc Committee and would provide easily-identified landmarks to aid VFR pilots in identifying the boundary of the lowered Class B airspace; whereas, the FAA's own proposal provided no such visual references for VFR pilots.

To address the counter-proposal submitted by the commenters to limit Area F to an area between the 10–NM and 11.5–NM arcs from the Point of Origin, the FAA accomplished new radar track data analysis and modeling for DAL arrivals flying over the ADS Class D airspace. The FAA determined that, on average, 209 aircraft per day landed at DAL from the east over the ADS Class D airspace and an average of 130 aircraft per day descended below 3,000 feet MSL over ADS between the 10–NM and 13–NM arcs from the Point of Origin. Of those 130 aircraft, an average of 60 aircraft per day (approximately 45 percent) descended below 3,000 feet MSL outside an 11.5–NM arc from the Point of Origin. Therefore, if Area F was limited to between the 10–NM and 11.5–NM arcs from the Point of Origin, as recommended by the commenters, only 70 (out of 130) aircraft arriving to DAL each day, on average, would be contained within Class B airspace and 60 aircraft arriving to DAL each day, on average, would continue to descend below Class B airspace into the ADS Class D airspace area. Moving the outer boundary of Area F to an 11.5–NM arc from the Point of Origin would not ensure containment of all large turbine-powered aircraft flying instrument procedures to and from DFW and DAL, as intended by this rule.

Because of the close proximity of the DFW, DAL and ADS airports, access to the congested airspace northeast of DFW for aircraft not landing or departing one of these airports is very limited. The FAA determined that the number of VFR aircraft flying in the ADS Class D airspace and not receiving any ATC flight services reached 2,500 feet MSL in Area F less than twice per day, on average. The modeling also revealed that aircraft landing and departing ADS, using existing procedures, remained below the floor of Area F.

The FAA has confirmed that establishing Area F, between the 10 NM and 13 NM arcs from the Point of Origin, will contain all the DAL arrival aircraft conducting instrument procedures within Class B airspace and that the 2,500-foot MSL Class B airspace floor will not affect ADS IFR and VFR arrivals, departures, traffic flows, or departure release procedures. Although the FAA is reclassifying a small portion of the ADS Class D airspace to become part of Area F, the operational procedures used today by the ADS tower and D10 will remain unchanged. Access to ADS by VFR aircraft is also not impacted by Area F because it is shadowed by existing Class B airspace (being renamed Area C) with a 2,000 foot MSL floor from the southeast clockwise to the north-northwest of ADS and by the existing Class B surface area (Area A) from the southeast clockwise to the west-northwest of ADS. VFR aircraft, not in contact with D10, that are arriving or departing ADS must avoid Area C and the surface area that surround ADS from the southeast clockwise to the north-northwest before Area F with its 2,500-foot MSL floor becomes a factor.

Lastly, the FAA acknowledges that the 13–NM arc from the Point of Origin used to define the outer boundary for Area F does not share the same opportunity for prominent visual landmarks as the counter-proposal submitted by the commenters. The FAA remains supportive of using prominent landmarks, when available, to describe airspace boundaries. However, matching the outer boundary of Area F with the 13–NM arc outer boundary of Area B has benefit too; it avoids potential confusion for pilots faced with multiple arcs in a relatively confined area to define differing Class B airspace subarea boundaries.

Three comments concerned lowering the floors of two areas of Class B airspace southeast of DFW, Area D and Area I, to contain large turbine-powered aircraft during arrival procedures to DAL runways 31L/31R. Two of the commenters were concerned with compression and circumnavigation associated with transitioning the area east and west around Dallas Executive Airport (RBD) and Mesquite Airport (HQZ) (being renamed Mesquite Metro Airport) past Area D lowered to 2,000 feet MSL between the 15–NM and 20–NM arcs of the Point of Origin and Area I lowered to 3,000 feet MSL between the 20–NM and 25–NM arcs of the Point of Origin. One of these commenters added that lowering the Class B airspace in this area reduces the separation between transitioning aircraft and the aircraft operating at HQZ. The commenter argued aircraft overflying uncontrolled airports are not required to monitor frequencies at those locations and that would increase the potential for loss of situational awareness and potential for a midair collision among VFR pilots flying below Area D and Area I, but over HQZ. The commenter suggested that the amount of traffic surrounding HQZ demanded immediate attention for establishing Class D airspace around HQZ. The third commenter argued that Area D and Area I were unnecessary and addressed instrument procedure glideslope corrections, that are address later in this rule.

The FAA recognizes that VFR pilots electing to fly below the floor of Class B airspace may be compressed. However, the Dallas/Fort Worth Class B airspace Area D and Area I subareas, with 2,000-foot MSL and 3,000-foot MSL floors, respectively, are necessary to contain large turbine-powered aircraft flying instrument procedures to/from DAL within Class B airspace and to segregate them from the VFR aircraft flying outside Class B airspace. Non-participating VFR general aviation aircraft have their choice of flying either above or below the Class B airspace, or circumnavigating it by five to ten NM further southeast to remain clear should they decide not to contact D10 to receive Class B services.

As mentioned before, it is ultimately the pilot's responsibility to evaluate all factors that could affect a planned flight and determine the safest course of action whether it is circumnavigating the Class B airspace, flying over or beneath the Class B airspace, utilizing a charted VFR flyway, or requesting Class B services from D10.

The FAA agrees with the commenter that suggested establishing Class D airspace around HQZ in the interest of flight safety. As such, the FAA built a control tower at HQZ, which began providing limited traffic advisory services in December of 2013, and published a final rule in the **Federal Register** (78 FR 67296, November 12, 2013) establishing Class D airspace around HQZ with an effective date of February 6, 2014. The Class D airspace area extends upward from the surface up to but not including 2,000 feet MSL, within a 3.5-mile radius of the Mesquite Metro Airport, Mesquite, TX, with an extension from the 3.5-mile radius to 4.1-miles south of the airport. The Mesquite, TX, Class D airspace area and control tower, when open, will enhance the safety and management of IFR and VFR operations at the airport with transient traffic around HQZ.

Twenty six comments were received expressing flight safety concerns associated with lowering the Class B airspace over ADS. Many of the commenters alleged that the lower Class B airspace of Area F over ADS, and the corresponding reduction of ADS Class D airspace, would negatively impact the overall operational safety of the single engine VFR operations at ADS. Eight commenters stated the limited amount of available altitude in case of low-altitude emergencies raised the risk of aircraft accidents. Seven commenters raised safety related concerns as a result of their perceived reduction in vertical separation options for aircraft operating at ADS. Four commenters argued there were already numerous close calls at ADS and the reduced airspace under Area F invited an increase in midair collisions. Three commenters criticized that limited inbound and outbound routes to and from ADS would be further constrained; whereas, one commenter each contended the lower Class B airspace would force VFR aircraft to fly below the 1,000-foot above ground level requirement over congested areas, would induce more ''head down'' operation and less ''see and avoid'' procedures, and would put VFR aircraft at risk of cell towers and other low-altitude obstructions near ADS.

The FAA disagrees with the flight safety related concerns presented by the commenters because no arrival or departure flight paths, altitudes, or operational procedures for IFR and VFR aircraft flying to/from DAL or ADS are being changed as a result of Area F. Again, the commenters' perceived flight safety impacts appear to be based on the belief that the Area F Class B airspace modification over ADS would lead to an increased number of IFR and VFR flights operating at lower altitudes than they do today. Due to the high volume of VFR and IFR aircraft operating in the vicinity of ADS, D10 will continue to sequence all arrivals and departures to and from ADS.

Mixing DAL IFR arrivals and VFR aircraft outside the Class B airspace presents a hazard to safety. This rule addresses the safety impact of large turbine-powered aircraft arriving to DAL that routinely entered, exited, and then re-entered Class B airspace, while being vectored and flying instrument procedures to DAL runways 13L/13R over ADS, as well as to DAL runways 31L/31R from the southeast. The FAA believes that the Class B design in this rule establishes the minimum Class B airspace required for containment of large turbine-powered aircraft flying instrument procedures to/from DFW and DAL, while leaving as much airspace as possible for IFR and VFR flight operations in the ADS area, outside Class B airspace.

Twenty-nine commenters raised noise concerns related to the Area F being established over a portion of the ADS Class D airspace area. Commenters stated, ''increased noise pollution will reduce property values,'' ''increase noise will make it less desirable to dine outdoors in a community where restaurants are the largest contributor to sales tax,'' ''with the increase in air traffic planned for DAL, the frequency of jet traffic noise will increase to levels that are unacceptable,'' and ''this modification would create a significant increase in noise and general disturbance over a highly populated residential area.'' One commenters also requested a new review and updated environmental impact study or noise study be accomplished since a long time had passed from when the Class B modifications were originally proposed.

The FAA does not agree because the Class B airspace being lowered over ADS is not associated with any changes to traffic flows, altitudes, or procedures; but rather, the containment of existing aircraft operations within Class B

airspace. The FAA believes that the submitted noise concerns presume an increased number of aircraft would be overflying ADS and that aircraft would be flying at lower altitudes over the communities surrounding ADS. Aircraft are already flying in the areas and at the same altitudes they will be after Area F is established. The Class B airspace modification over ADS is being accomplished purely to contain existing large turbine-powered aircraft flying instrument procedures, and their associated traffic patterns, to/from DFW and DAL within Class B airspace. The Class B airspace modification over ADS is simply an airspace classification change from Class D to Class B and will not have any impact on noise.

The FAA completed its environmental review and Categorical Exclusion Declaration on May 1, 2013, in support of the Dallas/Fort Worth Class B airspace modifications. In accordance with FAA Order 1050.1, Environmental Impacts: Policies and Procedures, paragraph 311a, rulemaking actions that modify Class B airspace are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement. The FAA determined that there were no extraordinary circumstances that would necessitate further environmental review since the flight tracks and altitudes used will not change as a result of the Class B airspace modifications and aircraft will continue to fly the same flight tracks, patterns, and altitudes that they fly today. There are no adverse effects on any of the environmental impact categories required to be analyzed in accordance with FAA Order 1050.1, nor are there any cumulative impacts.

Eleven commenters argued lowering the Class B airspace over ADS would have a negative economic impact to ADS, the residents in the area, and to the North Dallas region. They were concerned that reclassifying a portion of ADS Class D airspace as Class B would impact ADS economically by serving as a disincentive to current/future ADS customers to remain at ADS and result in them going elsewhere less congested and impact local business success in the area. They were also concerned that the business and commerce attractiveness of ADS to businesses outside the Dallas County/North Texas region would be decreased and that lower property values of the residential communities surrounding ADS would result.

The FAA disagrees that establishing Area F over ADS will cause the economic impacts raised by the commenters. The Area F 2,500-foot MSL Class B airspace floor over the Addison Class D airspace area will have no effect on ADS IFR or VFR arrivals, departures, altitudes, traffic flows, or departure release procedures. Additionally, the IFR aircraft arriving and departing DFW and DAL will continue to fly the same flight tracks, patterns, and altitudes that they fly today.

As noted previously, Area F is shadowed by Area C, with its 2,000-foot MSL floor, and Area A, the surface area, from the southeast clockwise to the west-northwest of ADS. Any perceived aerial access impacts to ADS, caused by Area F, are overcome by the requirements for aircraft to avoid these previously existing Class B airspace subareas. Modeling did show that on average less than 3 VFR aircraft per day, squawking 1200, flew at lower altitudes for short periods of time, but these aircraft were determined to be VFR practice aircraft and not receiving sequencing ATC services for arrival or departure. As such, the FAA does not expect IFR or VFR operators to cease operating at ADS, does not expect IFR and VFR aircraft to fly lower than they currently do, and does not expect an increase in large turbine-powered aircraft operations at DAL. Therefore, the FAA does not find that Area F has any economic impact to the airport, the local community, or the North Dallas region, as argued by the commenters.

Two commenters offered that the need to lower Class B airspace to contain large turbine-powered aircraft could be averted by raising the glide paths for the Instrument Landing System (ILS) and Area Navigation (RNAV) approaches to DAL. One commenter also argued that DAL is not a primary airport of the Dallas/Fort Worth Class B airspace area and that lowering the Class B airspace southeast of DFW to contain aircraft flying DAL approaches is a misuse of aviation regulations. The commenter suggested raising the published altitudes on ILS and RNAV procedures to DAL runways 31L/31R (in essence raising the approach glideslopes from the standard 3 degree angle) to overcome DAL arrivals not being contained in Class B airspace. The second commenter's focus was the airspace over the Addison Class D airspace and simply requested the FAA consider raising the approach procedure glideslopes to DAL runways 13L/13R before seeking an airspace solution to containing DAL arrival aircraft within Class B airspace.

The FAA acknowledges that DAL is not listed as a primary airport in the Dallas/Fort Worth Class B airspace description, but disagrees that it is inappropriate to lower the Class B airspace southeast of DFW to contain the aircraft flying instrument procedures to DAL within Class B airspace. As noted in the NPRM, the FAA revoked the Airport Radar Service Area (ARSA) surrounding DAL and incorporated the airport and its airspace into the surface area of the Dallas Fort-Worth Terminal Control Area (TCA) [Class B airspace today] in 1992. The FAA took this action in the interest of flight safety as a result of the complex mix of aircraft operating in the Dallas/Fort Worth terminal flying environment and to lower the risk of midair collisions in the airspace around DFW and DAL; thereby reducing the chance of casualty loss (i.e. aviation fatalities and injuries). Revoking the DAL ARSA and making the airspace part of the Dallas-Fort Worth TCA was expected to result in increased safety in the entire TCA [Class B airspace today] and it has. As such, the FAA continues to consider the midair collision avoidance and airspace requirements associated with Class B airspace to apply to the operations at DFW and DAL, when addressing the Dallas/Fort Worth terminal airspace area.

The FAA re-evaluated the suggestion to raise the ILS and RNAV approach procedure glideslopes into DAL and does not agree. Raising the existing 3 degree approach procedure glideslopes, in lieu of lowering Class B airspace, was considered previously when the proposal was developed and in response to pre-NPRM public input. In order to retain the current traffic flows in Class B airspace without the proposed modifications, the instrument procedure glideslope angles to the DAL runways 13L/13R and 31L/R would have to be raised in excess of 3.1 degrees; resulting in the loss of approach minimums for category D and E aircraft. A 3 degree glideslope angle for instrument procedures is the standard for safety.

Another commenter suggested the need for lower Class B airspace floors could be addressed by raising the glide paths for the instrument approaches to DAL using an extension of the Optimized Profile Descent for the close-in terminal area and creating a two-stage glideslope approach. The commenter offered that by flying an average 6 degree descent angle initially, aircraft would no longer be forced to fly shallow paths to the airport. Then, since jets are not as responsive as light general aviation aircraft, the aircraft would transition to a standard 3 degree glide path at some pre-determined distance from the runway, most likely 1,500 feet to 1,000 feet AGL and 1 NM prior to passing the final approach fix.

This suggestion for a two-stage glideslope approach would require a revision of instrument flight procedures and the development of new or additional glideslope equipment, which may not be technically feasible and/or may involve flight safety issues. As such, it is outside the scope of this rule.

Five commenters were concerned that lower Class B airspace, primarily over ADS, would cause a related increase in ATC workload to ensure flight safety. One commenter asserted that the lower Class B airspace floors would force pilots to participate with D10, which often time could not handle the load they already have, while another commenter stated that sometimes controllers are too busy to offer clearances through the Class B airspace. A third commenter was concerned that the lower Class B airspace at ADS would result in more departure holds, as well as increased vectoring for arrivals and departures to and from ADS.

The FAA remains committed to providing Class B airspace services to all National Airspace System (NAS) users operating in the airspace surrounding DFW, DAL, and ADS in a manner that keeps the Dallas/Fort Worth terminal area safe for all users. As mentioned earlier, the primary purpose of a Class B airspace area is to reduce the potential for midair collisions in the airspace surrounding airports with high density air traffic operations by providing an area in which all aircraft are subject to certain operating rules and equipment requirements.

Based on historical data and forecast trends, the average D10 daily traffic count includes 1,515 air carrier, 764 air taxi, 445 general aviation, 51 military IFR operations and 421 VFR operations. In 2012, D10 provided Class B services to approximately 200 VFR aircraft operations per day. When VFR aircraft request Class B services, they are initially told to remain outside the Class B airspace until radar identification is established; oftentimes, this is misunderstood as denial of Class B services. D10 routinely provides Class B airspace clearances and services to VFR aircraft requesting access into and through the Dallas/Fort Worth Class B airspace on a workload permitted basis when the arrival/departure traffic volume and airspace capacity conditions enable doing so safely. Lastly, it should be noted that the existence of Class B airspace has no impact on IFR delays or aircraft vectoring, the determining factors for these activities are normally traffic volume and weather.

Three commenters suggested that the FAA should establish VFR routes through the Dallas/Fort Worth Class B airspace area over Dallas and Fort Worth to retain efficiency, safety and access for all operators. Two of the commenters offered that the transition routes would allow VFR aircraft to navigate through the Class B airspace without adding additional burden to the controllers and provide a predictable routing for the VFR pilots. The third commenter stated that flying the existing VFR transition routes is very time consuming and involves flying in congested airspace, and that the routes are exceedingly frustrating to transition safely and legally given the number of Class D and uncontrolled airports that must be transitioned.

The FAA interpreted the commenters' suggestion to mean they were recommending VFR corridors through the Class B airspace area and acknowledges that VFR corridors provide general aviation flight paths for pilots planning flights into, out of, or through complex terminal airspace so as to avoid Class B airspace. However, the FAA has determined establishing VFR corridors over DFW and DAL through the Class B airspace surface area is not feasible and would result in adverse impacts to the arrival and departure flows, and associated traffic patterns, supporting DFW and DAL operations. Specifically, DFW and DAL fan departures off their airports covering as much as 220 degrees around the compass in a north flow and 250 degrees around the compass in a south flow. Depending upon the runway configuration in use, low altitude VFR corridors, as suggested, would conflict with the over 1,250 departures from DFW and DAL daily, on average, and force departures to be restricted below the corridor altitude(s) until clear of the corridor. Additionally, the geographic relationship between DFW, DAL, and ADS, as well as HQZ, RBQ, Grand Prairie, Arlington, Ft Worth Meacham International, and Ft Worth Alliance airports, with their arrival and departure flows, does not support establishing VFR corridors through the Dallas/Fort Worth Class B airspace area.

The FAA recognizes that using the existing flyways takes more time to fly around the DFW and DAL area than flying directly through it, but does not agree that the existing VFR flyways are difficult to transition safely or legally. The Class B airspace floors over the low altitude VFR flyways are not changing and the flyways remain unaffected by this rule. There are two VFR flyways that route north and south, one located east and one located west of DFW and DAL, and four VFR flyways that route east and west, two located north and two located south of DFW and DAL. These six VFR flyways surround DFW and DAL and provide both low and high altitude route alternatives to circumnavigate the Class B airspace area for those pilots that opt not to request ATC services through Class B airspace from D10.

Bell Helicopter requested that the FAA modify the Class B airspace surface area, Area A. Bell Helicopter advised that they plan to move their training area back to an area southwest of DFW, near where they previously conducted helicopter training, and expand their facility to support a training program conducting 3,500 flight hours per year. They requested the FAA modify the Class B airspace surface area to exclude a portion of airspace southwest of DFW extending upward from the surface to and including 1,500 feet MSL in the area south of State Highway 10 and west of the Texas Star Golf Course. The requested exclusion would support a helicopter training area near the area Bell Helicopter operated at from the mid 1970's through 2006.

The FAA evaluated Bell Helicopter's request and determined that the Class B airspace surface area modification can be incorporated, as requested, without compromising the containment of large turbine-powered IFR aircraft conducting instrument procedures within Class B airspace. As a result of Bell Helicopter's modification request and details of their impending helicopter training program, the FAA is modifying the Dallas/Fort Worth Class B airspace surface area to include an exclusion of airspace as described below in the ''Difference From the NPRM'' section. This modification supports Bell Helicopter's returning training program in the area; enables ATC to stay focused on the arrival, departure, and overflight aircraft operating in the DFW terminal area; addresses ATC frequency congestion issues; and reduces the potential for unauthorized airspace incursions without impacting the containment of large turbine-powered IFR aircraft conducting instrument procedures within Class B airspace.

Differences From the NPRM

The description of the subarea A has been modified from that proposed in the NPRM. In light of public input, the FAA evaluated a request to exclude a portion of airspace located southwest of DFW from the Class B airspace surface area and determined the airspace exclusion could be incorporated without effecting containment of large turbine-powered aircraft flying instrument procedures to

and from DFW and DAL within Class B airspace. This is accomplished by excluding the a small portion of airspace located southwest of DFW, bounded by the surface area boundary, State Highway 10, and the western boundary of the Texas Star Golf Course, from the surface to and including 1,500 feet MSL, from Area A. The revised surface area description is listed in the ''Adoption of the Amendment'' section, below.

The Rule

The FAA is amending Title 14 of the Code of Federal Regulations (14 CFR) part 71 to modify the Dallas/Fort Worth, TX, Class B airspace area. This action lowers the floor of Class B airspace in four areas, redefines the northern boundary, and incorporates an exclusion of a small area of airspace within the Class B surface area. The first area, Area J lowers a portion Class B airspace located northwest of DFW between 23–NM and 30–NM arcs from the Point of Origin from 5,000 feet MSL to 4,000 feet MSL. The second area, Area F, lowers a portion of Class B airspace northeast of DFW between the 10–NM and 13–NM arcs from the Point of Origin from 3,000 feet MSL to 2,500 feet MSL. The third area, Area D, lowers a portion of Class B airspace located southeast of DAL between the 15–NM and 20–NM arcs from the Point of Origin from 2,500 feet MSL to 2,000 feet MSL. And, the fourth area, Area I, lowers a portion of Class B airspace located southeast of DAL between the 20–NM and 25–NM arcs from the Point of Origin from 4,000 feet MSL to 3,000 feet MSL. This action also redefines the northern boundary of the Class B airspace area using the Ray Roberts Lake dam. Lastly, in response to public input to the NPRM, an exclusion of a small portion of airspace located southwest of DFW is incorporated in the Class B airspace surface area. The Class B airspace ceiling remains unchanged. These modifications to the Dallas/Fort Worth Class B airspace area provide the minimum airspace necessary to contain existing large turbine-powered aircraft flying the instrument procedures to and from DFW and DAL within the confines of Class B airspace.

Except for Area A, which extends upward from the surface to and including 11,000 feet MSL within an area surrounding DFW and DAL, the descriptions of all other subareas that make up the Dallas/Fort Worth Class B airspace area are reconfigured, re-described, and realigned by geographic position in relation to the point of origin, rather than the previous practice of combining geographically separate areas that share a common altitude floor into one large, complex subarea description. This action modifies the original eight Dallas/Fort Worth Class B subareas (A through H) and adds six new subareas (I through N). The modifications to the Dallas/Fort Worth Class B airspace, by subarea, are outlined below.

Area A. Area A is the surface area that extends from the surface up to 11,000 feet MSL. The FAA is incorporating an exclusion of the airspace located southwest of DFW bounded by the surface area boundary, State Highway 10, and the western boundary of the Texas Star Golf Course, from the surface to an including 1,500 feet MSL, in this portion of Class B airspace.

Area B. Area B extends upward from 2,000 feet MSL to 11,000 feet MSL in the Class B airspace contained in the previous Area B description that is located north, west, and south of DFW. The FAA is not changing this portion of Class B airspace.

Area C. Area C extends upward from 2,000 feet MSL to 11,000 feet MSL in the remaining Class B airspace contained in the previous Area B description that is located east of DFW. The FAA is not changing this portion of Class B airspace.

Area D. Area D is a new area extending upward from 2,000 feet MSL to 11,000 feet MSL located southeast of DAL from the Cowboy VOR/DME (CVE) 117° radial clockwise to the 129° bearing from the Point of Origin, between 15–NM and 20–NM of the Point of Origin. This new area lowers a portion of Class B airspace contained in the previous Area C description, located south of the CVE 117° radial, by 500 feet to overcome aircraft arriving DAL runways 31R and 31L from the southeast exiting the bottom of Class B airspace with a 2,500-foot MSL floor, flying under the Class B airspace area, and then reentering the side of the Class B airspace surface area.

Area E. Area E extends upward from 2,500 feet MSL to 11,000 feet MSL in the remaining Class B airspace contained in the previous Area C description that is not incorporated in the new Area D described above. The FAA is not changing this portion of Class B airspace.

Area F. Area F is a new area extending upward from 2,500 feet MSL to 11,000 feet MSL located northeast of DFW from the 023° bearing from the Point of Origin clockwise to Interstate I–635, between 10–NM and 13–NM of the Point of Origin. This new area lowers a portion of Class B airspace contained in the previous Area D description, located northeast of DFW, by 500 feet to overcome aircraft arriving DAL runways 13R and 13L from the northeast exiting the bottom of Class B airspace with a 3,000-foot MSL floor, flying through the ADS Class D airspace, and then reentering the side of Class B airspace with a 2,000-foot MSL floor or the side of the Class B airspace surface area.

Area G. Area G extends upward from 3,000 feet MSL to 11,000 feet MSL in the Class B airspace contained in the previous Area D description that is located south of DFW. The FAA is not changing this portion of Class B airspace.

Area H. Area H extends upward from 3,000 feet MSL to 11,000 feet MSL in the remaining Class B airspace contained in the previous Area D description that is located north of DFW and not incorporated in the new Area F described above. The FAA is not changing this portion of Class B airspace.

Area I. Area I is a new area extending upward from 3,000 feet MSL to 11,000 feet MSL located southeast of DAL from the Cowboy VOR/DME (CVE) 117° radial clockwise to the 129° bearing from the Point of Origin, between 20–NM and 25–NM of the Point of Origin. This new area lowers a portion of Class B airspace contained in the previous Area E description by 1,000 feet to overcome aircraft arriving DAL runways 31R and 31L from the southeast exiting the bottom of Class B airspace with a 4,000-foot MSL floor, flying under the Class B airspace area, and then reentering the side of Class B airspace with a 2,500-foot MSL floor.

Area J. Area J extends upward from 4,000 feet MSL to 11,000 feet MSL in the remaining Class B airspace contained in the previous Area E description that is not incorporated in the new Area I described above and a portion of Class B airspace contained in the previous Area G description, located northwest of the 311° bearing from the Point of Origin. This new area lowers the portion of Class B airspace contained in the previous Area G description by 1,000 feet to overcome aircraft arriving DFW runways 13R and 13L from the northwest exiting the bottom of the Class B airspace with a 5,000-foot MSL floor, flying under the Class B airspace area, and then reentering the side of the Class B airspace with a 4,000-foot MSL floor.

Area K. Area K extends upward from 4,000 feet MSL to 10,000 feet MSL in the Class B airspace contained in the previous Area F description that is located south of DFW. The FAA is not changing this portion of Class B airspace.

Area L. Area L extends upward from 4,000 feet MSL to 10,000 feet MSL in the remaining Class B airspace contained in the previous Area F description that is located north of DFW. The FAA is extending the northern boundary further north to intercept the southern-most point of the Ray Roberts Lake dam for visual reference.

Area M. Area M extends upward from 5,000 feet MSL to 11,000 feet MSL in the remaining portion of Class B airspace contained in the current Area G that is not incorporated in the new Area J described above. The FAA is not changing this portion of Class B airspace.

Area N. Area N extends upward from 6,000 feet MSL to 11,000 feet MSL in the Class B airspace contained in the previous Area H description. The FAA is not changing this Class B airspace.

Finally, this action updates the DFW airport reference point (ARP) coordinates and includes the Cowboy VOR/DME (CVE) navigation aid information in the Class B airspace legal description to reflect current National Airspace System data.

Implementation of these modifications to the Dallas/Fort Worth Class B airspace area ensure the containment of instrument procedures and large turbine-powered aircraft flying those procedures within Class B airspace, as required by FAA directives, and enhance the efficient use of the airspace, the management of aircraft operations, and flight safety in the DFW and DAL terminal area.

All radials and bearings listed in the Dallas/Fort Worth Class B airspace description in this rule are stated in degrees relative to True North. Additionally, all geographic coordinates are stated in degrees, minutes, and seconds based on North American Datum 83.

Class B airspace areas are published in paragraph 3000 of FAA Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR section 71.1. The Class B airspace area listed in this document would be published subsequently in the Order.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures,'' paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507 (d)) requires that the FAA consider the impact of paperwork and other information collection burdens imposed on the public. We have determined that there is no new information collection requirement associated with this final rule.

Regulatory Evaluation Summary

Changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 and Executive Order 13563 direct that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 (Pub. L. 96–354) requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Trade Agreements Act (Pub. L. 96–39) prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, the Trade Act requires agencies to consider international standards and, where appropriate, that they be the basis of U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of $100 million or more annually (adjusted for inflation with base year of 1995). This portion of the preamble summarizes the FAA's analysis of the economic impacts of this final rule.

The FAA has, therefore, determined that this final rule is not a ''significant regulatory action'' as defined in section 3(f) of Executive Order 12866, and is not ''significant'' as defined in DOT's Regulatory Policies and Procedures.

Department of Transportation Order DOT 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If the expected cost impact is so minimal that a proposed or final rule does not warrant a full evaluation, this order permits that a statement to that effect and the basis for it to be included in the preamble if a full regulatory evaluation of the cost and benefits is not prepared. Such a determination has been made for this final rule. The reasoning for this determination follows.

This action proposes to modify the DFW Class B airspace area to ensure the containment of large turbine-powered aircraft flying instrument procedures to and from the Dallas/Fort Worth International Airport and Dallas Love Field Airport within Class B airspace, reduce controller workload and reduce the potential for near midair collision in the DFW terminal area. This action lowers the Class B airspace floor in some sections to encompass existing IFR traffic. Lowering the floor of the Class B airspace will increase safety by segregating large turbine-powered aircraft from aircraft that may not be in contact with ATC. It will reduce air traffic controller workload by reducing the number of radio communications that air traffic controllers must use to inform IFR aircraft when they are leaving and re-entering Class B airspace. This will reduce the amount of distraction that air traffic controllers face in issuing these communications and free radio time for more important control instructions. IFR traffic will not be rerouted as a result of this proposal.

The airspace restructuring will result in safety benefits and increased operational efficiencies. This final rule will enhance safety by reducing the number of aircraft entering, exiting, and reentering Class B airspace and consequently reducing air traffic controller workload and radio frequency congestion. By expanding the Class B area where aircraft are subject to certain operating rules and equipment requirements this final rule will also reduce the potential for midair collisions. The modification of the Class B airspace will provide operational advantages as well by establishing necessary airspace for controllers to sequence aircraft within Class B airspace and thereby reduce the need for controllers to vector arrivals and departures to avoid nonparticipating traffic. The change may cause some VFR pilots to have to choose between flying below Class B airspace, circumnavigating the Class B airspace area, or requesting Class B clearance to transition the area. If these responses occur then some alternative routes will be longer, take more time, and burn more fuel. However, due to the specific restructuring, we do not anticipate that such VFR flights will have to travel far to circumnavigate the new Class B airspace.

The FAA expects an increase in safety and some operational efficiencies from the larger Class B airspace to be offset slightly by possible VFR reroutings, which will result in minimal cost

overall. This final rule will not require updating of materials outside the normal update cycle, and will not require rerouting of IFR traffic. The expected outcome will be a minimal impact with positive net benefits.

The FAA did request comments about the FAA determination of minimal impact in the NPRM. The FAA received no comments on this determination of minimal impact in the NPRM.

Although the FAA received no comments specifically related to the above determination several commenters, as described earlier in this Preamble, expressed a concern about possible adverse economic impacts, including an increase in aircraft noise as a result of the proposed rule. As discussed earlier in this preamble, these perceived impacts appear to be based on the belief that the Class B airspace modification would lead to an increased number of IFR and VFR flights operating at lower altitudes than they do today. The FAA finds that existing DAL IFR arrival and departure altitudes, flight paths, traffic patterns and procedures will not change. As noted in the NPRM, the Area F modification will continue to support IFR and VFR aircraft arriving and departing ADS as they do today without compression and ensure large turbine-powered aircraft flying instrument procedures to DAL runways 13L/13R are contained within Class B airspace.

Therefore, the FAA expects that the outcome of this final rule will be a minimal impact with positive benefits.

Final Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (Pub. L. 96–354) (RFA) establishes ''as a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the businesses, organizations, and governmental jurisdictions subject to regulation. To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure that such proposals are given serious consideration.'' The RFA covers a wide-range of small entities, including small businesses, not-for-profit organizations, and small governmental jurisdictions.

Agencies must perform a review to determine whether a rule will have a significant economic impact on a substantial number of small entities. If the agency determines that it will, the agency must prepare a regulatory flexibility analysis as described in the RFA.

However, if an agency determines that a rule is not expected to have a significant economic impact on a substantial number of small entities, section 605(b) of the RFA provides that the head of the agency may so certify and a regulatory flexibility analysis is not required. The certification must include a statement providing the factual basis for this determination, and the reasoning should be clear.

As stated in the NPRM, the proposed rule would improve safety and efficiency by redefining Class B airspace boundaries and would have imposed only minimal costs because it would not have required rerouting of IFR traffic, could possibly have caused some VFR aircraft to travel alternative routes that were not expected to be appreciably longer than with the current airspace design, and would not have required updating of materials outside the normal update cycle. Therefore, the expected outcome would have been a minimal economic impact on small entities affected by the proposed rulemaking action.

In the NPRM, the FAA certified that the proposed rule would not have a significant impact on a substantial number of small entities. The FAA solicited comments regarding this determination in the NPRM. Specifically, the FAA requested comments on whether the proposed rule would create any specific compliance costs unique to small entities with detailed economic analysis to support any cost claims. The FAA also invited comments regarding other small entity concerns with respect to the proposed rule. The FAA received no comments on this determination.

If an agency determines that a rulemaking will not result in a significant economic impact on a substantial number of small entities, the head of the agency may so certify under section 605(b) of the RFA. Therefore, as provided in section 605(b), the head of the FAA certifies that this rulemaking will not result in a significant economic impact on a substantial number of small entities.

International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

The FAA assessed the potential effect of the proposed rule in the NPRM and determined that it would have only a domestic impact and therefore no effect on international trade. The FAA received no comments on this determination.

Therefore the FAA determines that this final rule will have only a domestic impact and therefore no effect on international trade.

Unfunded Mandates Assessment

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in an expenditure of $100 million or more (in 1995 dollars) in any one year by State, local, and tribal governments, in the aggregate, or by the private sector; such a mandate is deemed to be a ''significant regulatory action.'' The FAA currently uses an inflation-adjusted value of $151.0 million in lieu of $100 million. This final rule does not contain such a mandate; therefore, the requirements of Title II of the Act do not apply.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIRWAYS; ROUTES, AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, is amended as follows:

Paragraph 3000 Class B Airspace.

* * * * *

ASW TX B Dallas/Fort Worth, TX

Dallas/Fort Worth International Airport (Primary Airport)
(Lat. 32°53′49″ N., long. 97°02′17″ W.)
Point of Origin
(Lat. 32°51′57″ N., long. 97°01′41″ W.)
Cowboy VOR/DME (CVE)
(Lat. 32°53′25″ N., long. 96°54′14″ W.)

Boundaries

Area A. That airspace extending upward from the surface to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 10–NM radius from the Point of Origin and Josey Lane at lat. 32°59′08″ N., long. 96°53′26″ W., thence southbound along Josey Lane to intersect Forest Lane at lat. 32°54′34″ N., long. 96°52′54″ W., thence eastbound along Forest Lane to intersect the 15–NM radius from the Point of Origin at lat. 32°54′33″ N., long. 96°44′07″ W., thence clockwise along the 15–NM radius to intersect the 129° bearing from the Point of Origin at lat. 32°42′29″ N., long. 96°47′52″ W., thence northwest along the 129° bearing to intersect I–30 at lat. 32°46′04″ N., long. 96°53′07″ W., thence west along I–30 to intersect the 7–NM radius from the Point of Origin at lat. 32°45′34″ N., long. 97°05′07″ W., thence clockwise along the 7–NM radius to intersect the 310° bearing from the Point of Origin at lat. 32°56′27″ N., long. 97°08′03″ W., thence northwest along the 310° bearing to intersect the 10–NM radius from the Point of Origin at lat. 32°58′23″ N., long. 97°10′47″ W., thence clockwise along the 10–NM radius to the point of beginning; excluding that airspace extending upward from the surface to and including 1,500 feet MSL within the area bounded by a line beginning at the intersection of the 7–NM radius from the Point of Origin and State Highway 10 at lat. 32°48′39″ N., long. 97°09′01″ W.; thence eastbound along State Highway 10 to lat. 32°49′22″ N., long. 97°07′03″ W.; thence south to intersect the 7–NM radius from the Point of Origin at lat. 32°46′38″ N., long. 97°07′06″ W.; thence clockwise along the 7–NM radius from the Point of Origin to State Highway 10 at lat. 32°48′39″ N., long. 97°09′01″ W.

Area B. That airspace extending upward from 2,000 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 10–NM radius from the Point of Origin and the 310° bearing from the Point of Origin at lat. 32°58′23″ N., long. 97°10′47″ W., thence southeast along the 310° bearing to intersect the 7–NM radius from the Point of Origin at lat. 32°56′27″ N., long. 97°08′03″ W., thence counterclockwise along the 7–NM radius to intersect I–30 at lat. 32°45′34″ N., long. 97°05′07″ W., thence east along I–30 to intersect the 129° bearing from the Point of Origin at lat. 32°46′04″ N., long. 96°53′07″ W., thence southeast on the 129° bearing to intersect the 10–NM radius from the Point of Origin at lat. 32°45′38″ N., long. 96°52′28″ W., thence clockwise along the 10–NM radius to intersect SH–303 at lat. 32°42′23″ N., long. 96°58′18″ W., thence west along SH–303 to intersect the 10–NM radius from the Point of Origin at lat. 32°42′29″ N., long. 97°05′30″ W., thence clockwise along the 10–NM radius to intersect the 300° bearing from the Point of Origin at lat. 32°56′57″ N., long. 97°11′58″ W., thence northwest along the 300° bearing to intersect the 13–NM radius from the Point of Origin at lat. 32°58′27″ N., long. 97°15′04″ W., thence clockwise along the 13–NM radius to intersect the 023° bearing from the Point of Origin at lat. 33°03′56″ N., long. 96°55′38″ W., thence southwest along the 023° bearing to intersect the 10–NM radius from the Point of Origin at lat. 33°01′10″ N., long. 96°57′02″ W., thence counterclockwise along the 10–NM radius to the point of beginning.

Area C. That airspace extending upward from 2,000 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 10–NM radius from the Point of Origin and Josey Lane at lat. 32°59′08″ N., long. 96°53′26″ W., thence southbound along Josey Lane to intersect Forest Lane at lat. 32°54′34″ N., long. 96°52′54″ W., thence eastbound along Forest Lane to intersect the 15–NM radius from the Point of Origin at lat. 32°54′33″ N., long. 96°44′07″ W., thence counter-clockwise along the 15–NM radius to intersect I–635 at lat. 32°54′42″ N., long. 96°44′09″ W., thence west along I–635 to intersect the 10–NM radius from the Point of Origin at lat. 32°55′25″ N., long. 96°50′32″ W., thence counterclockwise along the 10–NM radius to the point of beginning.

Area D. That airspace extending from 2,000 feet MSL up to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the CVE 117° radial and the 15–NM radius from the Point of Origin at lat. 32°49′06″ N., long. 96°44′12″ W., thence clockwise along the 15–NM radius to intersect the 129° bearing from the Point of Origin at lat. 32°42′29″ N., long. 96°47′52″ W., thence southeast along the 129° bearing to intersect the 20–NM radius from the Point of Origin at lat. 32°39′19″ N., long. 96°43′16″ W., thence counterclockwise along the 20–NM radius to intersect the CVE 117° radial at lat. 32°46′45″ N., long. 96°38′46″ W., thence northwest along the CVE 117° radial to the point of beginning.

Area E. That airspace extending upward from 2,500 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of I–635 and the 15–NM radius from the Point of Origin at lat. 32°54′42″ N., long. 96°44′09″ W., thence clockwise along the 15–NM radius to intersect the CVE 117° radial at lat. 32°49′06″ N., long. 96°44′12″ W., thence southeast along the CVE 117° radial to intersect the 20–NM radius from the Point of Origin at lat. 32°46′45″ N., long. 96°38′46″ W., thence counterclockwise along the 20–NM radius to intersect I–635 at lat. 32°50′40″ N., long. 96°38′03″ W., thence northwest along I–635 to the point of beginning.

Area F. That airspace extending upward from 2,500 feet MSL, to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 023° bearing from the Point of Origin and the 13–NM radius from the Point of Origin at lat. 33°03′56″ N., long. 96°55′38″ W., thence clockwise along the 13–NM radius to intersect I–635 at lat. 32°55′26″ N., long. 96°46′49″ W., thence west along I–635 to intersect the 10–NM radius from the Point of Origin at lat. 32°55′25″ N., long. 96°50′32″ W., thence counterclockwise along the 10–NM radius to intersect the 023° bearing from the Point of Origin at lat. 33°01′10″ N., long. 96°57′02″ W., thence northeast along the 023° bearing to the point of beginning.

Area G. That airspace extending upward from 3,000 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 300° bearing from the Point of Origin and the 10–NM radius from the Point of Origin at lat. 32°56′57″ N., long. 97°11′58″ W., thence counterclockwise along the 10–NM radius to intersect SH–303 at lat. 32°42′29″ N., long. 97°05′30″ W., thence east along SH–303 to intersect the 10–NM radius from the Point of Origin at lat. 32°42′23″ N., long. 96°58′18″ W., thence counterclockwise along the 10–NM radius to intersect the 129° bearing from the Point of Origin at lat. 32°45′38″ N., long. 96°52′28″ W., thence southeast along the 129° bearing to intersect the 20–NM radius from the Point of Origin at lat. 32°39′19″ N., long. 96°43′16″ W., thence clockwise along the 20–NM radius to intersect the 217° bearing from the Point of Origin at lat. 32°35′56″ N., long. 97°15′56″ W., thence northeast along the 217° bearing to intersect the 13–NM radius from the Point of Origin at lat. 32°41′32″ N., long. 97°10′57″ W., thence clockwise along the 13–NM radius to intersect the 300° bearing from the Point of Origin at lat. 32°58′27″ N., long. 97°15′04″ W., thence southeast along the 300° bearing to the point of beginning.

Area H. That airspace extending upward from 3,000 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 13–NM radius from the Point of Origin and the 300° bearing from the Point of Origin at lat. 32°58′27″ N., long. 97°15′04″ W., thence northwest along the 300° bearing to intersect the 20–NM radius from the Point of Origin at lat. 33°01′56″ N., long. 97°22′17″ W., thence clockwise along the 20–NM radius to intersect I–635 at lat. 32°50′40″ N., long. 96°38′03″ W., thence northwest along I–635 to intersect the 13–NM radius from the Point of Origin at lat. 32°55′26″ N., long. 96°46′49″ W., thence counterclockwise along the 13–NM radius to the point of beginning.

Area I. That airspace extending upward from 3,000 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 20– NM radius from the Point of Origin and the 129° bearing from the Point of Origin at lat. 32°39′19″ N., long. 96°43′16″ W., thence southeast along the 129° bearing to intersect the 25– NM radius from the Point of Origin at lat. 32°36′09″ N., long. 96°38′41″ W., thence counterclockwise along the 25– NM radius to intersect the CVE 117° radial at lat. 32°44′25″ N., long. 96°33′24″ W., thence northwest along the CVE 117° radial to intersect the 20– NM radius from the Point of Origin at lat. 32°46′45″ N., long. 96°38′46″ W., thence clockwise along the 20– NM radius to the point of beginning.

Area J. That airspace extending upward from 4,000 feet MSL to and including 11,000

feet MSL within an area bounded by a line beginning at the intersection of the 217° bearing from the Point of Origin and the 20– NM radius from the Point of Origin at lat. 32°35′56″ N., long. 97°15′56″ W., thence counterclockwise along the 20– NM radius to intersect the 129° bearing from the Point of Origin at lat. 32°39′19″ N., long. 96°43′16″ W., thence southeast along the 129° bearing to intersect the 25– NM radius from the Point of Origin at lat. 32°36′09″ N., long. 96°38′41″ W., thence counterclockwise along the 25– NM radius to intersect the CVE 117° radial at lat. 32°44′25″ N., long. 96°33′24″ W., thence northwest along the CVE 117° radial to intersect the 20– NM radius from the Point of Origin at lat. 32°46′45″ N., long. 96°38′46″ W., thence counterclockwise along the 20– NM radius to intersect the 300° bearing from the Point of Origin at lat. 33°01′56″ N., long. 97°22′17″ W., thence southeast along the 300° bearing to intersect the 13– NM radius from the Point of Origin at lat. 32°58′27″ N., long. 97°15′04″ W., thence counterclockwise along the 13– NM radius to intersect the 217° bearing from the Point of Origin at lat. 32°41′32″ N., long. 97°10′57″ W., thence southwest along the 217° bearing to intersect the 20– NM radius from the Point of Origin at lat. 32°35′56″ N., long. 97°15′56″ W., thence clockwise along the 20– NM radius to intersect I–20 at lat. 32°39′56″ N., long. 97°20′39″ W., thence west along I–20 to intersect I–820 at lat. 32°41′51″ N., long. 97°28′14″ W., thence north along I–820 to intersect the 23– NM radius from the Point of Origin at lat. 32°46′46″ N., long. 97°28′17″ W., thence clockwise along the 23– NM radius to intersect the 311° bearing from the Point of Origin at lat. 33°07′02″ N., long. 97°22′21″ W., thence northwest along the 311° bearing to intersect the 30– NM radius from the Point of Origin at lat. 33°11′37″ N., long. 97°28′40″ W., thence clockwise along the 30– NM radius to intersect the 315° bearing from the Point of Origin at lat. 33°13′10″ N., long. 97°26′58″ W., thence east to the intersection of the 041° bearing of the Point of Origin and the 30– NM radius from the Point of Origin at lat. 33°14′36″ N., long. 96°38′13″ W., thence clockwise along the 30– NM radius to intersect the 138° bearing from the Point of Origin at lat. 32°29′34″ N., long. 96°37′57″ W., thence west to the intersection of the 217° bearing from the Point of Origin and the 28.3 NM radius from the Point of Origin at lat. 32°29′17″ N., long. 97°21′49″ W., thence northeast along the 217° bearing to the point of beginning.

Area K. That airspace extending upward from 4,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the 138° bearing from the Point of Origin and the 30– NM radius from the Point of Origin at lat. 32°29′34″ N., long. 96°37′57″ W., thence clockwise along the 30– NM radius to intersect the 149° bearing from the Point of Origin at lat. 32°26′10″ N., long. 96°43′26″ W., thence west to the intersection of the 210° bearing from the Point of Origin and the 30– NM radius from the Point of Origin at lat. 32°25′54″ N., long. 97°19′24″ W., thence clockwise along the 30– NM radius to intersect the 217° bearing from the Point of Origin at lat. 32°27′55″ N., long. 97°23′01″ W., thence northeast along the 217° bearing to intersect the 28.3– NM radius from the Point of Origin at lat. 32°29′17″ N., long. 97°21′49″ W., thence east to the point of beginning.

Area L. That airspace extending upward from 4,000 feet MSL to and including 10,000 feet MSL within an area bounded by a line beginning at the intersection of the 315° bearing from the Point of Origin and the 30– NM radius from the Point of Origin at lat. 33°13′10″ N., long. 97°26′58″ W., thence clockwise along the 30– NM radius to the intersection of the 30– NM radius from the Point of Origin and the 344° bearing from the Point of Origin at lat. 33°20′50″ N., long. 97°11′33″ W., thence east to the intersection of the 012° bearing from the Point of Origin and the 30– NM radius from the Point of Origin at lat. 33°21′21″ N., long. 96°54′14″ W., thence clockwise along the 30– NM radius to intersect the 041° bearing from the Point of Origin at lat. 33°14′36″ N., long. 96°38′13″ W., thence west to the point of beginning.

Area M. That airspace extending upward from 5,000 feet MSL up to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 311° bearing from the Point of Origin and the 30– NM radius from the Point of Origin at lat. 33°11′37″ N., long. 97°28′40″ W., thence counterclockwise along the 30– NM radius to intersect the 293° bearing from the Point of Origin at lat. 33°03′37″ N., long. 97°34′32″ W., thence southeast along the 293° bearing to intersect the 26– NM radius from the Point of Origin at lat. 32°02′04″ N., long. 97°30′09″ W., thence counterclockwise along the 26– NM radius to intersect SH–377 at lat. 32°39′49″ N., long. 97°28′58″ W., thence southwest along SH–377 to intersect the 30– NM radius from the Point of Origin at lat. 32°36′56″ N., long. 97°32′26″ W., thence counterclockwise along the 30– NM radius to intersect the 217° bearing from the Point of Origin at lat. 32°27′55″ N., long. 97°23′01″ W., thence northeast along the 217° bearing to intersect the 20– NM radius from the Point of Origin at lat. 32°35′56″ N., long. 97°15′56″ W., thence clockwise along the 20– NM radius to intersect I–20 at lat. 32°39′56″ N., long. 97°20′38″ W., thence west along I–20 to intersect I–820 at lat. 32°41′51″ N., long. 97°28′14″ W., thence north along I–820 to intersect the 23– NM radius from the Point of Origin at lat. 32°46′46″ N., long. 97°28′17″ W., thence clockwise along the 23– NM radius to intersect the 311° bearing from the Point of Origin at lat. 33°07′02″ N., long. 97°22′21″ W., thence northwest along the 311° bearing to the point of beginning.

Area N. That airspace extending upward from 6,000 feet MSL to and including 11,000 feet MSL within an area bounded by a line beginning at the intersection of the 30– NM radius from the Point of Origin and the 293° bearing from the Point of Origin at lat. 33°03′37″ N., long. 97°34′32″ W., thence southeast along the 293° bearing to intersect the 26– NM radius from the Point of Origin at lat. 33°02′04″ N., long. 97°30′09″ W., thence counterclockwise along the 26– NM radius to intersect SH–377 at lat. 32°39′49″ N., long. 97°28′′58′′ W., thence southwest along SH–377 to intersect the 30– NM radius from the Point of Origin at lat. 32°36′56″ N., long. 97°32′26″ W., thence clockwise along the 30– NM radius to the point of beginning.

* * * * *

Issued in Washington, DC, on January 10, 2014.

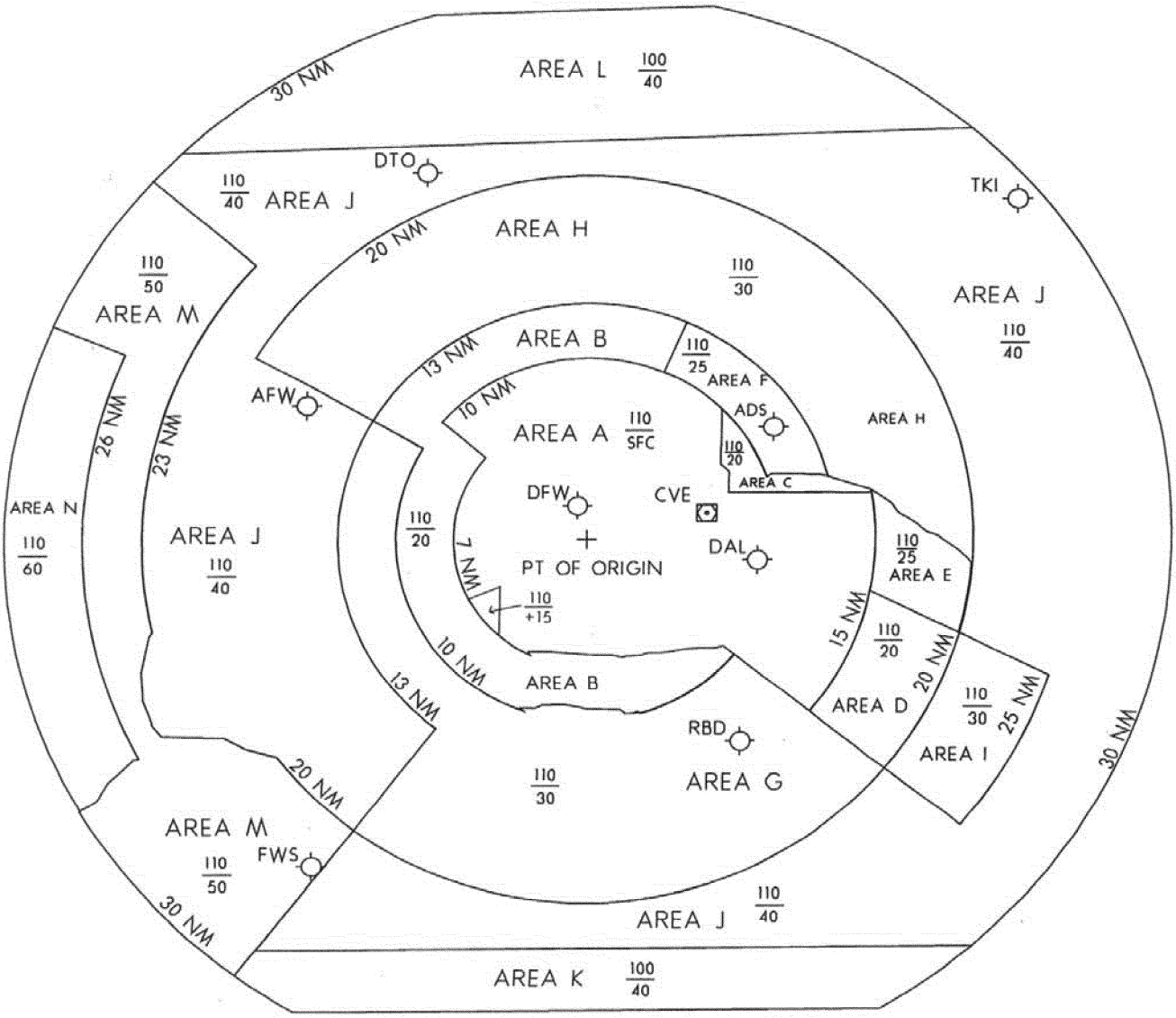
Gary A. Norek,

Manager, Airspace Policy and Regulations Group.

BILLING CODE 4910–13–P

Figure 1

Modification of the Dallas/Fort Worth, TX Class B Airspace Area
(Docket No. 07-AWA-3)



For Information Only – Not For Navigation

[FR Doc. 2014–00941 Filed 1–17–14; 8:45 am]
BILLING CODE 4910–13–C

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2013–1021; Airspace Docket No. 13–ASO–23]

RIN 2120–AA66

Amendment of Restricted Areas; Camp Lejeune and Cherry Point, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: This action changes the name of the using agency for Restricted Areas R–5303A, B and C; R–5304A, B and C, Camp Lejeune, NC; and R–5306D and E, Cherry Point, NC. This is an administrative change to reflect organizational restructuring within the United States Marine Corps. It does not affect the boundaries, designated altitudes, time of designation or activities conducted within the affected restricted areas.

DATES: *Effective date:* 0901 UTC, April 3, 2014.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace Policy and Regulations Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 73 by updating the using agency name for Restricted Areas R–5303A, B and C, Camp Lejeune, NC; R–5304 A, B and C, Camp Lejeune, NC; and R–5306D and E, Cherry Point, NC. Organizational restructuring within the U.S. Marine Corps has made this action necessary. This is an administrative change and does not affect the boundaries, designated altitudes, or activities conducted within the restricted area, therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

The FAA has determined that this action only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it makes an administrative change to the descriptions of Restricted Areas R–5303A, B and C; and R–5304A, B and C, Camp Lejeune, NC; and R–5306D and E, Cherry Point, NC to reflect organizational realignments within the U.S. Marine Corps.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, Environmental Impacts: Policies and Procedures, paragraph 311d. This airspace action is an administrative change to the descriptions of the affected restricted area to update the using agency name. It does not alter the dimensions, altitudes, or times of designation of the airspace; therefore, it is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 73.53 [Amended]

■ 2. Section 73.53 is amended as follows:

1. R–5303A Camp Lejeune, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

2. R–5303B Camp Lejeune, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

3. R–5303C Camp Lejeune, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

4. R–5304A Camp Lejeune, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

5. R–5304B Camp Lejeune, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

6. R–5306D Cherry Point, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General,

Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

7. R–5306E Cherry Point, NC [Amended]

By removing the words ''Using agency. USMC, Commanding Officer, U.S. Marine Corps Base Camp Lejeune, NC, '' and add in their place ''Using agency. USMC, Commanding General, Marine Corps Installations East-Marine Corps Base Camp Lejeune, NC''

Issued in Washington, DC on January 14, 2014.

Ellen Crum,

Acting Manager, Airspace Policy and Regulations Group.

[FR Doc. 2014–01052 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

POSTAL SERVICE

39 CFR Part 20

International Mail: Mailing Services Price Changes

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: On October 24, 2013, the USPS™ published two proposed rules to revise various sections of *Mailing Standards of the United States Postal Service,* International Mail Manual (IMM®) to reflect a notice of price adjustments filed with the Postal Regulatory Commission (PRC). The PRC has found that price adjustments contained in the Postal Service's notice may go into effect on January 26, 2014. This final rule revises the IMM to reflect these changes.

DATES: *Effective date:* January 26, 2014.

FOR FURTHER INFORMATION CONTACT: Rick Klutts at 813–877–0372.

SUPPLEMENTARY INFORMATION:

I. Proposed Rules and Response

On September 26, 2013, the Postal Service filed notices of international mailing services price adjustments with the Postal Regulatory Commission (PRC), effective on January 26, 2014. On October 24, 2013, the USPS™ published two proposed rules in the **Federal Register** titled, ''International Mailing Services: Proposed Price Changes—CPI'' (78 FR 63433–63434) and ''International Mailing Services: Proposed Price Changes—Exigent'' (78 FR 63434–63435). The proposed rules included changes that we would adopt to implement the changes coincident with the price adjustments and publish accordingly in *Mailing Standards of the United States Postal Service,* International Mail Manual (IMM®). We received no comments on either proposed rule.

II. Decision of the Postal Regulatory Commission

As prescribed in the Postal Regulatory Commission's (PRC) Order No. 1926, issued on December 24, 2013, in Docket No. R2013–11, the PRC found that the prices in the Postal Service's Exigent Request may go into effect on January 26, 2014. This final rule conveys the final mailing standards to accommodate the new prices. Prices will be available at *www.usps.com,* Postal Explorer, Notice 123.

List of Subjects in 39 CFR Part 20

Foreign relations, International postal services.

For the reasons stated in the preamble, the Postal Service hereby adopts the following changes to *Mailing Standards of the United States Postal Service,* International Mail Manual (IMM), which is incorporated by reference in the *Code of Federal Regulations.* See 39 CFR 20.1. Accordingly, 39 CFR part 20 is amended as follows:

PART 20—[AMENDED]

■ 1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 13 U.S.C. 301–307; 18 U.S.C. 1692–1737; 39 U.S.C. 101, 401, 403, 404, 407, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the following sections of the *Mailing Standards of the United States Postal Service,* International Mail Manual (IMM) as follows:

* * * * *

Mailing Standards of the United States Postal Service, International Mail Manual (IMM)

* * * * *

Individual Country Listings

* * * * *

Extra Services

Certificate of Mailing (313)

[For each country that offers certificate of mailing service, revise the text to read as follows:]

Individual Pieces—Refer to Notice 123, *Price List,* for the applicable price:

Individual article (PS Form 3817).

Firm mailing books (PS Form 3877), per article listed (minimum 3).

Duplicate copy of PS Form 3817 or PS Form 3877 (per page).

Bulk Quantities—Refer to Notice 123, *Price List,* for the applicable price:

First 1,000 pieces (or fraction thereof).

Each additional 1,000 pieces (or fraction thereof).

Duplicate copy of PS Form 3606.

Registered Mail (330)

[For each country that offers international Registered Mail service, remove the specific fee noted on the right and add a line to read as follows:]

Fee: Refer to Notice 123, *Price List,* for the price.

* * * * *

Return Receipt (340)

[For each country that offers international return receipt service, remove the specific fee noted on the right and add a line to read as follows:]

Fee: Refer to Notice 123, *Price List,* for the price.

* * * * *

International Business Reply Service (382)

[For each country that offers International Business Reply service, revise the text to read as follows:]

Fee: Refer to Notice 123, *Price List,* for the applicable price:

Envelopes up to 2 ounces.

Cards.

* * * * *

We will publish an appropriate amendment to 39 CFR part 20 to reflect these changes.

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2014–00821 Filed 1–17–14; 8:45 am]

BILLING CODE 7710–12–P

Proposed Rules

Federal Register

Vol. 79, No. 13

Tuesday, January 21, 2014

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.

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 40, 50, 52, 60, 61, 63, 70, 71, and 72

[Docket No. PRM–50–107; NRC–2013–0077]

Submitting Complete and Accurate Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; supplement.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has received a supplement to a petition for rulemaking (PRM) previously filed with the NRC by Mr. James Lieberman (the petitioner) (PRM–50–107). The petitioner originally requested that the NRC expand its regulatory framework for nuclear power reactors to make it a legal obligation for those non-licensees who seek NRC regulatory approvals to be held to the same legal standards for the submittal of complete and accurate information as would a licensee or an applicant for a license. The petitioner requests that the scope of his petition be expanded to encompass the NRC's regulations for radioactive materials, waste disposal, transportation, and spent fuel storage licensees. The NRC requests public comments on the supplement to the petition.

DATES: Submit comments on the supplemental information by April 7, 2014. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0077. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov*. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- Email comments to: *Rulemaking.Comments@nrc.gov*. If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.
- Fax comments to: Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.
- Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.
- Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern Time) Federal workdays; telephone: 301–415–1677.

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: Manash Bagchi, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2905, email: *Manash.Bagchi@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2013–0077 when contacting the NRC about the availability of information for this petition. You may access publicly available information related to this petition by any of the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0077.
- 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 ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.
- 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.

B. Submitting Comments

Please include Docket ID NRC–2013–0077 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 to be 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. 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. Background

In a petition for rulemaking dated April 15, 2013 (ADMAS Accession No. ML13113A443), the petitioner requested that the NRC expand its ''regulatory framework to make it a legal obligation for those non-licensees who seek NRC regulatory approvals to be held to the same legal standards for the submittal of complete and accurate information as would a licensee or an applicant for a license.'' The original submittal addressed part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), ''Domestic Licensing of Production and Utilization Facilities,'' and 10 CFR part 52, ''Licenses, Certifications, and Approvals for Nuclear Power Plants.'' On June 10, 2013 (78 FR 34604), the

NRC published a notice in the **Federal Register** requesting public comments on the petitioner's original submittal. The comment period closed on August 26, 2013. On September 16, 2013 (ADAMS Accession No. ML13261A190), the petitioner submitted a supplement that expanded the scope of his petition to address 10 CFR part 30, ''Rules of General Applicability to Domestic Licensing of Byproduct Material;'' 10 CFR part 40, ''Domestic Licensing of Source Material;'' 10 CFR part 60, ''Disposal of High-Level Radioactive Wastes in Geological Repositories;'' 10 CFR part 61, ''Licensing Requirements for Land Disposal of Radioactive Waste;'' 10 CFR part 63, ''Disposal of High-Level Radioactive Waste in A Geologic Repository At Yucca Mountain, Nevada;'' 10 CFR part 70, ''Domestic Licensing of Special Nuclear Material;'' 10 CFR part 71, ''Packaging and Transportation of Radioactive Material;'' and 10 CFR part 72, ''Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste.''

III. Request for Comment

The full text of the original petition and the supplement are available at *www.regulations.gov* by searching on Docket ID NRC–2013–0077 and in ADAMS under Accession Nos. ML13113A443 and ML13261A190, respectively. The NRC requests public comments on the supplement to the petition.

Dated at Rockville, Maryland, this 10th day of January 2014.

For the Nuclear Regulatory Commission.

Annette Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2014–01035 Filed 1–17–14; 8:45 am]

BILLING CODE 7590–01–P

FEDERAL RESERVE SYSTEM

12 CFR Chapter II

[Docket No. R–1479]

RIN 7100 AE–10

Complementary Activities, Merchant Banking Activities, and Other Activities of Financial Holding Companies Related to Physical Commodities

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is issuing this advance notice of proposed rulemaking (ANPR) inviting public comment on various issues related to physical commodity activities conducted by financial holding companies and the restrictions imposed on these activities to ensure they are conducted in a safe and sound manner and consistent with applicable law. The activities under review include physical commodities activities that have been found to be ''complementary to a financial activity'' under section 4(k)(1)(B) of the Bank Holding Company Act (BHC Act), investment activity under section 4(k)(4)(H) of the BHC Act, and physical commodity activities grandfathered under section 4(o) of the BHC Act. The Board is inviting public comment as part of a review of these activities for the reasons explained in the ANPR, including the unique and significant risks that physical commodities activities may pose to financial holding companies, their insured depository institution affiliates, and U.S. financial stability.

DATES: Comments must be received no later than March 17, 2014.

ADDRESSES: You may submit comments, identified by Docket No. 1479 AND RIN 7100 AE–10 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 the docket number and RIN number in the subject line of the message.
- Fax: (202) 452–3819 or (202) 452–3102.
- Mail: Address to Robert deV. Frierson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW., Washington, DC 20551.

All public comments will be made available on the Board's Web site at *http://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons. Accordingly, comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room MP–500 of the Board's Martin Building (20th and C Streets NW.) between 9 a.m. and 5 p.m. on weekdays.

FOR FURTHER INFORMATION CONTACT: Laurie Schaffer, Associate General Counsel, (202) 452–2272, Michael Waldron, Special Counsel, (202) 452–2798; Benjamin McDonough, Senior Counsel, (202) 452–2036, April Snyder, Senior Counsel, (202) 452–3099, or Will Giles, Counsel, (202) 452–3351, Legal Division; or Mark Van Der Weide, Deputy Director, (202) 452–2263, Timothy Clark, Senior Associate Director, (202) 452–5264, Todd Vermilyea, Senior Associate Director, (202) 912–4310, or Robert Brooks, Senior Supervisory Financial Analyst, (202) 452–3103, Division of Banking Supervision and Regulation. Board of Governors of the Federal Reserve System, 20th and C Streets NW., Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may contact (202–263–4869).

SUPPLEMENTARY INFORMATION:

I. Background

Bank holding companies (BHCs) and their subsidiaries engage in certain types of physical commodities activities under a variety of authorities. As explained below, financial holding companies (FHCs) are permitted to engage in a limited amount of physical commodity trading activity that the Board has determined to be complementary to various financial activities in accordance with section 4(k)(1)(B) of the Bank Holding Company Act (BHC Act). In addition, section 4(k)(4)(H) authorizes BHCs to make merchant banking investments in any type of nonfinancial company, including a company engaged in activities involving physical commodities. In the Gramm-Leach-Bliley Act (GLB Act), Congress also authorized several companies to continue to engage in a broad range of physical commodity activities under specific grandfathering authority after these firms became BHCs.[1]

In the past several years, BHCs have expanded their reliance on these authorities to increase their activities involving physical commodity trading and some securities firms that engaged in substantial physical commodity activities were acquired by or became BHCs. During the same period, there have been a variety of events and developments involving physical commodity activities that suggest that the risks of conducting these activities are changing and the steps that firms

[1] In addition, national banks owned by BHCs may engage in certain limited types of physical commodity activities under authority granted under the National Bank Act. State-chartered banks also may be authorized to engage in the same activities under state statutes.

may take to limit these risks are more limited.

In light of these developments and because of the risks associated with various physical commodity activities, the Board has determined to review the scope of the activities that it has authorized under section 4(k)(1)(B) of the BHC Act to ensure that they continue to be consistent with the statutory requirements that the activities be complementary to a financial activity and not pose substantial risks to the safety and soundness of depository institutions or the financial system generally. The Board is also reviewing whether it is appropriate to impose limitations or conditions on the conduct of physical commodity activities by BHCs and their subsidiaries under authority granted under the BHC Act to ensure these activities are conducted in a manner that is consistent with safety and soundness and financial stability.

This advance notice of proposed rulemaking (ANPR) is designed to elicit views from the public on the risks and benefits of allowing FHCs to conduct physical commodity activities under the various provisions of the BHC Act, whether risks to the safety and soundness of a FHC and its affiliated insured depository institutions (IDIs) and to the financial system warrant Board action to impose limitations on the scope of authorized activities and/or the manner in which those activities are conducted, and if so, what those limits should be. Once the Board has completed its review of this information, it will consider what further actions, including a rulemaking, are warranted.

II. Complementary Authority

A. Background

The GLB Act amended the BHC Act to, among other things, allow FHCs to engage in activities, and acquire and retain shares of any company engaged in activities, that the Board determines to be complementary to a financial activity and not to pose a substantial risk to the safety and soundness of depository institutions or the financial system generally (complementary activities).[2] This authority was limited to BHCs that meet the higher capital and other requirements to qualify as a FHC. The purpose of this provision was to allow the Board to permit FHCs to engage in an activity that appears to be commercial rather than financial in nature, but that is meaningfully connected to a financial activity such that it complements the financial activity. In this way, FHCs would not be disadvantaged by market developments if commercial activities evolve into financial activities or nonbank competitors find innovative ways to combine financial and nonfinancial activities.

As part of the finding of complementarity, the Board must find that the activity does not pose a substantial risk to the safety and soundness of depository institutions or the financial system generally. In addition, in connection with any proposal by a FHC to engage in a complementary activity, the Board must consider whether performance of the activity by the FHC may reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, unsound banking practices, or risk to the stability of the United States banking or financial system.[3]

Under this authority, the Board has approved requests by FHCs to engage in three types of complementary activities (1) physical commodity trading involving the purchase and sale of commodities in the spot market, and taking and making delivery of physical commodities to settle commodity derivatives (Physical Commodity Trading); (2) paying power plant owners fixed periodic payments that compensate the owner for its fixed costs in exchange for the right to all or part of the plant's power output (Energy Tolling);[4] and (3) providing transactions and advisory services to power plant owners (Energy Management Services). Together, these three activities are referred to as Complementary Commodities Activities.

Limits on Physical Commodity Activities. The Board placed certain restrictions on each Complementary Commodities Activity to protect against the risks the activity posed to the safety and soundness of the FHC, its subsidiary IDI, and the U.S. financial system. For example, consistent with general safety and soundness principles, FHCs are required to limit the aggregate market value of commodities held as a result of Physical Commodity Trading to no more than 5 percent of the FHC's consolidated tier 1 capital.[5] To ensure that Physical Commodity Trading remained complementary to the financial activity of commodity derivatives activities permitted under Regulation Y and to help protect against additional risks associated with dealing in illiquid goods, Physical Commodity Trading also has been limited to physical commodities approved by the Commodity Futures Trading Commission (CFTC) for trading on a U.S. futures exchange (unless specifically excluded by the Board) or commodities the Board otherwise approves.[6]

The Board also determined not to permit FHCs to own, operate, or invest in facilities for the extraction, transportation, storage, or distribution of commodities, or to process, refine, or otherwise alter commodities. In addition, FHCs committed to take steps to address the risks resulting from Physical Commodity Trading activities that involve environmentally sensitive products, such as oil or natural gas. These steps have included obtaining insurance and establishing policies and procedures that are intended to prevent and respond to oil spills and similar incidents.[7]

To limit the safety and soundness risks of Energy Tolling, a FHC engaging in Energy Tolling must limit the present value of its future committed capacity payment under an energy tolling agreement to an aggregate of not more than 5 percent of the FHC's consolidated tier 1 capital (after taking account of any investment in commodities held by the FHC under its

[2] Gramm-Leach-Bliley Act § 103, 12 U.S.C. 1843(k)(1)(B).

[3] 12 U.S.C. 1843(j).

[4] Under Energy Tolling, the toller provides (or pays for) the fuel needed to produce the power that it directs the owner to produce. *See, e.g., The Royal Bank of Scotland Group plc,* 94 Fed. Res. Bull. C60 (2008) (2008 RBS Order). The agreements also generally provide that the owner will receive a marginal payment for each megawatt hour produced by the plant to cover the owner's variable costs plus a profit margin. *Id.* The plant owner, however, retains control over the day-to-day operations of the plant and physical plant assets at all times. *Id.*

[5] *See, e.g.,* 2008 RBS Order; *Citigroup Inc.,* 89 Fed. Res. Bull. 508 (2003) (2003 Citi Order). *See also* 145 Cong. Rec. H 11529 (daily ed. Nov. 4, 1999) (Statement of Chairman Leach) ("It is expected that complementary activities would not be significant relative to the overall financial activities of the organization.").

[6] *See* 2003 Citi Order. In limited cases, the Board has permitted FHCs to take and make physical delivery of non-CFTC-approved commodities if the FHC demonstrated that there is a market in financially settled contracts on those commodities, the commodity is fungible, the commodity is liquid, and the FHC has in place trading limits that address concentration risk and overall exposure. *See, e.g.,* 2008 RBS Order.

[7] In addition, certain FHCs also require that third parties that transport oil for the FHC be a member of a protection and indemnity club, carry the maximum insurance for oil pollution available from the club and have substantial amounts of additional oil pollution insurance from creditworthy insurance companies, use vessels of less than a certain age, use vessels approved by a major international oil company, and use vessels that have appropriate oil spill response plans and equipment. *See, e.g.,* 2003 Citi Order at 510.

Physical Commodity Trading authority).[8] Similarly, a FHC must limit the revenues attributable to its Energy Management Services to 5 percent of the FHC's total consolidated operating revenue.[9] The Board has limited the scope of Energy Management Services to ensure FHCs only take risks consistent with the agency nature of such services.[10]

B. Recent Events

Environmental catastrophes. Recent disasters involving physical commodities demonstrate that the risks associated with these activities are unique in type, scope and size. In particular, catastrophes involving environmentally sensitive commodities may cause fatalities and economic damages well in excess of the market value of the commodities involved or the committed capital and insurance policies of market participants.

As an illustration, the oil spill involving the Deepwater Horizon mobile offshore drilling unit caused 11 deaths, numerous personal injuries, and various claims for environmental and economic damages against numerous parties involved in the incident.[11] BP p.l.c. and certain of its subsidiaries have funded the $20 billion Deepwater Horizon Oil Spill Trust and agreed to pay approximately $4.5 billion to resolve federal criminal claims and federal securities law claims arising from the incident.[12] BP has recognized cumulative losses of $42.2 billion as of December 31, 2012, as a result of the incident and has recognized that the incident could continue to have a material adverse impact on BP.[13] Other companies involved in the incident, including the lessor of the Deepwater Horizon drilling unit, a service provider for BP, and minority owners of the well exploration rights and co-lessees of the drilling unit, have incurred billions of dollars in losses.[14] Moreover, litigation involving the disaster is ongoing and the parties are unable to estimate the full impact of the incident on the companies.[15]

Similarly, on September 9, 2010, a natural gas transmission pipeline owned and operated by the Pacific Gas and Electric Company (PG&E) ruptured in San Bruno, California, leading to eight deaths and the destruction or damage of 100 homes.[16] PG&E expects to pay a total of $565 million for third-party claims for personal injury, property damage, and damage to infrastructure related to the San Bruno incident,[17] has invested approximately $1 billion in safety activities since the incident, and may be required to pay over $1 billion in penalties associated with the incident.[18] On February 7, 2010, a natural gas-fueled power plant in Middletown, Connecticut, experienced a catastrophic natural gas explosion that killed six and injured at least 50 people.[19] The Occupational Safety and Health Administration fined 17 companies involved in the incident a total of $16.6 million [20] and individuals have filed claims for damages in related lawsuits.[21] Moreover, three similar natural gas explosions at power plants occurred in the United States between 2001 and 2009.[22]

In 2011, the Tohoku earthquake and tsunami caused a severe nuclear incident at the Fukushima Daiichi nuclear power plant that rose to the highest level of severity on the International Nuclear Event Scale.[23] Over 100,000 people were evacuated in response to the incident. In 2013, the operator of the power plant announced that a significant quantity of highly radioactive water had leaked from the reactor, causing the Japanese government to take significant containment measures.[24] More recently, a cargo train carrying crude oil derailed in Lac Mégantic, Quebec, Canada, killing 47 people and causing substantial additional damage. The disaster caused the bankruptcy of the U.S. and Canadian affiliates of the railroad company carrying the oil.[25] Moreover, the Transportation Safety Board of Canada stated that the level of hazard posed by the oil transported was not accurately documented, which was a responsibility of the shipper of the oil under the agency's regulations.[26] The risks of catastrophic events continue, as demonstrated most recently by the collision of a train carrying crude oil with a train carrying grain near an ethanol plant in North Dakota.[27]

Catastrophic events involving commodities also occurred prior to the enactment of the GLB Act, including the oil spill involving the Exxon Valdez (1989), the nuclear incident on Three Mile Island in Pennsylvania (1979), and the incident at the Midway-Sunset Oil Field in California (1910). However, the recent catastrophes accent that the costs of preventing accidents are high and the costs and liability related to physical commodity activities can be difficult to limit and higher than expected.

Financial Crisis. The financial crisis demonstrated the effects of market contagion and highlighted the danger of underappreciated tail risks associated with certain activities. Congress enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank

[8] *See, e.g.,* 2008 RBS Order.

[9] *Fortis S.A./N.V.,* 94 Fed. Res. Bull. C20 (2008).

[10] *Id.* Specifically, the Board has required that (1) the owner of the power plant retain the right to market and sell power directly to third parties, which may be subject to the energy manager's right of first refusal; (2) the owner retain the right to determine the level at which the facility will operate (i.e., to dictate the power output of the facility at any given time); (3) neither the energy manager nor its affiliates guarantee the financial performance of the facility; and (4) neither the energy manager nor its affiliates bear any risk of loss if the facility is not profitable. *Id.*

[11] *See, e.g., In re: Oil Spill Rig ''Deepwater Horizon'' in the Gulf of Mexico, on April 20, 2010; Applies to: B1 Mater Complaint,* 808 F. Supp. 2d 943 (E.D. La. 2011).

[12] BP, Annual Report and Form 20–F, 59 (Mar. 6, 2013) (BP Annual Report). BP Exploration and Production Inc., a subsidiary of BP, was the lease operator of the Macondo oil well and Deepwater Horizon oil rig. *Id.* at 163.

[13] *Id.* at 38, 61.

[14] Transocean Inc., Form 10–K (Feb 26, 2013) (Transocean Annual Report); Halliburton Company, Form 10–K (Feb. 11, 2013) (Halliburton Annual Report).

[15] BP Annual Report at 173, Transocean Annual Report at 110, Halliburton Annual Report at 17.

[16] Press Release, California Public Utilities Commission, Consumer Protection & Safety Division, September 9, 2010 PG&E Pipeline Rupture in San Bruno, California (Jan. 12, 2012) *available at http://www.cpuc.ca.gov/NR/rdonlyres/C71CF8F3-5643-4BC8-8FA3-EA2C81B7A444/0/79PGESB011212.pdf.*

[17] PG&E, Form 8–K (Sept. 6, 2013).

[18] Press Release, California Public Utilities Commission, CPUC Staff Recommend $2.25 Billion Total Penalty Against PG&E for San Bruno Pipeline Rupture; Penalty would be Largest of its Kind Assessed in Nation (May 6, 2013) *available at http://www.cpuc.ca.gov/PUC/sanbrunoreport.htm.*

[19] U.S. Chemical and Safety Hazard Investigation Board, Final Report: Kleen Energy (2010) *available at http://www.csb.gov/assets/1/19/KleenUrgentRec.pdf.*

[20] Press Release, OSHA, U.S. Labor Department's OSHA proposes $16.6 million in fines in connection with fatal Connecticut natural gas explosion (Aug. 5, 2010).

[21] *See, e.g.,* Russ Buettner, $16.6 Million in Fines After Fatal Blast at a Connecticut Plant, N.Y. Times (Aug. 5, 2010).

[22] *Id.*

[23] The National Diet of Japan, The Official Report of the Fukushima Nuclear Accident Independent Investigation Commission 12 (2012).

[24] Ministry of Economy, Trade, and Industry, factsheet overview provided to the International Atomic Energy Agency, (Sept. 6, 2013), *available at http://www.iaea.org/newscenter/news/2013/fact-sheet.pdf.*

[25] Press Release, Montreal, Maine & Atlantic Corp., Montreal, Maine & Atlantic Files for Bankruptcy in Canada & the U.S. (Aug. 7, 2013), *available at http://www.mmarail.com/mma_news.php.*

[26] Press Release, Transportation Safety Board of Canada, TSB calls on Canadian and U.S. regulators to ensure properties of dangerous goods are accurately determined and documented for safe transportation (Sept. 11, 2013) *available at http://www.tsb.gc.ca/eng/medias-media/communiques/rail/2013/r13d0054-20130911.asp.*

[27] *See, e.g.,* Russell Gold and Lynn Cook, Crude Oil Impurities are Probed in Rail Blasts, Wall St. J. (Jan. 1, 2014) *available at http://online.wsj.com/news/articles/SB10001424052702303640604574592947942226927 78.*

Act) to help address risks to financial stability including by requiring the Board to take steps to develop and impose prudential supervisory standards that would mitigate risks posed by large financial firms to the financial system.[28] The Board has taken a number of steps to address these risks. For example, the Board is developing enhanced standards under section 165 of the Dodd-Frank Act ''to prevent or mitigate risks to the financial stability of the United States.'' [29] The Board also recently adopted a revised capital framework for banking organizations supervised by the Federal Reserve that increases the overall quantity and quality of capital in the banking system.[30]

Currently, 11 of the 12 FHCs that are authorized to engage in one or more Complementary Commodities Activities are also designated as global systemically important banks (G–SIBs), and two G–SIBs conduct commodities activities pursuant to section 4(o) of the BHC Act. The involvement of FHCs in physical commodities activities has substantially increased since 2007, primarily as a result of mergers and acquisitions and securities firms becoming BHCs, adding to the potential that a tail risk event affecting a G–SIB as a result of physical commodity activities could lead to market contagion. Consistent with its actions under the Dodd-Frank Act to address systemic risk, the Board is issuing this ANPR to seek additional information regarding the conduct of physical commodities activities and is considering what additional actions are necessary to mitigate such risk posed by those activities.

C. Potential Inadequacies of Current Safeguards and Safety and Soundness Considerations

While the Board has placed limitations on physical commodities activities that were designed to reduce safety and soundness risks,[31] recent incidents suggest that review of these limits is prudent to determine their adequacy in protecting safety and soundness and financial stability. In addition, ownership of physical commodities that are part of a catastrophic event could suddenly and severely undermine public confidence in the FHC or its insured depository institution and undermine their access to funding markets until the extent of the liability of the FHC can be assessed by the market. Moreover, certain current management techniques designed to mitigate risks, such as frequent monitoring of risk, requirements to restrict the age of transport vessels, and review of disaster plans of third party transporters, may have the unintended effect of increasing the potential that the FHC may become enmeshed in or liable to some degree from a catastrophic event. Accordingly, the Board is reviewing whether the safeguards it has imposed adequately protect against risks to safety and soundness and U.S. financial stability in light of the size and scope of the potential damage associated with a catastrophic event involving a physical commodity. The Board is also reviewing whether to impose additional prudential safeguards on, or further restrict FHCs' authority to engage in, Complementary Commodities Activities.

Prohibition on Ownership and Operation. FHCs may not own, operate, or invest in facilities for the extraction, transportation, storage, or distribution of commodities, or to process, refine, or otherwise alter commodities under complementary authority. However, liability may attach to FHCs that own physical commodities involved in catastrophic events even if the FHCs hire third parties to store and transport the commodities. For example, FHCs engaging in Complementary Commodities Activities may lease and monitor facilities and vessels that hold and transport FHCs' oil. FHCs could face liability under the Oil Pollution Act,[32] Clean Water Act,[33] and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [34] if their relationship with the third party contractor were deemed to constitute the ownership or operation of transportation or storage facilities under those laws.[35] Moreover, parties not liable as owners or operators under relevant federal law may be held liable under common law,[36] including liability arising from the actions of the third parties hired to store and transport commodities.[37]

Safety Policies and Procedures. FHCs have provided commitments to the Board to help ensure environmentally sensitive commodities are safely stored and transported, including age limits on vessels, approval of vessels by a major international oil company, inspection and monitoring of vessels, and backup plans for oil spill responses. As noted, the oil spill involving the Deepwater Horizon drilling unit suggests that current industry safety policies and procedures may not prevent a major environmental disaster and may call into question the effectiveness of such procedures.[38]

Capital and Insurance Requirements. The capital and insurance that FHCs hold for their Complementary Commodities Activities, and the insurance that FHCs require their oil vessel operators to hold, may not adequately protect FHCs from the degree and types of costs associated

[28] *See, e.g.,* sections 165, 166, 604, and 622 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376–2223.

[29] *See* 77 FR 76628 (Dec. 28, 2012); 77 FR 594 (Jan. 5, 2012).

[30] *See* 12 CFR part 217.

[31] For example, FHCs may not store, transport, or refine physical commodities, or operate a power plant—and FHCs must use prudent risk management techniques in conducting permissible physical commodity activities—such as separate corporate vehicles, agency agreements, insurance and limitations on the size of investments. *See* 2003 Citi Order.

[32] *See* 33 U.S.C. 2701(32), 2702.

[33] *Id.* at § 1321.

[34] 42 U.S.C. 9607(a); *see also* U.S. Envtl. Prot. Agency, Pub. No. 9345.1–07, Hazard Ranking System Guidance Manual 19 (1992).

[35] *See, e.g., Commander Oil Co.* v. *Barlo Equip. Corp.,* 215 F.3d 321, 329–32 (2nd Cir. 2000) (discussing instances in which lessees had been and may be found to be ''owners'' under CERCLA); *Phillips 66 Pipeline LLC* v. *Rogers Cartage Co.,* No. 11–cv–497–DRH–DGW, 2013 U.S. Dist. LEXIS 11388, at *19–*37 (S.D. Ill. 2013) (determining whether a company would be considered an ''operator'' under CERCLA based on a review of the facts and circumstances, including the defendant company's past acts and business relationships). Owners and operators of such facilities and vessels also may be liable for damages caused from a catastrophic event involving the facility or vessel under maritime and state common law. *See, e.g., Exxon Shipping Co.* v. *Baker,* 554 U.S. 471 (2008); *Int'l Paper Co.* v. *Ouellette,* 479 U.S. 481 (1987); *In re: Oil Spill Rig ''Deepwater Horizon'' in the Gulf of Mexico, on April 20, 2010; Applies to: B1 Mater Complaint,* 808 F. Supp. 2d 943 (E.D. La. 2011).

[36] *See, e.g., In re: Oil Spill Rig ''Deepwater Horizon'' in the Gulf of Mexico, on April 20, 2010; Applies to: B1 Mater Complaint,* 808 F. Supp. 2d 943 (E.D. La. 2011).

[37] Restatement (Second) Torts, ch. 15.

[38] For example, regarding the age limits on vessels, the Deepwater Horizon drilling unit was approximately 10 years old and ''was seen as an outstanding rig in Transocean's fleet,'' a company that is ''the world's largest contractor of offshore drilling rigs.'' National Commission on the Deepwater Horizon Oil Spill and Offshore Drilling, Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling, ch. 1, p. 2 (Jan. 2011) (final report to the President). Regarding the approval of vessels by a major international oil company, the final report of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling (''Oil Spill Commission'') criticized BP's earlier accidents and safety culture. *Id.* at ch. 8. The incident also may call into question the effectiveness of hiring inspectors to monitor the loading and discharging of vessels; the Oil Spill Commission's report also states that two contractors, Transocean and Halliburton, also were extensively involved in the mistakes that caused the well blowout and discussed a general ''absence of adequate safety culture in the Offshore U.S. Oil and Gas Industry.'' *Id.* at ch. 8, p. 224. Moreover, the unsuccessful attempts of expert contractors to remedy and contain the Deepwater Horizon oil spill may bring into question the effectiveness of a FHC's backup response to an environmental disaster. *See, e.g., id.* at ch. 5.

with all commodity-related environmental disasters. Liability arising from a catastrophic event associated with physical commodities could well exceed a FHC's liability insurance and capital allocated to the activity.[39] Moreover, certain types of significant costs, such as those associated with clean-up, may be expressly excluded from the insurance policies.[40] In addition, it may be difficult or impossible to determine the extent to which the insurance policies will cover the costs of an environmental disaster before litigation regarding the scope of insurance coverage for the incident is complete.[41]

Corporate Structure. FHCs typically conduct Complementary Commodities Activities through nonbanking subsidiaries. However, such a corporate structure may not sufficiently reduce the risk that the parent FHC would be responsible for legal liability arising from the actions of its subsidiary's activities. Although parent corporations generally are not liable for the actions of their subsidiaries, parent companies may incur such liability in a variety of circumstances for a variety of reasons.[42] Considering the diverse set of circumstances under which the corporate veil may be pierced,[43] the Board and FHCs may not be able to accurately predict whether courts would respect the corporate veil between a top-tier FHC and its subsidiary when the subsidiary is liable for extensive damages caused by its Complementary Commodities Activities.

Moreover, several recent events suggest that, even without direct ownership or operational control of an entity that has suffered a catastrophe, the public confidence of a holding company that was engaged in a physical commodity activity with a third party could suddenly and severely be undermined, as could the confidence in the company's subsidiary insured depository institution or their access to funding markets, until the extent of the liability of the holding company could be assessed by the markets. Financial firms, and in particular holding companies of IDIs, are particularly vulnerable to reputational damage to their banking operations. Although the likelihood of a catastrophic event is small in the short term, catastrophes involving physical commodities continue to occur, and the resultant damages are very difficult to measure, even after the event has occurred, and may be extremely large.[44] The fact that a FHC has not been involved in such an event to date does not reduce the probability that such an event may occur or that the event could have a material adverse impact on the financial condition of the FHC. In fact, the absence of such an experience may hinder FHCs' ability to assess the efficacy of their safeguards.

To help the Board assess the risks of physical commodities activities and the adequacy of the safeguards and limitations already in place, the Board invites public comment on those activities, risks and limitations. In particular, the Board invites comment on the following questions:

Question 1. *What criteria should the Board look to when determining whether a physical commodity poses an undue risk to the safety and soundness of a FHC?*

Question 2. *What additional conditions, if any, should the Board impose on Complementary Commodities Activities? For example, are the risks of these activities adequately addressed by imposing one or more of the following requirements: (i) Enhanced capital requirements for Complementary Commodities Activities, (ii) increased insurance requirements for Complementary Commodities Activities, and (iii) reductions in the amount of assets and revenue attributable to Complementary Commodities Activities, including absolute dollar limits and caps based on a percentage of the FHC's regulatory capital or revenue?*

Question 3. *What additional conditions on Complementary Commodities Activities should the Board impose to provide meaningful protections against the legal, reputational and environmental risks associated with physical commodities and how effective would such conditions be?*

Question 4. *To what extent does the commitment that a FHC will only hold physical commodities for which a futures contract has been approved by the CFTC or for which the Board has specifically authorized the FHC to hold adequately ensure that physical commodities positions of FHCs are sufficiently liquid? What modifications to this commitment, including additional conditions, should the Board consider to ensure that a FHC maintains adequate liquidity in its commodity positions?*

Question 5. *What additional commitments or restrictions are necessary to ensure FHCs engaging in Complementary Commodities Activities do not develop unsafe or unsound concentrations in physical commodities?*

Question 6. *Should the type and scope of limitations on Complementary Commodities Activities differ based on whether the underlying physical commodity may be associated with catastrophic risks? If so, how should limitations differ, and what specific limitations could reduce liability from potential catastrophic events?*

Question 7. *Does the commitment not to own, operate or invest in facilities for the extraction, transportation, storage, or distribution of commodities adequately insulate a FHC from risks associated with such facilities, including financial risk, storage risk, transportation risk, reputation risk, and legal and environmental risks? If not, what restrictions should the Board impose to ensure that such extraction, transportation, storage or distribution facilities do not pose safety and soundness risks?*

Question 8. *Do Complementary Commodities Activities pose risks or raise concerns other than those described in this ANPR, and if so, how should those risks or concerns be addressed?*

Question 9. *What negative effects, if any, would a FHC's subsidiary depository institution experience if the parent FHC was not able to engage in Complementary Commodities Activities?*

Question 10. *How effective is the current value-at-risk capital framework in addressing the risk arising from holdings of physical commodities? Would additional or different capital requirements better address the potential risks associated with Complementary Commodities Activities?*

[39] Pollution insurance policies typically have maximum payouts that are well below the amount of damage that an environmental disaster may cause.

[40] *See, e.g.,* Barry R. Ostrager and Thomas R. Newman, Handbook on Insurance Coverage Disputes § 23.03[a] (6th ed. 2012).

[41] *Cf. AES Corp.* v. *Steadfast Ins. Co.,* 725 SE.2d 532 (Va. 2012) (holding that an energy company's commercial general liability policy did not cover climate change injuries).

[42] *United States* v. *Bestfoods,* 524 U.S. 51, 61–63 (1998). The Court has held that the corporate veil also may be pierced in litigation involving violations of federal statutes. *Id.* at 63. *See also United States* v. *Kayser-Roth Corp.,* 103 F. Supp. 2d 74, 84 (D. RI 2000) (''The doctrine of piercing the corporate veil is one of the most amorphous doctrines in the law because it is multifaceted and serves a variety of purposes that vary from case to case.'').

[43] As noted below, courts may consider a variety of factors in determining whether to pierce the corporate veil, including adequate capitalization, separation of assets, and domination of finances, policies and practices. *See infra* fns. 65–68 and corresponding text.

[44] *See supra* fns. 13–15 and corresponding text (discussing inability of companies involved in the BP oil spill to measure the full extent of legal liability).

Question 11. *What are the similarities and differences between the risks posed to FHCs by physical commodities activities, as described in this ANPR, and the risks posed to nonbank financial companies supervised by the Board (''nonbank SIFIs'')? How do the safety and soundness and financial stability risks posed by physical commodities activities differ, if at all, based on whether the nonbank SIFI controls an IDI?*

Question 12. *What are the similarities and differences between the risks posed to FHCs by physical commodities activities, as described in the ANPR, and the risks posed to savings and loan holding companies that may conduct such activities? How do the safety and soundness and financial stability risks posed by physical commodities activities differ, if at all, based on whether the savings and loan holding company is or is not affiliated with an insurance company?*

D. Complementarity of Current Activities

It has been ten years since the Board first determined that physical commodities activities were complementary to financial activities for purposes of section 4(k)(1)(B) of the BHC Act. Since that time, the Board has received notices from fewer than 20 FHCs seeking authority to conduct one or more Complementary Commodities Activities. Two of the 12 FHCs that currently conduct physical commodities activities under complementary authority recently have publicly reported that they intend to cease such activities while continuing to engage in related financial activities, including commodities derivatives activities.[45] Another FHC that conducts physical commodities activities pursuant to section 4(o) of the BHC Act, which is a separate statutory authority discussed below,[46] has recently agreed to sell the global oil merchanting unit of its commodities division to a foreign oil and gas company and is in the process of selling other physical commodities units.[47]

Although market developments such as these may be caused by a variety of factors, the developments may indicate that Complementary Commodities Activities are not necessary to ensure competitive equity between FHCs and competitors conducting commodities derivatives or other financial activities. Moreover, these developments, including a FHC's sale of a physical commodities business to a nonfinancial firm, may suggest that the relationship between commodities derivatives and physical commodities markets (or the relationship between participants in such markets) may not be as close as previously claimed or expected. Because complementary activities should be ''meaningfully connected'' to a financial activity such that it ''complements'' the financial activity, the Board is reexamining whether each Complementary Commodities Activity can continue to fulfill this statutory requirement.[48] The Board is also evaluating the potential costs and other burdens (to FHCs and the public generally) associated with narrowing or eliminating the authority to engage in Complementary Commodities Activities.

Question 13. *In what ways are non-BHC participants in the physical commodities markets combining financial and nonfinancial products or services in such markets?*

Question 14. *What are the complementarities or synergies between Complementary Commodities Activities and the financial activities of FHCs? How have these complementarities or synergies changed over time?*

Question 15. *What are the competitive effects on commodities markets of FHC engagement in Complementary Commodities Activities?*

Question 16. *Does permitting FHCs to engage in Complementary Commodities Activities create material conflicts of interest that are not addressed by existing law? If so, describe such material conflicts and how they may be addressed.*

Question 17. *What are the potential adverse effects and public benefits of FHCs engaging in Complementary Commodities Activities? Do the potential adverse effects of FHCs engaging in Complementary Commodities Activities, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, unsound banking practices, or risk to the stability of the United States banking or financial system, outweigh the public benefits, such as greater convenience, increased competition, or gains in efficiency?*

Question 18. *In what ways would FHCs be disadvantaged if they did not have authority to engage in Complementary Commodities Activities? How might elimination of the authority affect FHC customers and the relevant markets?*

III. Merchant Banking Authority

A. Background

The GLB Act amended the BHC Act to allow FHCs to engage in merchant banking activities. Under section 4(k)(4)(H) of the BHC Act, FHCs may make investments in nonfinancial companies as part of a bona fide securities underwriting or merchant or investment banking activity.[49] These investments may be made in any type of ownership interest in any type of nonfinancial entity (portfolio company).[50] The statute grants similar authority to insurance companies that are FHCs or subsidiaries of FHCs.[51]

The GLB Act imposed conditions on the merchant banking investments of FHCs that further the fundamental purposes of the BHC Act—to help maintain the separation of banking and commerce and promote safety and soundness.[52] First, the investment must be part of ''a bona fide underwriting or merchant or investment banking activity'' and may not be held by an IDI or its subsidiary.[53] Second, FHCs making merchant banking investments must own or control a securities affiliate or a registered investment adviser that advises an affiliated insurance company.[54] Third, merchant banking investments must be held only ''for a period of time to enable the sale or disposition thereof on a reasonable basis consistent with the financial viability of the activities.''[55] Regulation Y interprets the statutory holding period restriction to prohibit FHCs in most cases from holding investments made under merchant banking authority for more than 10 years (or for more than 15 years for investments held under a qualifying private equity fund).[56]

Finally, FHCs may not ''routinely manage or operate such company or entity except as may be necessary or required to obtain a reasonable return on investment upon resale or

[45] Press Release, Deustche Bank refocuses its commodities business (Dec. 5, 2103) *available at https://www.db.com/ir/en/content/ir_releases_2013_4413.htm;* Press Release, JPMorgan Chase & Co., J.P. Morgan to Explore Strategic Alternatives for its Physical Commodities Business (July 26, 2013) *available at http://investor.shareholder.com/jpmorganchase/releasedetail.cfm?ReleaseID=780681.*

[46] *See infra* section IV (discussing section 4(o) of the BHC Act).

[47] Press Release, Morgan Stanley, Morgan Stanley to Sell Global Oil Merchanting Business to Rosneft (Dec. 20, 2013) *available at http://www.morganstanley.com/about/press/articles/00ddb583-1c3c-4dd9-b27f-6023c884aae3.html.*

[48] *See, e.g.,* 2003 Citi Order.

[49] 12 U.S.C. 1843(k)(4)(H).

[50] *Id.*

[51] *Id.* at § 1843(k)(4)(I).

[52] *See* 66 FR 8466 (Jan. 31, 2001).

[53] 12 U.S.C. 1843(k)(4)(H)(i).

[54] *Id.* at § 1843(k)(4)(H)(ii).

[55] *Id.* at § 1843(k)(4)(H)(iii).

[56] 12 CFR 225.172–.173.

disposition.'' [57] The Board's Regulation Y limits the duration of management activities to a period ''as may be necessary to address the cause of the [FHC]'s involvement, to obtain suitable alternative management arrangements, to dispose of the investment, or to otherwise obtain a reasonable return upon the resale or disposition of the investment and imposes documentation requirements on these extraordinary management activities.'' [58]

The Board's rules state that routine management includes executive officer interlocks between the FHC and portfolio company and contractual arrangements that restrict the portfolio company's ability to make routine business decisions.[59] Regulation Y also makes clear that certain relationships with the portfolio company are not considered routine management: Director representation at the portfolio company and contractual restrictions related to portfolio company actions taken outside the ordinary course are not deemed to be routine management.[60] FHCs also may meet with officers or employees of the portfolio company to monitor and provide advice with respect to the portfolio company's performance and activities and to provide financial, investment, and management consulting services to the portfolio company.[61]

The Board's rules impose certain prudential requirements on FHCs' merchant banking activities to encourage them to be done in a safe and sound manner. Regulation Y requires the FHC to establish risk management policies and procedures for its merchant banking activities, including policies and procedures designed to ensure the maintenance of corporate separateness between the FHC and its companies held under merchant banking authority and to protect the FHC and its subsidiary IDIs from legal liability from the operations and financial obligations of its portfolio companies and private equity funds.[62] In addition, the Board's capital adequacy guidelines currently require that a FHC deduct its merchant banking and other nonfinancial investments from its tier 1 capital.[63] The Board's revised capital framework (Regulation Q) eliminates this specific deduction for nonfinancial investments; merchant banking investments instead is addressed through risk-weighting in the equity framework.[64]

B. Tail-Risks of Merchant Banking Investments

The doctrine of corporate separateness and limited liability is an important premise for the safe and sound conduct of merchant banking activities. The corporate law doctrine of veil piercing allows parent companies to be legally liable for the operations of their subsidiaries in a variety of circumstances. For example, courts may pierce the corporate veil when the subsidiary corporation is not treated as an independent entity.[65] Factors courts consider under this analysis include whether the subsidiary is adequately capitalized, holds separate director and shareholder meetings, or keeps assets separate.[66] Courts also have pierced the corporate veil where the parent dominated the finances, policies, and practices of the subsidiary so that the company is used as a mere agency or instrumentality of the parent.[67] Veil piercing also has been used to prevent fraud or other inequitable results.[68]

As discussed previously, certain physical commodities activities may cause catastrophic events that could subject the involved companies to substantial legal, environmental, and reputational risk. Other commercial activities may pose the same or similar types of risks in amounts that greatly exceed the company's equity. For example, owners or operators of factories that use substances that are hazardous to public health or the environment face significant legal, operational, and reputational risk.

Merchant banking investments also pose a number of other risks to FHCs, including market, credit, and concentration risks. FHCs are required to identify and manage such risks. However, recent events (including the financial crisis) demonstrate that low probability events can pose a danger to large organizations as well as to the financial stability of the United States. Accordingly, the Board is reconsidering whether its current merchant banking regulations appropriately address the concerns described above.

C. Potential Board Actions Regarding Merchant Banking Investments

The Board is considering a number of actions to address the potential risks associated with merchant banking investments. These actions could include (i) more restrictive merchant banking investment holding periods; (ii) additional restrictions on the routine management of merchant banking investments; (iii) additional capital requirements on some or all merchant banking investments; and (iv) enhanced reporting to the Federal Reserve or public disclosures regarding merchant banking investments.

Question 19. *Should the Board's merchant banking rules regarding holding periods, routine management, or prudential requirements be more restrictive for investments in portfolio companies that pose significantly greater risks to the safety and soundness of the investing FHC or its subsidiary depository institution(s)? How could the Board evaluate the types and degrees of risks posed by individual portfolio companies or commercial industries?*

Question 20. *Do the Board's current routine management restrictions and risk management requirements sufficiently protect against a court piercing the corporate veil of a FHC's portfolio company? If not, what additional restrictions or requirements would better ensure against successful veil piercing actions?*

Question 21. *What are the advantages and disadvantages of the Board raising capital requirements on merchant banking investments or placing limits on the total amount of merchant banking investments made by a FHC? How should the Board formulate any such capital requirements or limits?*

Question 22. *What are the similarities and differences between the risks described above regarding merchant banking investments and the risks regarding investments made under section 4(k)(4)(I) of the BHC Act, which allows insurance companies to make controlling investments in nonfinancial companies (subject to certain restrictions)?*

IV. Section 4(o) Grandfather Authority

Certain BHCs may engage in a broad range of activities involving physical commodities pursuant to other provisions of the BHC Act. Under section 4(o) of the BHC Act, a company that was not a BHC and becomes a FHC after November 12, 1999, may continue to engage in activities related to the trading, sale, or investment in

[57] 12 U.S.C. 1843(k)(4)(H)(iv).

[58] 12 CFR 225.171(e).

[59] *Id.* at 225.171(b).

[60] *Id.* at 225.171(d).

[61] *Id.*

[62] *Id.* at 225.175(b).

[63] 12 CFR part 225, Appendix A. The Board previously limited FHCs' merchant banking investments to 30 percent of its tier 1 capital (or 20 percent after excluding interests in private equity funds). 12 CFR 225.174.

[64] 12 CFR 217.52–.53 and 217.153–.154.

[65] *See, e.g., United States* v. *Northeastern Pharm. & Chem. Co.,* 810 F.2d 726, 744 (8th Cir. 1987).

[66] *See, e.g., United States* v. *Kayser-Roth Corp.,* 103 F. Supp. 2d 74, 84 (DC R.I. 2000) (citing 1 William Meade Fletcher et al., Fletcher Cyclopedia of the Law of Private Corporations § 41.30 (perm .ed. rev. vol. 1999)).

[67] *See, e.g., United States* v. *Bestfoods,* 524 U.S. 51, 62 (1998); *Miller* v. *Dixon Indus. Corp.,* 513 A.2d 597, 604 (R.I. 1986).

[68] *See, e.g., R&B Elec. Co. AMCO Constr. Co.,* 471 A.2d 1351, 1354 (R.I. 1984).

commodities that were not permissible for BHCs as of September 30, 1997, if the company was engaged in the United States in such activities as of September 30, 1997.[69] This statutory provision limits these grandfathered activities to no more than 5 percent of the FHC's total consolidated assets and prohibits the FHC from cross-marketing the services of its subsidiary depository institution(s) and its subsidiary(ies) engaged in activities authorized under section 4(o).[70] In contrast to complementary authority, this authority is automatic; no approval by or notice to the Board is required for a company to rely on this authority for its commodity activities. Only two FHCs currently engage in activities under these grandfather rights.

The statutory grandfathering authority in section 4(o) of the BHC Act permits certain BHCs to engage in a potentially broader set of physical commodity activities than FHCs may conduct under the complementary authority discussed above, and without the limitations on duration and control contained in merchant banking authority. At the same time, grandfathered physical commodity activities may pose risks to safety and soundness of the grandfathered FHCs and to financial stability. As a result, the Board is seeking comment on whether additional prudential requirements could help ensure that activities conducted under section 4(o) of the BHC Act do not pose undue risks to the safety and soundness of the BHC or its subsidiary depository institutions, or to financial stability. The Board is also considering how to address the potential risks to safety and soundness and financial stability that may be presented by activities authorized under section 4(o). In addition to comment on these general questions, the Board invites comments on the following:

Question 23. *What are the advantages and disadvantages of the Board instituting additional safety and soundness, capital, liquidity, reporting, or disclosure requirements for BHCs engaging in activities or investments under section 4(o) of the BHC Act? How should the Board formulate such requirements?*

Question 24. *Does section 4(o) of the BHC Act create competitive equity or other issues or authorize activities that cannot be conducted in a safe and sound manner by an FHC? If so, describe such issues or activities.*

V. Conclusion

The Board is seeking information on all aspects of physical commodities activities of BHCs and banks and invites comments on the risks and benefits of allowing FHCs to conduct these activities as well as ways in which risks to the safety and soundness of a FHC and its affiliated IDIs and to the financial system can be contained or limited. In addition, the Board invites comment on all of the questions set forth in this ANPR. The Board will carefully review all comments submitted and information provided as well as information regarding physical commodities activities derived from the Board's regulatory and supervisory activities. Once the Board has completed its review of this information, it will consider what further actions, including a rulemaking, regarding these activities are needed.

By order of the Board of Governors of the Federal Reserve System, January 14, 2014.

Robert deV. Frierson,

Secretary of the Board.

[FR Doc. 2014–00996 Filed 1–17–14; 8:45 am]

BILLING CODE 6210–01–P

[69] 12 U.S.C. 1843(o).

[70] This limit permits these FHCs to hold significantly larger positions in commodities than those FHCs that conduct commodities activity under complementary authority, which limits their commodities holdings to 5 percent of tier 1 capital.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0023; Directorate Identifier FAA–2013–CE–048–AD]

RIN 2120–AA64

Airworthiness Directives; M7 Aerospace LLC Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain M7 Aerospace LLC Models SA26–T, SA26–AT, SA226–AT, SA226–T, SA226–T(B), SA226–TC, SA227–AC (C–26A), SA227–AT, SA227–TT, SA227–BC (C–26A), SA227–CC, and SA227–DC (C–26B) airplanes. This proposed AD was prompted by reports of jamming of the aileron control cable chain in the pilot and copilot control columns due to inadequate lubrication and maintenance of the chain. This proposed AD would require repetitively replacing and lubricating the aileron chain, sprocket, and bearings in the control columns. We are proposing this AD to correct the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by March 7, 2014.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact M7 Aerospace LP, 10823 NE Entrance Road, San Antonio, Texas 78216; phone: (210) 824–9421; fax: (210) 804–7766; Internet: *http://www.m7aerospace.com;* email: none. You may view this 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.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2014–0023; 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 this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Andrew McAnaul, Aerospace Engineer, FAA, ASW–150 (c/o San Antonio MIDO), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; phone: (210) 308–3365; fax: (210) 308–3370; email: *andrew.mcanaul@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0023; Directorate Identifier FAA–2013–CE–048–AD'' at the beginning of

your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We received a report of the aileron system temporarily jamming in flight on an M7 Aerospace LLC Model SA227–DC (C–26B) airplane. The flight crew took corrective action by reversing the control wheel, which unjammed the aileron controls and allowed the aircraft to return to the airport safely.

Investigation revealed that the aileron control cable chain in the copilots control column was dry (no lubrication) and was binding on the sprocket. A lack of lubrication and wear on the chain bearings caused the chain to ride on the tip of the sprocket and jam between the tip of the sprocket and inside wall of the control column. A second operator reported finding an un-lubricated aileron control chain with a bound link that was almost frozen. An inspection of an aileron control chain provided by an operator that lubricates the chains and replaces them at 10,000 hours time-in-service revealed small metal particles within the grease. These particles were believed to be coming from the sprocket. Investigation also revealed that there is conflicting information in the maintenance manual that instructs to apply both corrosion inhibitor and lubricant that are incompatible. The figure in the maintenance manual related to lubricating the aileron control chain points to the aileron rather than the pilot and copilot control columns.

This condition, if not corrected, could result in jamming of the aileron control cable chain in the pilot and copilot control columns, which could result in loss of control.

Relevant Service Information

We reviewed M7 Aerospace LLC SA26 Series Service Bulletin 26–27–001 R2; SA226 Series Service Bulletin 226–27–074 R2; SA227 Series Service Bulletin 227–27–054 R2; and SA227 Series Commuter Category Service Bulletin CC7–27–026 R2, all dated October 23, 2013. The service information describes procedures for repetitively replacing and lubricating the aileron control cable chain, sprocket, and bearings, and checking the aileron control cable tension.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of these same type designs.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information described previously.

Costs of Compliance

We estimate that this proposed AD affects 360 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replacing and lubricating the aileron chain, sprocket, and bearings in the control columns.	20 work-hours × $85 per hour = $1,700.	$1,935	$3,635	$1,308,600

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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

(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.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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):

M7 Aerospace LLC: Docket No. FAA–2014–0023; Directorate Identifier FAA–2013–CE–048–AD.

(a) Comments Due Date

We must receive comments by March 7, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to M7 Aerospace LLC Models SA226–AT, SA226–T, SA226–T(B), SA226–TC, SA227–AC (C–26A), SA227–AT, SA227–TT, SA227–BC (C–26A), SA227–CC, and SA227–DC (C–26B) airplanes, all serial numbers; Model SA26–T airplanes, serial numbers T26–2 through T26–99; and Model SA26–AT airplanes, serial numbers AT26–100 through AT26–180E, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code: 27, Flight Controls.

(e) Unsafe Condition

This AD was prompted by reports of jamming of the aileron control cable chain in the pilot and copilot control columns. We are issuing the AD to prevent jamming of the aileron control cable chain, which could result in loss of control.

(f) Compliance

Comply with this AD by doing the actions specified in paragraph (g) through paragraph (h) of this AD, including all subparagraphs, unless already done.

(g) Initially Replace and Lubricate the Aileron Control Cable Chain, Sprocket, and Bearings

Initially replace and lubricate the aileron control cable chain, sprocket, and bearings, and check the aileron control cable tension based on the conditions and compliance times in paragraphs (g)(1), (g)(2), and (g)(3) of this AD, including all subparagraphs. The corrosion preventative must be removed from the chain (but not the cable) and the required actions must be done following the Accomplishment Instructions in M7 Aerospace LLC SA26 Series Service Bulletin 26–27–001 R2, dated October 23, 2013; M7 Aerospace LLC SA226 Series Service Bulletin 226–27–074 R2, dated October 23, 2013; M7 Aerospace LLC SA227 Series Service Bulletin 227–27–054 R2, dated October 23, 2013; and M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–27–026 R2, dated October 23, 2013, as applicable. Criteria for the term ''properly lubricated'' is included in paragraphs 5a, 5b, and 5c of the Accomplishment Instructions section of M7 Aerospace LLC SA26 Series Service Bulletin 26–27–001 R2, dated October 23, 2013, and paragraphs 6a, 6b, and 6c of the Accomplishment Instructions section of M7 Aerospace LLC SA226 Series Service Bulletin 226–27–074 R2, dated October 23, 2013; M7 Aerospace LLC SA227 Series Service Bulletin 227–27–054 R2, dated October 23, 2013; and M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–27–026 R2, dated October 23, 2013.

(1) *A review of the airplane records positively indicates that the aileron control cable chain in the pilot's and the copilot's control columns have been replaced and properly lubricated:* At whichever of the compliance times specified in paragraphs (g)(1)(i) or (g)(1)(ii) of this AD that occurs later.

(i) On or before reaching 10,000 hours time-in-service (TIS) from the time of the last aileron control cable chain replacement or within 13 years from the date of the last aileron control cable chain replacement, whichever occurs first.

(ii) Within the next 24 months from the effective date of this AD.

(2) *A review of the airplane records positively indicates that the aileron control cable chain in the pilot's and the copilot's control columns have been replaced within the last 10,000 hours TIS, but proper lubrication cannot be verified:* At whichever of the compliance times specified in paragraphs (g)(2)(i) or (g)(2)(ii) of this AD that occurs first.

(i) On or before reaching 10,000 hours TIS since the last replacement or within the next 1,000 hours TIS after the effective date of this AD, whichever occurs later.

(ii) Within the next 24 months from the effective date of this AD.

(3) *A review of the airplane records does not positively indicate that the aileron control cable chain in the pilot's and the copilot's control columns have been replaced within the last 10,000 hours TIS:* At the compliance times specified in paragraphs (g)(3)(i), (g)(3)(ii), (g)(3)(iii), and (g)(3)(iv) of this AD, as applicable.

(i) *For airplanes with less than 10,000 hours TIS:* At whichever of the compliance times specified in paragraphs (3)(i)(A) or (3)(i)(B) of this AD that occurs first:

(A) On or before reaching 10,000 hours TIS or within the next 1,000 hours TIS after the effective date of this AD, whichever occurs later.

(B) Within the next 24 months after the effective date of this AD.

(ii) *For airplanes with 10,000 hours TIS or more but less than 20,001 hours TIS:* Within the next 1,000 hours TIS after the effective date of this AD or within the next 12 calendar months after the effective date of this AD, whichever occurs first.

(iii) *For airplanes with 20,001 hours TIS or more but less than 30,001 hours TIS:* Within the next 750 hours TIS after the effective date of this AD or within the next 6 calendar months after the effective date of this AD, whichever occurs first.

(iv) *For airplanes with 30,001 hours TIS or more:* Within the next 400 hours TIS after the effective date of this AD or within the next 3 calendar months after the effective date of this AD, whichever occurs first.

(h) Repetitively Replace and Lubricate the Aileron Control Cable Chain, Sprocket, and Bearings

Replace and lubricate the aileron control cable chain, sprocket, and bearings, and check the aileron control cable tension repetitively thereafter at intervals not to exceed 10,000 hours TIS or 13 years after the date of the last aileron control cable chain replacement, whichever occurs first. The corrosion preventative must be removed from the chain (but not the cable) and the required actions must be done following the Accomplishment Instructions in M7 Aerospace LLC SA26 Series Service Bulletin 26–27–001 R2, dated October 23, 2013; M7 Aerospace LLC SA226 Series Service Bulletin 226–27–074 R2, dated October 23, 2013; M7 Aerospace LLC SA227 Series Service Bulletin 227–27–054 R2, dated October 23, 2013; and M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–27–026 R2, dated October 23, 2013, as applicable.

(i) Credit for Actions Done Following Previous Service Information

This AD allows credit for the actions required in paragraphs (g)(1) through (g)(3) of this AD, including all subparagraphs, if done before the effective date of this AD following M7 Aerospace LLC SA26 Series Service Bulletin 26–27–001, dated June 6, 2013, or Service Bulletin 26–27–001 R1, dated September 30, 2013; M7 Aerospace LLC SA226 Series Service Bulletin 226–27–074, dated June 6, 2013, or Service Bulletin 226–27–074 R1, dated September 30, 2013; M7 Aerospace LLC SA227 Series Service Bulletin 227–27–054, dated June 6, 2013, or Service Bulletin 227–27–054 R1, dated September 30, 203; and M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–27–026, dated June 6, 2013, or Service Bulletin CC7–27–026 R1, dated September 30, 2013, as applicable.

(j) Paperwork Reduction Act Burden Statement

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.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Fort Worth Airplane Certification Office, 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 manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) 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.

(l) Related Information

(1) For more information about this AD, contact Andrew McAnaul, Aerospace Engineer, FAA, ASW–150 (c/o San Antonio MIDO), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; phone: (210) 308–3365; fax: (210) 308–3370; email: *andrew.mcanaul@faa.gov*.

(2) For service information identified in this AD, contact M7 Aerospace LP, 10823 NE Entrance Road, San Antonio, Texas 78216; phone: (210) 824–9421; fax: (210) 804–7766; Internet: *http://www.m7aerospace.com;* email: none. You may view this 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.

Issued in Kansas City, Missouri, on January 14, 2014.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–01011 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0003; Directorate Identifier 2013–NM–103–AD]

RIN 2120–AA64

Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2013–03–23, for all Gulfstream Aerospace LP (Type Certificate previously held by Israel Aircraft Industries, Ltd.) Model Gulfstream G150 airplanes. AD 2013–03–23 currently requires revising the airplane flight manual (AFM) to include procedures to advise the flightcrew of certain runway slope and anti-ice corrections and take-off distance values. Since we issued AD 2013–03–23, a revision to the AFM has been issued, which modifies runway slope and anti-ice corrections to both V1 and take-off distance values. This proposed AD would require revising the Performance section of the AFM, which includes the revised procedures. We are proposing this AD to prevent the use of published, non-conservative data, which could result in the inability to meet the required take-off performance, with a consequent hazard to safe operation during performance-limited take-off operations.

DATES: We must receive comments on this proposed AD by March 7, 2014.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Gulfstream Aerospace Corporation, P.O. Box 2206, Mail Station D–25, Savannah, GA 31402–2206; telephone 800–810–4853; fax 912–965–3520; email *pubs@gulfstream.com*; Internet *http://www.gulfstream.com/product_support/technical_pubs/pubs/index.htm*. You may view this referenced 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.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0003; 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 this proposed AD, 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. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tom Stafford, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–227–1622; fax: 425–227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0003; Directorate Identifier 2013–NM–103–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

On February 7, 2013, we issued AD 2013–03–23, Amendment 39–17357 (78 FR 11567, February 19, 2013), for all Gulfstream Aerospace LP (Type Certificate previously held by Israel Aircraft Industries, Ltd.) Model Gulfstream G150 airplanes. AD 2013–03–23 required revising the Performance section of the AFM to include procedures to advise the flightcrew of certain runway slope and anti-ice corrections and take-off distance values.

Since we issued AD 2013–03–23, Amendment 39–17357 (78 FR 11567, February 19, 2013), Gulfstream G150 Airplane Flight Manual G150–1001–1, Revision 17, dated April 17, 2013, has been published, which modifies runway slope and anti-ice corrections to V1 and take-off distance values.

The Civil Aviation Authority of Israel (CAAI), which is the aviation authority for Israel, has issued Israeli Airworthiness Directive 01–12–02–02R1, dated April 23, 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:

> This AD mandates revised limitations in the G150 AFM, pertaining to the Performance Section. Each operator must incorporate Rev. 17 to the G150 AFM and remove previous AFM TR 3 dated December 14, 2012.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2014–0003.

Relevant Service Information

Gulfstream has issued Gulfstream G150 Airplane Flight Manual G150–1001–1, Revision 17, dated April 17, 2013. The actions described in this service information are intended to

correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD affects 67 airplanes of U.S. registry.

We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $85 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $5,695, or $85 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

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.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 airworthiness directive (AD) 2013–03–23, Amendment 39–17357 (78 FR 11567, February 19, 2013), and adding the following new AD:

Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.): Docket No. FAA–2014–0003; Directorate Identifier 2013–NM–103–AD.

(a) Comments Due Date

We must receive comments by March 7, 2014.

(b) Affected ADs

This AD supersedes AD 2013–03–23, Amendment 39–17357 (78 FR 11567, February 19, 2013).

(c) Applicability

This AD applies to Gulfstream Aerospace LP (Type Certificate previously held by Israel Aircraft Industries, Ltd.) Model Gulfstream G150 airplanes; certificated in any category; all serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 01, Operations information.

(e) Reason

This AD was prompted by a review that determined the runway slope and anti-ice corrections to both V1 and take-off distance values presented in the G150 Airplane Flight Manual (AFM) were presented in a non-conservative manner. We are issuing this AD to prevent the use of published, non-conservative data, which could result in the inability to meet the required take-off performance, with a consequent hazard to safe operation during performance-limited take-off operations.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Retained AFM Revision

This paragraph restates the actions required by paragraph (g) of AD 2013–03–23, Amendment 39–17357 (78 FR 11567, February 19, 2013). Within 60 days after March 26, 2013 (the effective date of AD 2013–03–23, Amendment 39–17357 (78 FR 11567, February 19, 2013), revise Section V, Performance, of the Gulfstream G150 AFM to include the information in Gulfstream G150 Temporary Revision (TR) 3, dated December 14, 2011. This TR introduces corrections for runway slope. Operate the airplane according to the procedures in this TR.

Note 1 to paragraph (g) of this AD: The AFM revision required by paragraph (g) of this AD may be done by inserting copies of Gulfstream G150 TR 3, dated December 14, 2011, into the AFM. When this TR has been included in general revisions of the AFM, the general revisions may be inserted in the AFM, provided the relevant information in the general revision is identical to that in Gulfstream G150 TR 3, dated December 14, 2011; and the TR may be removed.

(h) New Revision of the AFM

Within 60 days after the effective date of this AD, revise the Gulfstream G150 Airplane Flight Manual (AFM) to incorporate the information in Section V, Performance, of the Gulfstream G150 AFM G150–1001–1, Revision 17, dated April 17, 2013. This revision contains revisions of runway slope and anti-ice corrections to the V1 and take-off distance values. Before further flight, after accomplishing the revision, remove Gulfstream G150 TR 3, dated December 14, 2011. Operate the airplane according to the procedures in Section V, Performance, of Gulfstream G150 AFM G150–1001–1, Revision 17, dated April 17, 2013. Revising the AFM to Gulfstream G150 AFM G150–1001–1, Revision 17, dated April 17, 2013, terminates the action required by paragraph (g) of this AD.

(i) 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: Tom Stafford, Aerospace Engineer,

International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1622; 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, use these actions if they are FAA approved. Corrective actions are considered FAA-approved if they were approved by the State of Design Authority (or its delegated agent, or the Design Approval Holder with a State of Design Authority's design organization approval, as applicable). For a repair method to be approved, the repair approval must specifically refer to this AD. You are required to ensure the product is airworthy before it is returned to service.

(j) Special Flight Permits

Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are not allowed.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Israel Airworthiness Directive 01–12–02–02–R1, dated April 23, 2013, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0003.

(2) For service information identified in this AD, contact Gulfstream Aerospace Corporation, P.O. Box 2206, Mail Station D–25, Savannah, GA 31402–2206; telephone 800–810–4853; fax 912–965–3520; email *pubs@gulfstream.com*; Internet *http://www.gulfstream.com/product_support/technical_pubs/pubs/index.htm*. You may view this referenced 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.

Issued in Renton, Washington, on January 10, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–01015 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–1073; Directorate Identifier 2012–NM–039–AD]

RIN 2120–AA64

Airworthiness Directives; Airplanes Originally Manufactured by Lockheed for the Military as P–3A and P3A Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain airplanes, originally manufactured by Lockheed Martin Aeronautics Company for the military as P–3A or P3A airplanes. This proposed AD was prompted by a determination that the existing maintenance program must be revised to address fatigue cracking of the airplane. This proposed AD would require revising the maintenance or inspection program, as applicable, to incorporate certain limitations. We are proposing this AD to detect and correct fatigue cracking, which could result in reduced structural integrity of the airplane.

DATES: We must receive comments on this proposed AD by March 7, 2014.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Avenger Aircraft and Services, 103 N. Main Street, Suite 106, Greenville, SC 29601–4833; telephone: (864) 232–8073; fax: (864) 232–8074; email: *AAS@AvengerAircraft.com*. You may view this referenced 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.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2013–1073; 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 this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: George Garrido, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: (562) 627–5357; fax: (562) 627–5210; email: *george.garrido@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–1073; Directorate Identifier 2012–NM–039–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We reviewed accident investigation reports involving other restricted category firefighting airplanes, specifically Model C–130 and P2V airplanes. Previous accident investigations for these other firefighting airplanes revealed that the existing maintenance programs for airplanes operating under restricted category type certificate data sheets (TCDS) are not adequate to maintain the aircraft for continued safe operation. Therefore, we have determined that it is necessary to incorporate an airworthiness limitation section based on damage tolerance into the Model P–3A airplane maintenance

program to ensure continue safe operation in a restricted category. The adverse loading spectrum for the restricted category firefighting airplanes could result in fatigue cracking, which could result in reduced structural integrity of the airplane.

The initial Model P–3A inspection program was based on the navy usage (or baseline usage) as defined by the U.S. Navy. The new airworthiness limitations addressed in this proposed AD are separated into baseline usage and usage that includes aerial dispensing of liquids. For airplanes with combined baseline and aerial dispersion usage accumulated, the operator must determine the total remaining life and the total remaining hours or flights until inspection is due for the principle structural element (PSE) inspection requirements by combining the fatigue damage accumulated during the baseline and the aerial dispersion of liquids usage.

Relevant Service Information

We reviewed Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010, which describes airworthiness limitations that include structural inspection requirements.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

For Model P3A and P–3A airplanes, this proposed AD would require revising the maintenance or inspection program, as applicable, to incorporate airworthiness limitations of Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010.

This proposed AD requires revisions to certain operator maintenance documents to include new actions (e.g., inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to the requirements of paragraph (j) of this proposed AD. The request should include a description of changes to the required actions that will ensure the continued damage tolerance of the affected structure.

Costs of Compliance

We estimate that this proposed AD affects 8 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Revise the maintenance or inspection program.	1 work-hour × $85 per hour = $85	$0	$85	$680

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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

(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.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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):

Lockheed (Original Manufacturer): Docket No. FAA–2013–1073; Directorate Identifier 2012–NM–039–AD.

(a) Comments Due Date

We must receive comments by March 7, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all P–3A or P3A airplanes, originally manufactured by Lockheed Martin Aeronautics Company for the military, identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category:

(1) Aero Union Corporation Model P3A airplanes; and

(2) USDA Forest Service Model P–3A airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 55, Stabilizers; 57, Wings.

(e) Unsafe Condition

This AD was prompted by a determination that the existing maintenance or inspection program must be revised to address fatigue cracking of the airplane. We are issuing this AD to detect and correct fatigue cracking, which could result in reduced structural integrity of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Maintenance Program Revision

Within 12 months after the effective date of this AD, revise the maintenance or inspection program, as applicable, by incorporating airworthiness limitations specified in Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS –ALS–07–001, Revision D, dated August 2, 2010.

(h) Compliance Times for Modifications, Replacements, and Inspections

For the tasks specified in Part–I, Sections B. through E., of Procedure 01–00–005, of Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010, the compliance times are specified in paragraphs (h)(i) through (h)(iv) of this AD. For airplanes with combined baseline and aerial dispensing usage accumulated, the total remaining life and the total remaining hours or flights until inspection is due for the principle structural element (PSE) inspection requirements is determined by combining the fatigue damage accumulated during the baseline and the aerial dispensing of liquids usage. The usage must be combined in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA.

(i) For the baseline life limits, the compliance time is: At the applicable ''flight hours'' or ''flights,'' whichever occurs first, specified in Part–I, Section B, ''Life Limitations Baseline Usage,'' of Procedure 01–00–005, of Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010; or within 12 months after the effective date of this AD; whichever occurs later.

(ii) For the baseline principle structural limits (PSE) inspection requirements, the compliance time is: At the applicable ''threshold interval hours'' or ''threshold interval flights'' since new, whichever occurs first, as specified in Tables C.1, C.2, and C.3, of Part–I, Section C, ''Principle Structural Element Inspection Requirements—Baseline Usage,'' of Procedure 01–00–005, of Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010; or within 12 months after the effective date of this AD; whichever occurs later. Where compliance times are specified as ''threshold interval hours,'' those compliance times are total flight hours. Where the compliance times are specified as ''threshold interval flights,'' those compliance times are total flight cycles.

(iii) For the aerial dispensing of liquids life limits, the compliance time is: At the applicable ''flight hours'' or ''flights,'' whichever occurs first, specified in Part–I, Section D, ''Life Limitations—Aerial Dispensing of Liquids Usage'' of Procedure 01–00–005, of Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010; or within 12 months after the effective date of this AD; whichever occurs later.

(iv) For the aerial dispensing of liquids PSE inspection requirements, the compliance time is: At the applicable ''threshold interval hours'' or threshold interval flights,'' whichever occurs first, as specified in Tables E.1, E2, and E.3, of Part–I, Section E, ''Principle Structural Element Inspection Requirements—Aerial Dispensing of Liquids Usage,'' of Procedure 01–00–005, of Avenger Aircraft and Services P3A Airworthiness Limitations Section—FAA TCDS A32NM & TCDS T00006LA, Forest and Wildlife Conservation Usage (Includes Aerial Dispensing of Liquids), AAS–ALS–07–001, Revision D, dated August 2, 2010; or within 12 months after the effective date of this AD; whichever occurs later.

(i) No Alternative Actions, Intervals, and/or Critical Design Configuration Control Limitations

After accomplishing the revision required by paragraph (g) of this AD, no alternative actions (e.g., inspections), and/or intervals may be used unless the actions, and intervals are approved as an AMOC in accordance with the procedures specified in paragraph (j) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles ACO, 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 manager of the ACO, send it to the attention of the person identified in paragraph (k) of this AD.

(2) 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.

(k) Related Information

(1) For more information about this AD, contact George Garrido, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: (562) 627–5357; fax: (562) 627–5210; email: *george.garrido@faa.gov.*

(2) For service information identified in this AD, contact Avenger Aircraft and Services, 103 N. Main Street, Suite 106, Greenville, SC 29601–4833; telephone: (864) 232–8073; fax: (864) 232–8074; email: *AAS@AvengerAircraft.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on January 9, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–01010 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

Notices

Federal Register

Vol. 79, No. 13

Tuesday, January 21, 2014

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

January 14, 2014.

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 or other forms of information technology.

Comments regarding this information collection received by February 20, 2014 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 20502. Commenters 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) 720–8958.

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.

Animal and Plant Health Inspection Service

Title: National Animal Health Monitoring System; Cervid 2014 Study.

OMB Control Number: 0579–NEW.

Summary of Collection: Collection and dissemination of animal health data and information is mandated by 7 U.S.C. 391, the Animal Industry Act of 1884, which established the precursor of the Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS), the Bureau of Animal Industry. Legal requirements for examining and reporting on animal disease control methods were further mandated by 7 U.S.C. 8308 of the Animal Health Protection Act, ''Detection, Control, and Eradication of Diseases and Pests,'' May 13, 2002. The National Animal Health Monitoring System (NAHMS) will initiate the first national data collection for cervids through the Cervid 2014 study, focusing on cervid operations. The study is designed to fulfill a critical gap in NAHMS' knowledge of the cervid industry.

Need and Use of the Information: APHIS will use the data collected to: (1) Establish national statistics on management and marketing for producers, veterinary, and industry references; (2) Address emerging issues for cervid operations; (3) Plan for response to animal disease events by better understanding the needs and management practices of cervid operations; and (4) Provide input into the design of surveillance systems for specific diseases. If this type of information is not collected, the U.S.' ability to predict likely disease spread scenarios and detect trends in management, production, and health status on cervid operations would be limited.

Description of Respondents: Farms; Individual or households; Business or other for-profit.

Number of Respondents: 3,000.

Frequency of Responses: Reporting: Other: One time.

Total Burden Hours: 990.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2014–01029 Filed 1–17–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

January 14, 2014

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 or other forms of information technology.

Comments regarding this information collection received by February 20, 2014 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 20502. Commenters 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) 720–8958.

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.

Farm Service Agency

Title: Guaranteed Farm Loans

OMB Control Number: 0560–0155

Summary of Collection: The Consolidated Farm and Rural Development Act (CONACT), as amended, authorize the Secretary of Agriculture to make and service loans guaranteed by the Farm Service Agency (FSA) to eligible farmers and ranchers. The statutory authority for the guaranteed loan program is set out in the Code of Federal Regulations, Title 7, Chapter VII, part 762. The loans made and serviced under 762 include farm operating, farm ownership, and soil and water loans and recreation loans. The loan applicant must be a citizen of the United States, own and operate or become the owner and operator of not larger than a family size farm and be unable to obtain sufficient credit elsewhere at reasonable rates and terms. FSA will collect information using several agency forms.

Need and Use of the Information: FSA will collect information to determine lender and loan applicant eligibility for farm loan guarantees, and to ensure the lender protects the government's financial interests. FSA also provides guarantees for loans made by private sellers of a farm or ranch on a land contract sales basis. This information is needed to effectively administer the FSA Land Contract Guarantee Program. If the information were not collected, the agency would be unable to meet the congressionally mandated mission of the guaranteed loan program.

Description of Respondents: Farms; business or other for-profit

Number of Respondents: 16,183

Frequency of Responses: Reporting: Other (when applying for loans)

Total Burden Hours: 253,097

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2014–01027 Filed 1–17–14; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–928]

Uncovered Innerspring Units From the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order

AGENCY: Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On July 11, 2013, the Department of Commerce (''the Department'') published the affirmative preliminary determination of circumvention of the antidumping duty order on uncovered innerspring units (''innerspring units'') from the People's Republic of China (''PRC'').[1] We gave interested parties an opportunity to comment on the *Preliminary Determination*. Based on our analysis of these comments and the facts of record, our final determination remains unchanged from the *Preliminary Determination*.

DATES: *Effective Date:* January 21, 2014.

FOR FURTHER INFORMATION CONTACT: Steven Hampton, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0116.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 2013, the Department published the *Preliminary Determination* finding that innerspring units completed and assembled in Malaysia by Reztec Industries Sdn Bhd (''Reztec'') and exported to the United States are circumventing the antidumping duty order on innerspring units from the PRC,[2] as provided in section 781(b) of the Tariff Act of 1930, as amended (''the Act''). We invited interested parties to comment on the *Preliminary Determination.* On August 19, 2013, Reztec filed a case brief.[3] On August 26, 2013, Leggett & Platt, Incorporated (''Petitioner'') submitted a rebuttal brief.[4] The Department has conducted this anticircumvention inquiry in accordance with section 781(b) of the Act and 19 CFR 351.225.

Scope of the Antidumping Duty Order

The merchandise subject to the order is uncovered innerspring units.[5] The product is currently classified under subheading 9404.29.9010 and has also been classified under subheadings 9404.10.0000, 9404.29.9005, 9404.29.9011, 7326.20.0070, 7320.20.5010, 7320.90.5010, or 7326.20.0071 of the Harmonized Tariff Schedule of the United States (''HTSUS''). The HTSUS subheadings are provided for convenience and customs purposes only; the written product description of the scope of the order is dispositive.

Scope of the Anticircumvention Inquiry

The products covered by this inquiry are innerspring units, as described above, that are manufactured in Malaysia by Reztec with PRC-origin components and other direct materials, such as helical wires, and that are subsequently exported from Malaysia to the United States.

Analysis of Comments Received

All issues raised in the case briefs by parties in this circumvention inquiry are listed in the Appendix to this notice and addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice. The Issues and Decision Memorandum can be accessed directly on the internet at: *http://enforcement.trade.gov/frn/* and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''IA ACCESS''). IA ACCESS is available to registered users at *http://iaaccess.trade.gov* and in the Central Records Unit, room 7046 of the main Department of Commerce building. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

[1] *See Uncovered Innerspring Units from the People's Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping Duty Order,* 78 FR 41784 (July 11, 2013) (''*Preliminary Determination*'').

[2] *Id.*

[3] *See* Letter from Reztec to the Department regarding Uncovered Innerspring Units from the People's Republic of China: Case Brief of Reztec Industries Sdn Bhd dated August 19, 2013.

[4] *See* Letter from Petitioner to the Department regarding Uncovered Innerspring Units from the People's Republic of China dated August 26, 2013.

[5] For a complete description of the scope of the subject antidumping duty order, *see* Memorandum to Christian Marsh, Acting Assistant Secretary for Enforcement and Compliance, from James C. Doyle, Director, Office V, Antidumping Duty and Countervailing Duty Operations, entitled ''Anticircumvention Inquiry Regarding the Antidumping Duty Order on Uncovered Innerspring Units from the People's Republic of China: Issues and Decision Memorandum for the Final Determination'' and dated concurrently with this notice (''Issues and Decision Memorandum'').

Final Determination

In the *Preliminary Determination,* the Department found, using partial adverse facts available, that innersprings units completed and assembled in Malaysia by Reztec using components from PRC and exported from Malaysia to the United States are circumventing the *PRC Innerspring Units Order*[6], pursuant to section 781(b) of the Act. Moreover, because Reztec cannot distinguish between those innerspring units it is exporting to the United States which contain PRC-origin components and those that do not, the Department preliminarily determined that it is appropriate to instruct U.S. Customs and Border Protection (''CBP'') to suspend liquidation of all entries of innerspring units from Malaysia produced by Reztec as subject to the *PRC Innerspring Units Order.* Our final determination remains unchanged from our *Preliminary Determination.* Therefore, the Department determines that it is appropriate to include this merchandise within the scope of the *PRC Innerspring Units Order* and to continue to instruct CBP to suspend all entries of innerspring units from Malaysia produced by Reztec.

Continuation of Suspension of Liquidation

In accordance with section 781(b) of the Act and 19 CFR 351.225(1)(3), the Department will continue to direct CBP to suspend liquidation and to require a cash deposit of estimated duties at the rate applicable to the exporter on all unliquidated entries of innerspring units from Malaysia produced by Reztec that were entered, or withdrawn from warehouse, for consumption on or after May 23, 2012, the date of initiation of the anticircumvention inquiry.[7]

Notice to Parties

This notice serves as the only reminder to parties subject to the administrative protection order (''APO'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This final affirmative circumvention determination is published in accordance with section 781(b) of the Act and 19 CFR 351.225.

Dated: January 13, 2014.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

Discussion of the Issues

Comment 1: Whether the Department Should Continue to Find Reztec's Malaysian Production Process to be Minor or Insignificant

Comment 2: Application of Partial AFA with respect to Whether the Value of the Merchandise Produced in the PRC is a Significant Portion of the Total Value of the Merchandise that Reztec Exported from Malaysia to the United States

Comment 3: Whether the Department Should Provide Additional Guidance to Reztec Regarding Future Compliance with Any Affirmative Finding

[FR Doc. 2014–01053 Filed 1–17–14; 8:45 am]

BILLING CODE 3510–DS–P

[6] *See Uncovered Innerspring Units from the People's Republic of China: Notice of Antidumping Duty Order, 74 FR 7661* (February 19, 2009) (''*PRC Innerspring Units Order*'').

[7] *See Uncovered Innerspring Units from the People's Republic China: Initiation of Anticircumvention Inquiry,* 77 FR 30501 (May 23, 2012).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD084

Mid-Atlantic Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold a workshop to solicit input from fishing industry members and other stakeholders on best management practices for offshore wind development in the United States.

DATES: The meeting will begin on Wednesday, February 5, 2014 at 1 p.m. and will end on Thursday, February 6, 2014 no later than 5:30 p.m.

Meeting address: The meeting will be held at the Embassy Suites, 222 St. Paul Place, Baltimore, MD 21202; telephone: (800) 362–2779.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331.

FOR FURTHER INFORMATION CONTACT: Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The purpose of the workshop is to facilitate stakeholder involvement in the development and refinement of best management practices (BMPs) for offshore wind development. The workshop will provide a forum for fishermen, fishery managers, other decision makers, and offshore wind experts to provide input on the Bureau of Ocean Energy Management's (BOEM) Draft Report on Fishing Best Management Practices and Mitigation Measures (*http://www.boem.gov/Draft-Report-on-Fishing-Best-Management-Practices-and-Mitigation-Measures/*). The Council is planning the workshop in coordination with BOEM, and input provided during the workshop will be incorporated into the final BMPs adopted by BOEM.

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 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

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: January 14, 2014.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–00925 Filed 1–17–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XB157

Marine Mammals; File No. 14856

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that a permit has been issued to Bruce R. Mate, Ph.D., Hatfield Marine Science Center, Oregon State University, Newport, OR 97365 to conduct research on 78 species of marine mammals for scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following offices: See **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Kristy Beard, (301) 427–8401.

SUPPLEMENTARY INFORMATION: On June 1, 2012, notice was published in the **Federal Register** (77 FR 32571) that a request for a permit to conduct research on marine mammals had been submitted by the above-named applicant. The requested permit has been issued 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 (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Dr. Mate has been issued a permit that authorizes the take of 66 species of cetaceans and 12 species of pinnipeds in U.S. and international waters worldwide. The purposes of the research are to: (1) Identify migration routes; (2) identify specific feeding and breeding grounds for each species; (3) characterize local movements and dive habits in both feeding and breeding grounds, and during migration; (4) examine the relationships between movements/dive habits and prey distribution, time of day, geographic location, or physical and biological oceanographic conditions; (5) characterize whale vocalizations; and (6) characterize sound pressure levels to which whales are exposed. Researchers are authorized to conduct aerial and vessel surveys to perform a suite of research activities including: observations, biopsy sampling, implantable and suction-cup tagging, photo-identification, behavioral observation, passive acoustic recording, post-tag monitoring, and/or import, receive or export parts. Sixteen threatened or endangered marine mammals may be targeted for research or incidentally harassed during surveys. The request to attach implantable tags to minke (*Balaenoptera acutorostrata*) and killer whales (*Orcinus orca*) was denied. The permit expires December 31, 2018.

An environmental assessment (EA) was prepared analyzing the effects of the permitted activities on the human environment in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Based on the analyses in the EA, NMFS determined that issuance of the permit would not significantly impact the quality of the human environment and that preparation of an environmental impact statement was not required. That determination is documented in a Finding of No Significant Impact, signed on December 16, 2013.

As required by the ESA, issuance of this permit was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Documents may be reviewed in the following locations:

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;

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802–1668; phone (907) 586–7221; fax (907) 586–7249;

West Coast Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; phone (562) 980–4005; fax (562) 980–4027;

Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814–4700; phone (808) 944–2200; fax (808) 973–2941;

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978) 281–9328; fax (978) 281–9394; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727) 824–5312; fax (727) 824–5309.

Dated: January 15, 2014.

P. Michael Payne,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2014–01023 Filed 1–17–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD067

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation of Offshore Oil and Gas Facilities in the U.S. Beaufort Sea

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of issuance of a Letter of Authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a Letter of Authorization (LOA) has been issued to BP Exploration (Alaska) Inc. (BP) to take marine mammals, by harassment, incidental to operation of offshore oil and gas facilities in the U.S. Beaufort Sea, Alaska.

DATES: Effective from January 13, 2014, through January 14, 2019.

ADDRESSES: The LOA and supporting documentation may be obtained by writing to Jolie Harrison, Supervisor, Incidental Take Program, Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East West Highway, Silver Spring, MD 20910, calling the contact listed under **FOR FURTHER INFORMATION CONTACT**, or visiting the Internet at: *http://www.nmfs.noaa.gov/pr/permits/incidental.htm.* Documents cited in this notice may also be viewed, by appointment, during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Candace Nachman, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued. Under the MMPA, the term ''take'' means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture, or kill any marine mammal.

Authorization for incidental takings may be granted for periods up to 5

years, after notification and opportunity for public comment, if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined ''negligible impact'' in 50 CFR 216.103 as '' . . . an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.''

Regulations governing the take of six species of marine mammals, by Level B harassment, and the take of one species by Level A harassment, serious injury, or mortality incidental to operation of the Northstar development in the Beaufort Sea, Alaska, were issued on December 12, 2013 (78 FR 75488). These regulations are effective from January 13, 2014, through January 14, 2019 (78 FR 75488, December 12, 2013). The species which are authorized for taking by Level B harassment are: Bowhead, gray, and beluga whales and ringed, bearded, and spotted seals. BP is also authorized to take five individual ringed seals by injury or mortality annually over the course of the 5-year rule. For detailed information on this action, please refer to the final rule (78 FR 75488, December 12, 2013). These regulations include mitigation, monitoring, and reporting requirements for the incidental take of marine mammals during operation and maintenance activities at the BP Northstar development facility.

This LOA is effective from January 13, 2014, through January 14, 2019, and authorizes the incidental take of the six marine mammal species listed above that may result from operations, including maintenance activities, at the BP Northstar development in the U.S. Beaufort Sea.

Potential effects of BP's operation of the Norsthar development involve both acoustic and non-acoustic effects. Potential non-acoustic effects could result from the physical presence of personnel, structures and equipment, construction or maintenance activities, and the occurrence of oil spills. Ice road construction may also impact ringed seals. A major oil spill is unlikely. Potential acoustic effects could result from island construction, maintenance, and drilling, as well as vehicles operating on the ice, vessels, aircraft, generators, production machinery, gas flaring, and camp operations. Marine mammals may experience masking and behavioral disturbance.

Take of marine mammals will be minimized through the implementation of the following mitigation measures: (1) Surveying with specially-trained dogs if any ice road or construction activities occur after March 1 in previously undisturbed areas in waters deeper than 10 ft (3 m) in order to identify and avoid ringed seal structures by a minimum of 492 ft (150 m); (2) scheduling all non-essential boat, hovercraft, barge, and air traffic to avoid periods when whales (especially bowhead whales) are migrating through the area; (3) maintaining a minimum altitude of 1,000 ft (305 m) and specific corridor from Seal Island to the mainland for all helicopter flights, except when limited by weather or personnel safety or during takeoffs and landings; (4) establishing exclusion zones for cetaceans and pinnipeds of 180 and 190 dB re 1 μPa (rms), respectively, when impact pile driving activities will occur; (5) shutting down impact pile driving activities if marine mammals enter the applicable exclusion zones; and (6) no new drilling into oil-bearing strata during either open-water or spring-time broken ice conditions. In addition to these mitigation measures, BP has an oil spill prevention and contingency plan in place, which was developed and approved by the Alaska Department of Environmental Conservation, U.S. Department of Transportation, U.S. Coast Guard, and the former Minerals Management Service. Additionally, the rule includes an adaptive management component that allows for timely modification of mitigation or monitoring measures based on new information, when appropriate.

Through this LOA, BP is required to monitor for marine mammals using both visual observers and passive acoustic monitoring systems. BP is required to submit an annual report to NMFS by June 1 of each year. The report will include data collected from the visual and acoustic monitoring program during the period of November 1 through October 31 each year. Additional information on the mitigation, monitoring, and reporting requirements can be found in the final rule (78 FR 75488, December 12, 2013). BP is also required to submit a comprehensive report, which shall provide full documentation of methods, results, and interpretation of all monitoring during the period of effectiveness of this LOA.

Dated: January 14, 2014.

Donna S. Wieting,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2014–00997 Filed 1–17–14; 8:45 am]

BILLING CODE 3510–22–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No: CFPB–2014–0002]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau) is proposing to renew the Office of Management and Budget (OMB) approval for an existing information collection titled, ''Fair Credit Reporting Act (Regulation V) 12 CFR 1022''.

DATES: Written comments are encouraged and must be received on or before February 20, 2014 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Electronic: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail/Hand Delivery/Courier:* Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552.

Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted. In general, all comments received will be posted without change to regulations.gov, including any personal information provided. Sensitive personal information, such as account numbers or social security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at *www.reginfo.gov.* Requests for additional information should be directed to the Consumer Financial Protection Bureau, (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552, (202) 435–9575, or email: *PRA@cfpb.gov.* Please do not submit comments to this email box.

SUPPLEMENTARY INFORMATION:

Title of Collection: Fair Credit Reporting Act (Regulation V) 12 CFR Part 1022.

OMB Control Number: 3170–0002.

Type of Review: Extension without change of a currently approved collection.

Affected Public: Private sector.

Estimated Number of Respondents: 155.[1]

Estimated Total Annual Burden Hours: 4,156,000.

Abstract: The consumer disclosures included in Regulation V are designed to alert consumers that a financial institution furnished negative information about them to a consumer reporting agency, that they have a right to opt out of receiving marketing materials and credit or insurance offers, that their credit report was used in setting the material terms of credit that may be less favorable than the terms offered to consumers with better credit histories, that they maintain certain rights with respect to a theft of their identity that they reported to a consumer reporting agency, that they maintain rights with respect to knowing what is in their consumer reporting agency file, that they can request a free credit report, and that they can report a theft of their identity to the CFPB. Consumers then can use the information provided to consider how and when to check and use their credit reports.

Request for Comments: The Bureau issued a 60-day **Federal Register** notice on July 25, 2013 [78 FR 44930]. Comments were solicited and continue to be invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility; (b) The accuracy of the Bureau's estimate of the burden of the collection of information, including the validity of the methods and the 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 collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record.

Dated: January 14, 2014.

Ashwin Vasan,

Chief Information Officer, Bureau of Consumer Financial Protection.

[FR Doc. 2014–00945 Filed 1–17–14; 8:45 am]

BILLING CODE 4810–AM–P

[1] The Bureau allocated half of the Federal Trade Commission (FTC) burden amount after subtracting the burden which the FTC has attributed to itself for motor vehicle dealers. Section 1029 of the Dodd-Frank Act exempts certain motor vehicle dealers from the Bureau's enforcement authority. However, due to the difficulty of making a reliable estimate of those dealers, the FTC has attributed to itself the PRA burden for all motor vehicle dealers. This attribution does not change the actual enforcement authority of either the FTC or the CFPB.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Proposed Information Collection; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (CNCS), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirement on respondents can be properly assessed.

Currently, CNCS is soliciting comments concerning its proposed AmeriCorps Competitive Advantage study. The primary purpose of the analysis is to identify any competitive advantage in the job market that may be conferred by AmeriCorps experience. Collection of this data is not required for obtaining grant funding support from CNCS.

Copies of the information collection request can be obtained by contacting the office listed in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by March 24, 2014.

ADDRESSES: You may submit comments, identified by the title of the information collection activity, by any of the following methods:

(1) By mail sent to: Corporation for National and Community Service, Office of Research and Evaluation; Attention Adrienne DiTommaso, Research Assistant, 10th floor, 10902A; 1201 New York Avenue NW., Washington, DC 20525.

(2) By hand delivery or by courier to the CNCS mailroom at Room 8100 at the mail address given in paragraph (1) above, between 9:00 a.m. and 4:00 p.m. Eastern Time, Monday through Friday, except Federal holidays.

(3) Electronically through *www.regulations.gov*.

Individuals who use a telecommunications device for the deaf (TTY–TDD) may call 1–800–833–3722 between 8:00 a.m. and 8:00 p.m. Eastern Time, Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Adrienne DiTommaso, (202) 606–3611, or by email at *aditommaso@cns.gov*.

SUPPLEMENTARY INFORMATION: CNCS is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, including whether the information will have practical utility;
- Evaluate 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are expected to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submissions of responses).

Background

The primary purpose of the analysis is to identify any competitive advantage in the job market that may be conferred by AmeriCorps experience. The results of the analysis will inform CNCS policy at large, programming content and policy, and further lines of research around economic outcomes of national service members.

This is a new information collection request. This study would administer a 15 minute, online survey to a sample of managers with hiring authority in the public, private, and non-profit sectors. The survey consists of a section comprised of experimental questions regarding managers' hiring preferences when considering applicant skill and experience profiles, and a section of demographic questions.

Type of Review: New.

Agency: Corporation for National and Community Service.

Title: AmeriCorps Competitive Advantage Study.

OMB Number: None.

Agency Number: None.

Affected Public: Managers with hiring authority employed in the public, non-profit, and private sectors.

Total Respondents: Approximately 500.

Frequency: One time.

Average Time per Response: 15 minutes.

Estimated Total Burden Hours: 125.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 14, 2014.

Mary Hyde,

Acting Director, Office of Research and Evaluation.

[FR Doc. 2014–01026 Filed 1–17–14; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 13–67]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104–164, dated July 21, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 13–67 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: January 15, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

JAN 13 2014

The Honorable John A. Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 13-67, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Singapore for defense articles and services estimated to cost $2.430 billion. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 5001–06–C

Transmittal No. 13–67

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as Amended

(i) *Prospective Purchaser:* Singapore

(ii) *Estimated Value:*

Major Defense Equipment*	$0.33 billion.
Other	2.10 billion.
Total	2.43 billion.

* as defined in Section 47(6) of the Arms Export Control Act.

(iii) *Description and Quantities of Articles or Services under Consideration for Purchase:* Singapore has requested a possible sale for the upgrade of 60 F–16C/D/D+ aircraft. The upgrades will address reliability, supportability, and combat effectiveness concerns associated with its aging F–16 fleet. The items being procured in this proposed sale include:

70 Active Electronically Scanned Array Radars (AESA)

70 LN–260 Embedded Global Positioning System/Inertial Navigation Systems (GPS/INS)

70 Joint Helmet Mounted Cueing Systems (JHMCS)

70 APX–125 Advanced Identification Friend or Foe (IFF) Combined Interrogator Transponders

3 AIM–9X Block II Captive Air Training Missiles
3 TGM–65G Maverick Missiles for testing and integration
4 GBU–50 Guided Bomb Units (GBU) for testing and integration
5 GBU–38 Joint Direct Attack Munitions for testing and integration
3 CBU–105 (D–4)/B Sensor Fused Weapons for testing and integration
1 AIS Interface Test Adapters for software updates
1 Classified Computer Program Identification Numbers (CPINs)
4 GBU–49 Enhanced Paveways for testing and integration
2 DSU–38 Laser Seekers for testing and integration
6 GBU–12 Paveway II, Guidance Control Units

Also included are Modular Mission Computers, a software maintenance facility, cockpit multifunction displays, radios, secure communications, video recorders; a Joint Mission Planning System (JMPS); maintenance, repair and return, aircraft and ground support equipment, spare and repair parts, tool and test equipment; engine support equipment, publications and technical documentation; aerial refueling support, aircraft ferry services, flight test; personnel training and training equipment, site surveys, construction, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support.

(iv) *Military Department:* Air Force (QAW)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* 13 January 2014

POLICY JUSTIFICATION

Singapore—F–16 Block 52 Upgrade

The Government of Singapore has requested an upgrade of 60 F–16C/D/D+ aircraft. The upgrades will address reliability, supportability, and combat effectiveness concerns associated with its aging F–16 fleet. The items being procured in this proposed sale include:

70 Active Electronically Scanned Array Radars (AESA)
70 LN–260 Embedded Global Positioning System/Inertial Navigation Systems (GPS/INS)
70 Joint Helmet Mounted Cueing Systems (JHMCS)
70 APX–125 Advanced Identification Friend or Foe (IFF) Combined Interrogator Transponders
3 AIM–9X Block II Captive Air Training Missiles
3 TGM–65G Maverick Missiles for testing and integration
4 GBU–50 Guided Bomb Units (GBU) for testing and integration
5 GBU–38 Joint Direct Attack Munitions for testing and integration
3 CBU–105 (D–4)/B Sensor Fused Weapons for testing and integration
1 AIS Interface Test Adapters for software updates
1 Classified Computer Program Identification Numbers (CPINs)
4 GBU–49 Enhanced Paveways for testing and integration
2 DSU–38 Laser Seekers for testing and integration
6 GBU–12 Paveway II, Guidance Control Units

Also included are Modular Mission Computers, a software maintenance facility, cockpit multifunction displays, radios, secure communications, video recorders; a Joint Mission Planning System (JMPS); maintenance, repair and return, aircraft and ground support equipment, spare and repair parts, tool and test equipment; engine support equipment, publications and technical documentation; aerial refueling support, aircraft ferry services, flight test; personnel training and training equipment, site surveys, construction, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The estimated cost is $2.43 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by increasing the ability of the Republic of Singapore to contribute to regional security. The proposed sale will improve the security of a strategic partner which has been, and continues to be, an important force for political stability and economic progress in the Asia Pacific region.

The proposed upgrade will improve both the capabilities and the reliability of the Republic of Singapore Air Force's (RSAF) aging fleet of F–16s. The improved capability, survivability, and reliability of newly upgraded F–16s will enhance the RSAFs ability to defend its borders and contribute to coalition operations with other allied forces. The RSAF will have no difficulty absorbing this additional equipment and support into its armed forces.

The proposed sale of this equipment and support to Singapore will not alter the basic military balance in the region.

The principal contractors will be:

The Lockheed Martin Aeronautics Company	Fort Worth, Texas.
BAE Advanced Systems	Greenland, New York.
Boeing Integrated Defense Systems	St Louis, Missouri.
ITT Defense Electronics and Services	McLean, Virginia.
ITT Integrated Structures	North Amityville, New York.
ITT Night Vision	Roanoke, Virginia.
L3 Communications	Arlington, Texas.
Lockheed Martin Missile and Fire Control	Dallas, Texas.
Lockheed Martin Simulation, Training, and Support	Fort Worth, Texas.
Northrop-Grumman Electro-Optical Systems	Garland, Texas.
Northrop-Grumman Electronic Systems	Baltimore, Maryland.
The Raytheon Company	Goleta, California.
Raytheon Missile Systems	Tucson, Arizona.

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Singapore.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 13–67

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex

Item No. vii

(vii) Sensitivity of Technology:

1. The Modular Mission Computer (MMC)—The Singapore Air Force (RSAF) F–16 upgrade program request includes the MMC 7000–AHC operational flight program (OFP) software that is compatible with the following approved systems and weapons: LITENING/Sniper Targeting Pods, ALQ–131 Block II Electronic Warfare Pod, AIM–120 Advanced Medium Range Air-to-Air Missile, AIM–9L/M Sidewinder Missile, and AGM–84 Block I/II Harm Missile. The highest MMC OFP classification level is Secret.

2. The Scalable Agile Beam Radar is the radar specifically designed as a retrofit for existing F–16s. This model contains the latest digital technology available in an electronically scanned antenna, including higher processor power, higher transmission power, more sensitive receiver electronics, and Synthetic Aperture Radar (SAR), which creates higher-resolution ground maps from a much greater distance than previous versions of the F–16 radar. The upgrade features a 50% increase in the detection range of air targets, a ten-fold increase in processing speed and memory, as well as significant improvements in all modes, jam resistance and false alarm rates. Complete hardware is classified Confidential; major components and subsystems are classified Confidential; software is classified Secret; and technical data and documentation are classified up to Secret.

3. The LN–260 Embedded Global Positioning System-Inertial Navigation System (GPS–INS) is a sensor that combines GPS and inertial sensor inputs to provide accurate location information for navigation and targeting. The EGI LN–260 is Unclassified. The GPS crypto variable keys needed for highest GPS accuracy are classified up to Secret.

4. The AN/APX–125 Advanced Identification Friend or Foe (AIFF) is a system capable of transmitting and interrogating Mode 4 and/or 5. It is Unclassified unless/until Mode 4 and/or Mode 4 operational evaluator parameters are loaded into the equipment. Classified elements of the IFF system include software object code, operating characteristics, parameters, and technical data. Mode 4 and Mode 5 anti-jam performance specifications/data, software source code, algorithms, and tempest plans or reports will not be offered, released, discussed or demonstrated.

5. The Joint Helmet Mounted Cueing System (JHMCS) is a modified HGU–55/P helmet that incorporates a visor-projected Heads-Up Display (HUD) to cue weapons and aircraft sensors to air and ground targets. In close combat, a pilot must currently align the aircraft to shoot at a target. The JHMCS allows the pilot to simply look at a target to shoot. This system projects visual targeting and aircraft performance information on the back of the helmet's visor, enabling the pilot to monitor this information without interrupting his field of view through the cockpit canopy. The system uses a magnetic transmitter unit fixed to the pilot's seat and a magnetic field probe mounted on the helmet to define helmet pointing positioning. A Helmet Vehicle Interface (HVI) interacts with the aircraft system bus to provide signal generation for the helmet display. This provides significant improvement for close combat targeting and engagement. Hardware is Unclassified; technical data and documents are classified up to Secret.

6. The AIM–9X SIDEWINDER is an air-to-air guided missile that employs a passive infrared (IR) target acquisition system that features digital technology and micro-miniature solid-state electronics. The AIM–9X AUR is Confidential, major components and subsystems range from Unclassified to Confidential, and technical data and other documentation are classified up to Secret.

7. The CBU–105D/B Sensor Fused Weapon (SFW) is an advanced 1,000-pound class cluster bomb munition containing sensor fused sub-munitions that are designed to attack and defeat a wide range of moving or stationary land and maritime threats with minimal collateral damage. The SFW is currently the only combat proven, clean battle weapon that meets U.S. law regarding cluster munition safety requirements. In addition to added safety, no other munition is as versatile and effective against so many different target types.

a. Major components include the SUU–66 Tactical Munitions Dispenser (TMD), ten (10) BLU–108 sub-munitions, each with four (4) ''hockey puck'' shaped skeet infrared sensing projectiles for a total of forty (40) warheads. The munition will be delivered in its All-Up-Round (AUR) configuration. This configuration is Unclassified. No access to the CBU–105 in other than its AUR configuration is anticipated. Although very difficult to open, access to the sub-munitions, and technical data are classified up to Secret.

b. Maximizing the CBU–105 operational effectiveness and combat survivability depends largely upon training, tactics & procedures employed. Information revealing test boundaries, operational envelope and release points, the probability of destroying targets, number of targets destroyed per pass, the terminal impact conditions, the operational flight programming, and data on the infra-red frequency and sensor thresholds is classified up to Secret. Information revealing counter-measures and counter-counter measures are classified Secret.

8. The GBU–38 Joint Direct Attack Munition (JDAM) is a 500lb weapon with a guidance tail kit that converts unguided free-fall bombs into accurate, adverse weather ''smart'' munitions. With the addition of a new tail section that contains an inertial navigational system and a global positioning system guidance control unit, JDAM improves the accuracy of unguided, general-purpose bombs in any weather condition. The JDAM can be launched from very low to very high altitudes in a dive, toss and loft, or in straight and level flight with an on-axis or off-axis delivery. The JDAM enables multiple weapons to be directed against single or multiple targets on a single pass. The JDAM AUR (All Up Round) and all of its components are Unclassified, technical data for JDAM is classified up to Secret.

9. The GBU–49 and GBU–50 are 500lbs/2000lbs dual mode laser-guided and GPS guided ammunitions respectively. Information revealing target designation tactics and associated aircraft maneuvers, the probability of destroying specific/peculiar targets, vulnerabilities regarding countermeasures and the electromagnetic environment are classified Secret. Information revealing the probability of destroying common/unspecified targets, the number of simultaneous lasers the laser seeker head can discriminate, and data on the radar/infra-red frequency are classified Confidential.

10. The TGM–65G Maverick missile is the inert/training version of an air-to-ground missile. The hardware is Unclassified, but has an overall

classification of Secret. The Secret aspects of the Maverick system are tactics, information revealing its vulnerability to countermeasures, and counter-countermeasures. Manuals and technical documents that are necessary for operational use and organizational maintenance have portions that are classified Confidential. Performance and operating logic of the countermeasures circuits are Secret.

11. If a technologically advanced country were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar capabilities.

12. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the US Government. This sale is necessary in furtherance of the US foreign policy and national security objectives outlined in the Policy Justification.

13. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Singapore.

[FR Doc. 2014–01062 Filed 1–17–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 13–73]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 13–73 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: January 15, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

JAN 13 2014

The Honorable John A. Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 13-73, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Israel for defense articles and services estimated to cost $1.13 billion. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 13–73

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act (AECA), as amended

(i) *Prospective Purchaser:* Israel

(ii) *Total Estimated Value:*

Major Defense Equipment *	$.589 billion
Other	.541 billion
Total	1.130 billion

* as defined in Section 47(6) of the Arms Export Control Act.

(iii) *Description and Quantity or Quantities of Articles or Services Under Consideration for Purchase:* 6 V–22B Block C Aircraft, 16 Rolls Royce AE1107C Engines, 6 AN/APR–39 Radar Warning Receiver Systems, 6 AN/ALE–47 Countermeasure Dispenser Systems, 6 AN/AAR–47 Missile Warning Systems, 6 AN/APX–123 Identification Friend or Foe Systems, 6 AN/ARN–153 Tactical Airborne Navigation Systems, 6 AN/ARN–147 Very High Frequency (VHF) Omni-directional Range (VOR) Instrument Landing System (ILS) Beacon Navigation Systems, 6 Multi-Band Radios, 6 AN/APN–194 Radar Altimeters, 6 AN/ASN–163 Miniature Airborne Global Positioning System (GPS) Receivers (MAGR), 36 AN/AVS–9 Night Vision Goggles, Joint Mission Planning System, support and test

equipment, software, repair and return, aircraft ferry services, tanker support, spare and repair parts, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering and technical support, and other elements of technical and program support.

(iv) *Military Department:* Navy (SCD).

(v) *Prior Related Cases, if any:* None.

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None.

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Annex attached.

(viii) *Date Report Delivered to Congress:* 13 January 2014.

POLICY JUSTIFICATION

Israel—V–22B Block C Aircraft

The Government of Israel (GOI) has requested a possible sale of 6 V–22B Block C Aircraft, 16 Rolls Royce AE1107C Engines, 6 AN/APR–39 Radar Warning Receiver Systems, 6 AN/ALE–47 Countermeasure Dispenser Systems, 6 AN/AAR–47 Missile Warning Systems, 6 AN/APX–123 Identification Friend or Foe Systems, 6 AN/ARN–153 Tactical Airborne Navigation Systems, 6 AN/ARN–147 Very High Frequency (VHF) Omni-directional Range (VOR) Instrument Landing System (ILS) Beacon Navigation Systems, 6 Multi-Band Radios, 6 AN/APN–194 Radar Altimeters, 6 AN/ASN–163 Miniature Airborne Global Positioning System (GPS) Receivers (MAGR), 36 AN/AVS–9 Night Vision Goggles, Joint Mission Planning System, support and test equipment, software, repair and return, aircraft ferry services, tanker support, spare and repair parts, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering and technical support, and other elements of technical and program support. The estimated cost is $1.13 billion.

The United States is committed to the security of Israel, and it is vital to U.S. national interests to assist Israel to develop and maintain a strong and ready self-defense capability. This proposed sale is consistent with those objectives.

The proposed sale of V–22B aircraft will enhance and increase the Israel Defense Forces' search and rescue and special operations capabilities. The V–22B provides the capability to move personnel and equipment to areas not accessible by fixed wing lift assets. The GOI will have no difficulty absorbing this technology into its current aircraft inventory.

The proposed sale of these aircraft will not alter the basic military balance in the region.

The principal contractors involved with this proposed sale will be Bell and Boeing in California, MD via a joint venture arrangement with final aircraft assembly occurring in Amarillo, TX. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will require travel of up to thirty (30) U.S. Government or contractor representatives to Israel on a temporary basis for program technical support and management oversight.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 13–73

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The V–22B Osprey is a multi-mission, military, tiltrotor aircraft with both a Vertical Takeoff and Landing (VTOL), and Short Takeoff and Landing (STOL) capability. It is designed to combine the functionality of a conventional helicopter with the long-range, high-speed cruise performance of a turboprop aircraft. The V–22B, including the mission equipment, is classified up to Secret.

a. The AN/APR–39 Radar Warning Receiver (RWR) System monitors the environment for pulsed radar signals, characterizes and identifies them, and alerts the crew to the existence of emitters. The AN/APR–39 contributes to full-dimensional protection by improving individual aircraft probability of survival through improved aircrew situational awareness of the electromagnetic threat environment. These systems have specific aircraft application and provide varying levels and types of warning so as to allow aircraft crews to take evasive maneuvers or deploy active countermeasures.

b. The AN/ALE–47 Countermeasures Dispenser System (CMDS) is an Electronic Warfare (EW) System affording combat aircrews with enhanced survivability in all threat environments via onboard self-protection capabilities when integrated with the RWR system. The AN/ALE–47 CMDS provides the aircrew with a ''smart'' countermeasures dispensing system, allowing the aircrew to optimize the countermeasures employed against anti-aircraft threats. The system consists of five major components and several sub-components: control display units, programmers, safety switches, sequencers, and dispensers.

c. The AN/AAR–47 is an EW system designed to protect aircraft against Infrared-Guided (IR) missile threats, laser-guided/laser-aided threats, and unguided munitions. Upon detection of the threat, the system will provide an audio and visual sector warning to the pilot. For IR missile threats, the system automatically initiates countermeasures by sending a command signal to the CMDS. The AN/AAR–47 includes sensor pre-processing for improved performance in high-clutter environments.

d. The AN/APX–123 is an Identification Friend or Foe digital transponder and is also used for the safe operation of military aircraft in civilian airspace. The AN/APX–123 meets all United States and North Atlantic Treaty Organization (NATO) mode 5 requirements.

e. The AN/ARN–153 is a full featured Tactical Air Navigation (TACAN) capable of supporting the operational requirements of high performance aircraft in a lightweight compact design. The AN/ARN–153 supports four modes of operation: receive mode; transmit-receive mode; air-to-air receive mode; and air-to-air transmit-receive mode.

f. The AN/ARN–147 system combines all VHF Omni Ranging/Instrument Landing System (VOR/ILS) functions into one compact, lightweight, low-cost set. It's the first militarized VHF navigation receiver to provide optional internal MIL–STD–1553B capability. The solid-state system is MIL–E–5400 class II qualified and meets international operability requirements by providing 50-kHz channel spacing for 160–VOR and 40-localizer/glide slope channels. Digital and analog outputs of the AN/ARN–147 ensure compatibility with high-performance flight control systems and both digital and analog instruments.

g. The AN/ARC–210 multimode integrated communications system is designed to provide multimode voice and data communications in either normal or jam-resistant modes in line-of-sight mode. The system is capable of establishing 2-way communication links over the 30 to 400 MHz frequency range with tactical aircraft environments. The ARC–210 is for airborne Single-Channel Ground and Airborne Radio System (SINCGARS) applications and implements the SINCGARS and Have Quick EP modes.

h. The AN/APN–194 Radar Altimeter Receiver-Transmitter is a high-resolution device which measures

altitude from 0 to 5,000 ft. The radar altimeter measures the time (analogous to distance) required for a pulse of electromagnetic energy to travel from the aircraft to the ground and back to the aircraft. The output of the AN/APN–194 is fed into the autopilot of the aircraft to control the altitude of low-flying aircraft. The AN/APN–194 employs a narrow-pulse transmission in the C-band range with leading edge tracking of the echo pulse. Altitude range information is obtained by comparing the received echo pulse with a timed ramp voltage generated simultaneously with the transmitted pulse.

i. The AN/ASN–163 is a 5-channel Miniature Airborne GPS Receiver (MAGR) that provides Over-The-Horizon and secure navigation capabilities using satellite information.

j. The AN/AVS–9 is a dual tube night vision goggle. Third generation image intensifiers are standard for military night vision. The goggle offers high resolution, high gain, photo response to near infrared, and exceptional reliability. There are helmet mount configurations designed for fixed-wing and rotary-wing applications, adapting to most aviator helmets.

2. If a technologically advance adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar advanced capabilities.

3. A determination has been made that the GOI can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Israel.

[FR Doc. 2014–01063 Filed 1–17–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Intent To Grant an Exclusive Patent License

Pursuant to the provisions of Part 404 of Title 37, Code of Federal Regulations, which implements Public Law 96–517, as amended; the Department of the Air Force announces its intention to grant Laerdal Medical Corporation, a corporation of the State of New York, having a place of business at 167 Myers Corners Road, Wappingers Falls, New York, an exclusive license limited to the field of web-based Basic Life Support training (per American Heart Association protocol) for all subscription users in any right, title and interest the Air Force has in:

U.S. Patent No. 8,568,145, to be issued October 29, 2013, entitled ''Predictive Performance Optimizer,'' by Jastrzembski et al. and pending U.S. Application Serial No. 13/854,288, filed April 1, 2013, entitled ''Predictive Performance Optimizer,'' by Jastrzembski et al.

The Air Force intends to grant a license for the patent and pending application unless a written objection is received within fifteen (15) calendar days from the date of publication of this Notice. Written objection should be sent to: Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Rm. D–14, Wright-Patterson AFB, OH 45433–7109; Facsimile: (937) 255–3733.

Henry Williams Jr.,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2014–01012 Filed 1–17–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2014–ICCD–0005]

Agency Information Collection Activities; Comment Request; Consolidation Loan Rebate Fee Report

AGENCY: Federal Student Aid (FSA), 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 of an existing information collection.

DATES: Interested persons are invited to submit comments on or before March 24, 2014.

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–2014–ICCD–0005 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, Mailstop L–OM–2–2E319, Room 2E103, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For questions related to collection activities or burden, please call Kate Mullan, 202–401–0563 or electronically mail *ICDocketMgr@ed.gov*. Please do not send comments here. We will ONLY accept comments in this mailbox when the regulations.gov site is not available to the public for any reason.

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: Consolidation Loan Rebate Fee Report.

OMB Control Number: 1845–0046.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Private Sector.

Total Estimated Number of Annual Responses: 10,320.

Total Estimated Number of Annual Burden Hours: 11,180.

Abstract: The Consolidation Loan Rebate Fee Report for payment by check or Electronic Funds Transfer (EFT) will be used by approximately 860 lenders participating in the Title IV, Part B loans program. The information collected is used to transmit interest payment rebate fees to the Secretary of Education.

Dated: January 15, 2014.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2014–01004 Filed 1–17–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Application for New Awards; Indian Education Formula Grants to Local Educational Agencies

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

Overview Information

Indian Education Formula Grants to Local Educational Agencies Notice inviting applications for fiscal year (FY) 2014.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.060A.

Dates:

Part I of the Formula Grant Electronic Application System for Indian Education (EASIE) Applications Available: January 27, 2014.

Deadline for Transmittal of Part I Applications: February 28, 2014.

Part II of the Formula Grant EASIE Applications Available: March 31, 2014

Deadline for Transmittal of Part II Applications: May 30, 2014.

Note: Applicants must meet the deadlines for both EASIE Part I and Part II to receive a grant. Any application not meeting the Part I and Part II deadlines will not be considered for funding. Failure to submit the required supplemental documentation, described in section IV. 2 *Content and Form of Application Submission,* by the EASIE Parts I and II deadlines will result in an incomplete application that will not be considered for funding. The Office of Indian Education recommends uploading the documentation 20 days prior to each closing date to ensure that any potential submission issues are resolved prior to the deadlines.

I. Funding Opportunity Description

Purpose of Program: The Indian Education Formula Grants to Local Educational Agencies program provides grants to support local educational agencies (LEAs) and other eligible entities described in this notice in reforming and improving elementary and secondary school programs that serve Indian students. The Department funds comprehensive programs that are designed to help Indian students meet the same State academic content and student academic achievement standards used for all students while addressing the language and cultural needs of Indian students. Such programs include supporting the professional development of teachers of Indian students.

In addition, under section 7116 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), the Secretary will, upon receipt of an acceptable plan for the integration of education and related services, and in cooperation with other relevant Federal agencies, authorize the entity receiving the funds under this program to consolidate all Federal formula funds that are to be used exclusively for Indian students. Instructions for submitting an integration of education and related services plan are included in the EASIE, which is described elsewhere in this notice under *Application Process and Submission Information.*

Note: Under the Indian Education Formula Grants to Local Educational Agencies program, applicants are required to develop the project for which an application is made: (a) In open consultation with parents and teachers of Indian students and, if appropriate, Indian students from secondary schools, including through public hearings held to provide a full opportunity to understand the program and to offer recommendations regarding the program (section 7114(c)(3)(C) of the ESEA); (b) with the participation of a parent committee selected in accordance with section 7114(c)(4) of the ESEA; and, (c) with the written approval of that parent committee (section 7114(c)(4) of the ESEA).

Program Authority: 20 U.S.C. 7421 *et seq.*

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 80, 81, 82, 84, 97, 98, and 99. (b) The Education Department suspension and debarment regulations in 2 CFR part 3485.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

II. Award Information

Type of Award: Indian Education Formula Grants to Local Educational Agencies.

Estimated Available Funds: The Administration has requested $105,921,000 for this program for FY 2014. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Estimated Range of Awards: $4,000 to $2,823,022.

Estimated Average Size of Awards: $78,057.

Estimated Number of Awards: 1,300.

Note: The Department is not bound by any estimates in this notice.

Project Period: 12 months.

III. Eligibility Information

1. *Eligible Applicants:* Certain LEAs, including charter schools authorized as LEAs under State law, as prescribed by section 7112(b) of the ESEA, certain schools funded by the Bureau of Indian Education of the U.S. Department of the Interior, as prescribed by section 7113(d) of the ESEA, and Indian tribes under certain conditions, as prescribed by section 7112(c) of the ESEA.

2. a. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

b. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements. Section 7114(c)(1) of ESEA states that the LEA will use these grant funds only to supplement the funds that, in the absence of these Federal funds, such agency would make available for the education of Indian children, and not to supplant such funds.

IV. Application Process and Submission Information

1. *How to Request an Application:* Applications for grants under this program must be submitted electronically using the Formula Grant EASIE, at *https://eden.ed.gov/Survey/.* For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirements, please refer to section IV. 7. *Other Submission Requirements* of this notice.

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 person or team listed under **FOR FURTHER INFORMATION CONTACT** in section VI 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 online application package for this program.

a. *Changes for FY 2014:* For all applicants, we have changed the previous practice of requiring applicants to choose project objectives each year. Applicants can now establish project objectives and corresponding activities/services for up to four years. This will enhance grantees' ability to collect data

on project success, provide project continuity in case of staff turnover, and enhance long-term planning for grantees that remain eligible for the formula grants each year. Starting in FY 2015, grantees who established multi-year project objectives will not have to re-enter information in EASIE Part II if they have no changes to their project objectives, activities, or coordination of services for American Indian/Alaska Native students.

To implement this option, applicants will first indicate in EASIE Part I the time-span for its project objectives, either one-year or multi-year. Then in EASIE Part II, applicants will select the objectives, corresponding activities, and data sources for measuring progress towards the objectives. Following each project year, this data will be reported to the Department on the grantee's annual performance report.

A second change affecting all applicants in EASIE Part II improves the description of the project's coordination of services for Indian students. First, applicants will identify, from a list of possible programs (e.g. ESEA Title I), those programs in the school district that are currently coordinated with the Title VII project, or that the school district plans to coordinate during the project year. Next, applicants will describe how the coordination of services will meet the needs of American Indian/Alaska Native students, including their language and cultural needs, with an explanation of specific programs and activities.

An additional change affects only elementary and secondary schools funded or operated by the Bureau of Indian Education (BIE). These schools continue to have the option of documenting their Indian student count either by maintaining student ''ED 506'' forms or by using the Indian School Equalization Program (ISEP) average daily membership (ADM) count. However, while in the past BIE schools that selected ISEP count were able to omit the Indian student count in EASIE Part I, these schools will now be required to enter either their ISEP or ED 506 form count in the student count section of Part I.

b. *Supplementary Documentation:* The EASIE application includes the electronic submission of required supplementary documentation.

(1) In EASIE Part I, applicants that are tribes must upload their verification of eligibility no later than the Part I close date. The details of the verification process, which is necessary to meet the statutory eligibility requirements for tribes, are in the application package. Tribes may use the sample agreement, available in the EASIE system as a downloadable document.

(2) In EASIE Part II, an applicant that is the lead LEA for a consortium of LEAs must upload a consortium agreement that meets the requirements of 34 CFR 75.128 no later than the Part II close date. The consortium may use the sample agreement, available in the EASIE system as a downloadable document, as a guide.

(3) In Part II, the Indian Parent Committee Approval form, which is required of all applicants that are LEAs or consortia of LEAs, must be uploaded into the EASIE system no later than the close of Part II. This form is also available in the EASIE system.

3. *Submission Dates and Times:* Part I of the Formula Grant EASIE Applications Available: January 27, 2014.

Deadline for Transmittal of Part I Applications: February 28, 2014, 11:59:59 p.m., Washington DC time. Part II of the Formula Grant EASIE Applications Available: March 31, 2014.

Deadline for Transmittal of Part II Applications: May 30, 2014, 11:59:59 p.m., Washington DC time.

Applications for grants under this program must be submitted electronically using the Formula Grant EASIE. For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirements, please refer to section IV. 7. *Other Submission Requirements* of this notice. All applications must be submitted by the Part I and Part II deadlines in order to receive funding; late applications will not be considered.

Individuals with disabilities who need an accommodation process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VI of this notice. If the Department provides 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.

Below is a table summarizing the FY 2014 EASIE deadlines for Part I and Part II.

Entity type	Requirement	Open date	Close/due date
All applicants	EASIE Part I	Jan 27, 2014	Feb 28, 2014, 11:59:59 p.m., Washington DC time.
Tribe in Lieu of LEA(s)	Upload Evidence of Eligibility	Jan 27, 2014	Feb 28, 2014, 11:59:59 p.m., Washington DC time.

Applicants must meet the deadlines for Part I to be eligible to complete Part II of the application process.

Entity type	Requirement	Open date	Close/due date
All applicants	EASIE Part II	Mar 31, 2014	May 30, 2014, 11:59:59 p.m., Washington DC time.
LEA Consortium	Upload Evidence of Eligibility (e.g. LEA consortium agreement).	Mar 31, 2014	May 30, 2014, 11:59:59 p.m., Washington DC time.
All LEA (and Consortia) applicants	Upload Parent Committee Approval Form.	Mar 31, 2014	May 30, 2014, 11:59:59 p.m., Washington DC time.

4. *Intergovernmental Review:* This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

5. *Funding Restrictions:* 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 with information on registration provided below;

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 Department 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-to-two business days.

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 can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data entered into the SAM database by an entity. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

If you are currently registered with 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.

Information about SAM is available at *www.SAM.gov.* To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: *http://www2.ed.gov/fund/grant/apply/sam-faqs.html.*

7. *Other Submission Requirements:* Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the Indian Education Formula Grants to Local Educational Agencies program, CFDA number 84.060A must be submitted electronically using the Formula Grant EASIE.

We will reject your application if you submit it in paper format unless you qualify for one of the exceptions to the electronic submission requirement described later in this section under *Exception to Electronic Submission Requirement,* and follow the submission rules outlined therein.

Formula Grant EASIE Electronic Application System: Formula Grant EASIE is an easy-to-use, electronic application system. This system allows the Department to review applications and interact online with applicants during the application review and approval process.

The Formula Grant EASIE application is divided into two parts—Part I and Part II.

Part I, Student Count, provides the appropriate data-entry screens to submit your Indian student count totals. You will also indicate whether your project objectives and corresponding activities/services will be set yearly or up to a four-year period.

In EASIE Part II, you will describe the Coordination of Services for American Indian/Alaska Native students and identify specific project objectives towards the goal of providing culturally-responsive education for American Indian/Alaska Native students to meet their academic needs and help them meet State achievement standards. Applicants will also choose the data sources that will be used to measure progress towards meeting project objectives.

Finally, in Part II, you will submit a realistic program budget based on the estimated grant amount that the EASIE system calculates from the Indian student count you submitted in Part I. After the initial grant amounts are determined, additional funds may become available due to such circumstances as withdrawn applications or reduction in an applicant's student count. An applicant whose award amount increases or decreases more than $1,000 must submit a revised budget prior to receiving its grant award but will not need to re-certify its application. For an applicant that receives an increase or decrease in its award less than $1,000, there will be no need for further action. For any applicant that receives notification of an increased award amount following submission of its original budget, the applicant must allocate the increased amount only to previously approved budget categories, whether or not the amount exceeds $1,000.

Registration for Formula Grant EASIE: Entities are encouraged to register as soon as possible at the registration Web site *www.easie.org,* to ensure that any potential registration issues are resolved prior to the deadline for the submission of an application. The purpose of the initial registration is to activate or re-activate entities' access to EASIE and to ensure that the correct entity information (e.g., NCES or DUNS numbers) is pre-populated into the first part of Formula Grant EASIE. The registration Web site does not serve as the entity's grant application. Current, former, and new applicants interested in submitting an Indian Formula Grant EASIE application must complete the registration process. For information on how to register, contact the EDFacts Partner Support Center listed elsewhere in this notice under **FOR FURTHER INFORMATION CONTACT**.

Certification for Formula Grant EASIE: The applicant's authorized representative, who must be an employee of the applicant, must certify both Part I and Part II of EASIE. Only users with the role type ''managing user'' or ''certifying official user'' in the EASIE system can certify an application.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the EASIE system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload documents to the EASIE system; and
- No later than two weeks before the application deadline date for Part I (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax

your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Bernard Garcia, U.S. Department of Education, Office of Indian Education, 400 Maryland Avenue SW., room 3E307, Washington, DC 20202–6335. FAX: (202) 205–0606.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the U.S Department of Education, Office of Indian Education. You must mail the original and two copies of your application, on or before the application deadline dates for both Part I and Part II, to the Office of Indian Education at the following address: U.S. Department of Education, Office of Indian Education, Attention: CFDA Number 84.060A, 400 Maryland Avenue SW., Room 3E307, Washington, DC 20202–6335.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

For all grant awards, if your application is postmarked after the application deadline date for Part I or Part II, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline dates for both Part I and Part II, to the Department at the following address: U.S. Department of Education, Office of Indian Education, Attention: CFDA Number 84.060A, 400 Maryland Avenue SW., Room 3E307, Washington, DC 20202–6335.

The Program Office accepts hand deliveries daily between 8 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—on your application, the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Program Office 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 Office of Indian Education at (202) 260–3774.

V. Grant Administration Information

1. *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 a grant in the *Applicable Regulations* section of this notice.

2. *Performance Measures:* The Secretary has established the following key performance measures for assessing the effectiveness and efficiency of the Indian Education Formula Grants to Local Educational Agencies program: (1) The percentage of American Indian and Alaska Native students in grades four and eight who score at or above the basic level in reading on the National Assessment of Educational Progress (NAEP); (2) the percentage of American Indian and Alaska Native students in grades four and eight who score at or above the basic level in mathematics on the NAEP; (3) the percentage of American Indian and Alaska Native students in grades three through eight meeting State performance standards by scoring at the proficient or the advanced levels in reading and mathematics on State assessments; (4) the difference between the percentage of American Indian and Alaska Native students in grades three through eight at the proficient or advanced levels in reading and mathematics on State assessments and the percentage of all students scoring at those levels; (5) the percentage of American Indian and Alaska Native students who graduate from high school; and (6) the percentage of funds used by grantees prior to award close-out.

VI. Agency Contacts

For Further Information Contact: For questions about the Formula Grant Program to Local Educational Agencies, contact Bernard Garcia, U.S. Department of Education, 400 Maryland Avenue SW., Room 3E307, Washington, DC 20202–6335. Telephone: (202) 260–1454 or by email: *Bernard.Garcia@ed.gov.* For questions about the EASIE application and uploading documentation, contact the EDFacts Partner Support Center, telephone: 877–457–3336 (877–HLP–EDEN) or by email at: *eden_OIE@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the EDFacts Partner Support Center, toll free, at 1–888–403–3336 (888–403–EDEN).

Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the EDFacts Partner Support Center.

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 other documents of this Department 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 the Department 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 the Department.

Dated: January 15, 2014.

Deborah Delisle,

Assistant Secretary for Elementary, and Secondary Education.

[FR Doc. 2014–01072 Filed 1–17–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC14–4–000]

Commission Information Collection Activities (FERC–73); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–73 (Oil Pipeline Service Life Data).

DATES: Comments on the collection of information are due March 24, 2014.

ADDRESSES: You may submit comments (identified by Docket No. IC14–4–000) 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,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION: *Title:* FERC–73, Oil Pipeline Service Life Data.

OMB Control No.: 1902–0019.

Type of Request: Three-year extension of the FERC–73 information collection requirements with no changes to the current reporting requirements.

Abstract: The Commission has authority over interstate oil pipelines as stated in the Interstate Commerce Act, 49 U.S.C. 6501, *et al.* As part of the information necessary for the subsequent investigation and review of an oil pipeline company's proposed depreciation rates, the pipeline companies are required to provide service life data as part of their data submissions if the proposed depreciation rates are based on the remaining physical life calculations. This service life data is submitted on FERC Form No. 73, ''Oil Pipeline Service Life Data''. The information collected under the requirements of FERC Form No. 73 is used by the Commission to implement the statutory provisions of Sections 306 and 402 of the Department of Energy Organization Act, 42 U.S.C. 7155 and 7172, and Executive Order No. 12009, 42 FR 46277 (September 13, 1977).[1]

The data submitted are used by the Commission to assist in the selection of appropriate service lives and book depreciation rates. Book depreciation rates are used by oil pipeline companies to compute the depreciation portion of their operating expense which is a component of their cost of service which in turn is used to determine the transportation rate to assess customers. FERC staff's recommended book depreciation rates become legally binding when issued by Commission order. These rates remain in effect until a subsequent review is requested and the outcome indicates that a modification is justified. The Commission implements these filings in 18 CFR parts 347 and 357.

Type of Respondents: Oil pipeline companies.

Estimate of Annual Burden[2]*:* The Commission estimates the total Public Reporting Burden for this information collection as:

FERC FORM NO. 73, OIL PIPELINE SERVICE LIFE DATA

	Number of respondents (A)	Number of responses per respondent (B)	Total number of responses (A) × (B) = (C)	Average burden hours per response (D)	Estimated total annual burden (C) × (D)
Oil Pipelines Undergoing Investigation or Review	3	1	3	40	120

The total estimated annual cost burden to respondents is $8,400 [120 hours * $70/hour = $8,400[3]]

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.

Dated: January 14, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–01057 Filed 1–17–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. P–13404–002, P–13405–002, P–13406–002, et al.]

Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

[1] For FERC Form No. 73 filing instructions and materials, please see *http://www.ferc.gov/docs-filing/forms.asp#form73.*

[2] The Commission defines burden 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.

[3] $70/hour is the average FERC employee salary plus benefits. We assume that respondents to this collection are similarly situated in terms of salary and benefits.

Clean River Power MR–1, LLC ..... Project Nos. P–13404–002, P–13405–002, P–13406–002, P–13407–002, P–13408–002, and P–13411–002

Clean River Power MR–2, LLC.
Clean River Power MR–3, LLC.
Clean River Power MR–5, LLC.
Clean River Power MR–6, LLC.
Clean River Power MR–7, LLC.

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection.

a. Type of Applications: Original Major Licenses

b. Project Nos.: 13404–002, 13405–002, 13406–002, 13407–002, 13408–002, and 13411–002

c. Date filed: October 31, 2012

d. Applicants: Clean River Power MR–1, LLC; Clean River Power MR–2, LLC; Clean River Power MR–3, LLC; Clean River Power MR–5, LLC; Clean River Power MR–6, LLC; and Clean River Power MR–7, LLC (Clean River Power), subsidiaries of Free Flow Power Corporation

e. Name of Projects: Beverly Lock and Dam Water Power Project, P–13404–002; Devola Lock and Dam Water Power Project, P–13405–002; Malta/McConnelsville Lock and Dam Water Power Project, P–13406–002; Lowell Lock and Dam Water Power Project, P–13407–002; Philo Lock and Dam Water Power Project, P–13408–002; and Rokeby Lock and Dam Water Power Project, P–13411–002.

f. Locations: At existing locks and dams on the Muskingum River in Washington, Morgan, and Muskingum counties, Ohio (see table below for specific project locations). The locks and dams were formally owned and operated by the U.S. Army Corps of Engineers, but are currently owned and operated by the Ohio Department of Natural Resources, Division of Parks and Recreation.

Project No.	Projects	County(s)	City/town
P–13404–002	Beverly Lock and Dam	Washington and Morgan	Upstream of the City of Beverly, OH.
P–13405–002	Devola Lock and Dam	Washington	Near the City of Devola, OH.
P–13406–002	Malta/McConnelsville Lock and Dam	Morgan	On the southern shore of the Town of McConnelsville, OH.
P–13407–002	Lowell Lock and Dam	Washington	West of the City of Lowell, OH.
P–13408–002	Philo Lock and Dam	Muskingum	North of the City of Philo, OH.
P–13411–002	Rokeby Lock and Dam	Morgan and Muskingum	Near the City of Rokeby, OH.

g. Filed Pursuant to: Federal Power Act 16 U.S.C. 791 (a)–825(r)

h. Applicant Contacts: Ramya Swaminathan, Chief Operating Officer, Free Flow Power Corporation, 239 Causeway Street, Suite 300, Boston, MA 02114; or at (978) 283–2822.

Daniel Lissner, General Counsel, Free Flow Power Corporation, 239 Causeway Street, Suite 300, Boston, MA 02114; or at (978) 283–2822.

i. FERC Contact: Aaron Liberty at (202) 502–6862; or email at *aaron.liberty@ferc.gov*.

j. Deadline for filing comments, recommendations, terms and conditions, and prescriptions: 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file the requested information 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 numbers P–13404–002, 13405–002, 13406–002, 13407–002, 13408–002, and/or 13411–002, as appropriate.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. These applications have been accepted for filing and are now ready for environmental analysis.

l. The proposed Beverly Lock and Dam Project would be located at the existing Beverly Lock and Dam on the Muskingum River at river mile (RM) 24.6. The Beverly dam is a 535-foot-long, 17-foot-high dam that impounds a 490-acre reservoir at a normal pool elevation of 616.36 North American Vertical Datum of 1988 (NAVD 88). The project would also consist of the following new facilities: (1) A 37-foot-long, 52-foot-high, 88-foot-wide intake structure with trash racks containing 2-inch clear bar spacing; (2) a 75-foot by 160-foot powerhouse located downstream of the dam on the left bank of the Muskingum River; (3) two turbine-generator units providing a combined installed capacity of 3.0 megawatts (MW); (4) a 65-foot-long, 75-foot-wide draft tube; (5) a 90-foot-long, 150-foot-wide tailrace; (6) a 40-foot by 40-foot substation; (7) a 970-foot-long, three-phase, overhead 69-kilovolt (kV) transmission line to connect the project substation to the local utility distribution lines; and (8) appurtenant facilities. The average annual generation would be about 17,853 megawatt-hours (MWh).

The proposed Devola Lock and Dam Project would be located at the existing Devola Lock and Dam on the Muskingum River at RM 5.8. The Devola dam is a 587-foot-long, 17-foot-high dam that impounds a 301-acre reservoir at a normal pool elevation of 592.87 NAVD 88. The applicant proposes to remove 187 feet of the existing dam to construct a 154-foot-long overflow weir. The project would also consist of the following new facilities: (1) A 37-foot-long, 52-foot-high, 80-foot-wide intake structure with trash racks containing 2-inch clear bar spacing; (2) a 80-foot by 160-foot powerhouse located on the bank of the Muskingum River opposite the existing lock; (3) two turbine-generator units providing a combined installed capacity of 4.0 MW; (4) a 65-foot-long, 80-foot-wide draft tube; (5) a 125-foot-long, 140-foot-wide tailrace; (6) a 40-foot by 40-foot substation; (7) a

3,600-foot-long, three-phase, overhead 69-kV transmission line to connect the project substation to the local utility distribution lines; and (8) appurtenant facilities. The average annual generation would be about 20,760 MWh.

The proposed Malta/McConnelsville Lock and Dam Project would be located at the existing Malta/McConnelsville dam on the Muskingum River at RM 49.4. The Malta/McConnelsville dam is a 605.5-foot-long, 15.2-foot-high dam that impounds a 442-acre reservoir at a normal pool elevation of 649.48 NAVD 88. The applicant proposes to remove 187.5 feet of the existing dam to construct a 100-foot-long overflow weir. The project would also consist of the following new facilities: (1) A 37-foot-long, 52-foot-high, 80-foot-wide intake structure with trash racks containing 2-inch clear bar spacing; (2) a 80-foot by 160-foot powerhouse located adjacent to the right bank of the dam; (3) two turbine-generator units providing a combined installed capacity of 4.0 MW; (4) a 65-foot-long, 80-foot-wide draft tube; (5) a 100-foot-long, 130-foot-wide tailrace; (6) a 40-foot by 40-foot substation; (7) a 1,500-foot-long, three-phase, overhead 69-kV transmission line to connect the project substation to the local utility distribution lines; and (8) appurtenant facilities. The average annual generation would be about 21,895 MWh.

The proposed Lowell Lock and Dam Project would be located at the existing Lowell dam on the Muskingum River at RM 13.6. The Lowell dam is a 840-foot-long, 18-foot-high dam that impounds a 628-acre reservoir at a normal pool elevation of 607.06 NAVD 88. The applicant proposes to remove 204 feet of the existing dam to construct a 143.5-foot-long overflow weir. The project would also consist of the following new facilities: (1) A 37-foot-long, 23-foot-high, 80-foot-wide intake structure with trash racks that contain 2-inch clear bar spacing; (2) a 75-foot by 160-foot powerhouse located adjacent to the left bank of the dam; (3) two turbine-generator units providing a combined installed capacity of 5 MW; (4) a 65-foot-long, 75-foot-wide draft tube; (5) a 100-foot-long, 125-foot-wide tailrace; (6) a 40-foot by 40-foot substation; (7) a 1,200-foot-long, three-phase, overhead 69-kV transmission line to connect the project substation to the local utility distribution lines; and (8) appurtenant facilities. The average annual generation would be about 30,996 MWh.

The proposed Philo Lock and Dam Project would be located at the existing Philo dam on the Muskingum River at RM 68.6. The Philo dam is a 730-foot-long, 17-foot-high dam that impounds a 533-acre reservoir at a normal pool elevation of 671.39 NAVD 88. The applicant proposes to remove 128 feet of the existing dam to construct a 40-foot-long flap gate. The project would also consist of the following new facilities: (1) A 37-foot-long, 52-foot-high, 80-foot-wide intake structure with trash racks that contain 2-inch clear bar spacing; (2) a 75-foot by 160-foot powerhouse located on the bank of the Muskingum River opposite the existing lock; (3) two turbine-generator units providing a combined installed capacity of 3 MW; (4) a 65-foot-long, 80-foot-wide draft tube; (5) a 140-foot-long, 180-foot-wide tailrace; (6) a 40-foot by 40-foot substation; (7) a 1,600-foot-long, three-phase, overhead 69-kV transmission line to connect the project substation to the local utility distribution lines; and (8) appurtenant facilities. The average annual generation would be about 15,957 MWh.

The proposed Rokeby Lock and Dam Project would be located at the existing Rokeby dam on the Muskingum River at RM 57.4. The Rokeby dam is a 525-foot-long, 20-foot-high dam that impounds a 615-acre reservoir at a normal pool elevation of 660.3 NAVD 88. The project would also consist of the following new facilities: (1) A 37-foot-long, 52-foot-high, 80-foot-wide intake structure with trash racks that contain 2-inch clear bar spacing; (2) a 75-foot by 160-foot powerhouse located on the bank of the Muskingum River opposite the existing lock; (3) two turbine-generator units providing a combined installed capacity of 4 MW; (4) a 65-foot-long, 75-foot-wide draft tube; (5) a 160-foot-long, 200-foot-wide tailrace; (6) a 40-foot by 40-foot substation; (7) a 490-foot-long, three-phase, overhead 69-kV transmission line to connect the project substation to the local utility distribution lines; and (8) appurtenant facilities. The average annual generation would be about 17,182 MWh.

The applicant proposes to operate all six projects in a run-of-river mode, such that the water surface elevations within each project impoundment would be maintained at the crest of each respective dam spillway.

m. Copies of the applications 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, contact FERC Online Support. Copies are also available for inspection and reproduction at the address in item h above.

All filings must (1) bear in all capital letters the title ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b), and 385.2010.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to these or other pending projects. For assistance, contact FERC Online Support.

n. Public notice of the filing of the initial development applications, which has already been given, established the due date for filing competing applications or notices of intent. Under the Commission's regulations, any competing development application must be filed in response to and in compliance with public notice of the initial development application. No competing applications or notices of intent may be filed in response to this notice.

o. A license applicant must file no later than 60 days following the date of issuance of this notice: (1) A copy of the water quality certification(s); (2) a copy of the request(s) for certification, including proof of the date on which the certifying agency received the request(s); or (3) evidence of waiver of water quality certification for each project.

p. Procedural Schedule:

The applications will be processed according to the following revised Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Filing of Comments, Recommendations, Terms and Conditions, and Prescriptions.	March 15, 2014.

Milestone	Target date
Filing of Reply Comments	April 29, 2014.
Commission issues EA	October 29, 2014.

Dated: January 14, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–01059 Filed 1–17–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 619–158]

Pacific Gas and Electric Company and the City of Santa Clara; Notice of Intent To File License Application, Filing of Pre-Application Document (PAD), Commencement of Pre-Filing Process, and Scoping; Request for Comments On the PAD and Scoping Document, and Identification of Issues and Associated Study Requests

a. *Type of Filing:* Notice of Intent to File License Application for a New License and Commencing Pre-filing Process

b. *Project No.:* 619–158

c. *Dated Filed:* November 15, 2013

d. *Submitted By:* Pacific Gas and Electric Company and the City of Santa Clara (collectively, applicants)

e. *Name of Project:* Bucks Creek Hydroelectric Project

f. *Location:* On Bucks, Grizzly, and Milk Ranch Creeks in Plumas County, California.

g. *Filed Pursuant to:* 18 CFR Part 5 of the Commission's Regulations

h. *Potential Applicant Contact:* Randal S. Livingston, Vice President—Power Generation, Pacific Gas and Electric Company, PO. BOX 770000, N11E–1103, San Francisco, CA 94177–0001.

i. *FERC Contact:* Mary Greene at (202) 502–8865 or email at *mary.greene@ferc.gov.*

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. With this notice, we are initiating informal consultation with: (a) the U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402 and (b) the State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating the applicants as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. The applicants filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (*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 Online Support at *FERCONlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are soliciting comments on the PAD and Commission's staff Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents 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.* 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–619–158.

All filings with the Commission must bear the appropriate heading: ''Comments on Pre-Application Document,'' ''Study Requests,'' ''Comments on Scoping Document 1,'' ''Request for Cooperating Agency Status,'' or ''Communications to and from Commission Staff.'' Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by March 15, 2014.

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

Daytime Scoping Meeting

Date and Time: February 11, 2014 at 10:00 a.m.

Location: Holiday Inn 685 Manzanita Ct, Chico, CA 95926

Phone Number: (530) 345–2491

Evening Scoping Meeting

Date and Time: February 11, 2014 at 7:00 p.m.

Location: Holiday Inn 685 Manzanita Ct, Chico, CA 95926

Phone Number: (530) 345–2491

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental

document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at *http://www.ferc.gov,* using the ''eLibrary'' link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Review

Due to seasonal site access considerations, we intend to conduct an Environmental Site Review in May of 2013. The exact date and time of the Site Review will determined at a later date. We will publicly notice the schedule for the Environmental Site Review within 30 days of the scheduled date.

Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

Meeting Procedures

The meetings will be recorded by a stenographer and will be placed in the public records of the project.

Dated: January 14, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–01058 Filed 1–17–14; 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: ER10–1585–004; ER10–2960–002; ER10–1586–002; ER10–1594–004; ER10–1595–002; ER11–4051–003; ER10–1596–002; ER10–1597–003; ER10–1598–002; ER10–1616–002; ER10–1617–004; ER10–1618–002; ER10–1619–002; ER10–1620–003; ER10–1623–002; ER10–1624–003; ER10–1625–003; ER12–60–006; ER10–1632–006; ER10–1626–003; ER10–1628–004; ER11–1936–002; ER10–1630–002.

Applicants: Alabama Electric Marketing, LLC, Astoria Generating Company, L.P., Big Sandy Peaker Plant, LLC, California Electric Marketing, LLC, Crete Energy Venture, LLC, CSOLAR IV South, LLC, High Desert Power Project LLC, Kiowa Power Partners, LLC, New Covert Generating Company, LLC, Lincoln Generating Facility, LLC, New Mexico Electric Marketing, LLC, Rolling Hills Generating L.L.C., Tenaska Alabama Partners, L.P., Tenaska Alabama II Partners, L.P., Tenaska Frontier Partners, Ltd., Tenaska Gateway Partners, Ltd., Tenaska Georgia Partners, L.P., Tenaska Power Management, LLC, Tenaska Virginia Partners, L.P., Texas Electric Marketing, LLC, TPF Generation Holdings, LLC, Wolf Hills Energy, LLC, Tenaska Power Services Co.

Description: Notification of Change in Status of the Tenaska MBR Sellers.

Filed Date: 1/6/14.

Accession Number: 20140106–5169.

Comments Due: 5 p.m. ET 1/27/14.

Docket Numbers: ER13–1420–001.

Applicants: MP2 Energy NE LLC.

Description: Compliance Filing to be effective 7/3/2013.

Filed Date: 1/6/14.

Accession Number: 20140106–5063.

Comments Due: 5 p.m. ET 1/27/14.

Docket Numbers: ER13–1865–002.

Applicants: Tesoro Refining & Marketing Company LLC.

Description: Refund Report for Unauthorized Sales to be effective N/A.

Filed Date: 1/6/14.

Accession Number: 20140106–5152.

Comments Due: 5 p.m. ET 1/27/14.

Docket Numbers: ER13–1914–002.

Applicants: Southwest Power Pool, Inc.

Description: Creditable Upgrades Compliance Filing in Docket ER13–1914 to be effective 9/8/2013.

Filed Date: 1/6/14.

Accession Number: 20140106–5128.

Comments Due: 5 p.m. ET 1/27/14.

Docket Numbers: ER14–376–001.

Applicants: MATL LLP.

Description: Errata Filing to ER14–376 to be effective 11/12/2013.

Filed Date: 1/6/14.

Accession Number: 20140106–5151.

Comments Due: 5 p.m. ET 1/27/14.

Docket Numbers: ER14–955–000.

Applicants: Pocahontas Prairie Wind, LLC.

Description: First Revised MBR to be effective 1/7/2014.

Filed Date: 1/6/14.

Accession Number: 20140106–5061.

Comments Due: 5 p.m. ET 1/27/14.

Docket Numbers: ER14–956–000.

Applicants: PJM Interconnection, L.L.C.

Description: Original Service Agreement No. 3688; Queue No. Y2–117 to be effective 12/5/2013.

Filed Date: 1/6/14.

Accession Number: 20140106–5062.

Comments Due: 5 p.m. ET 1/27/14.

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: January 7, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–00935 Filed 1–17–14; 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: ER10–2124–004; ER10–2125–004; ER10–2127–004;

ER10–2128–004; ER10–2130–005; ER10–2132–004; ER10–2133–005; ER10–2137–005; ER10–2131–005; ER10–2138–005; ER10–2139–005; ER10–2140–005; ER10–2141–005; ER10–2764–004; ER11–3872–005; ER11–4044–006; ER11–4046–005; ER12–161–004; ER12–164–004; ER12–645–006.

Applicants: Spring Canyon Energy LLC, Judith Gap Energy LLC, Invenergy TN LLC, Wolverine Creek Energy LLC, Forward Energy LLC, Willow Creek Energy LLC, Sheldon Energy LLC, Beech Ridge Energy LLC,G rand Ridge Energy LLC, Grand Ridge Energy II LLC, Grand Ridge Energy III LLC, Grand Ridge Energy IV LLC, Grand Ridge Energy V LLC, Vantage Wind Energy LLC, Stony Creek Energy LLC, Gratiot County Wind LLC, Gratiot County Wind II LLC, Bishop Hill Energy LLC, Bishop Hill Energy III LLC, California Ridge Wind Energy LLC.

Description: Supplement to July 30, 2013 Notification of Change in Facts of Spring Canyon Energy LLC, et al.

Filed Date: 10/31/13.

Accession Number: 20131031–5049.

Comments Due: 5 p.m. ET 1/22/14.

Docket Numbers: ER13–1916–001.

Applicants: Arizona Public Service Company.

Description: Rate Schedule Nos. 44, 98, 211—Four Corners Acquisition to be effective 12/30/2013.

Filed Date: 1/7/14.

Accession Number: 20140107–5117.

Comments Due: 5 p.m. ET 1/28/14.

Docket Numbers: ER13–1917–001.

Applicants: Arizona Public Service Company.

Description: Service Agreement No. 209—Shiprock Four Corners Project Interconnection to be effective 12/30/2013.

Filed Date: 1/7/14.

Accession Number: 20140107–5118.

Comments Due: 5 p.m. ET 1/28/14.

Docket Numbers: ER14–593–000; ER14–594–000; ER14–595–000.

Applicants: AEP Energy Partners, Inc.

Description: Supplement to December 11, 2013 AEP Energy Partners, Inc. and Ohio Power Company tariff filings.

Filed Date: 1/8/14.

Accession Number: 20140108–5050.

Comments Due: 5 p.m. ET 1/29/14.

Docket Numbers: ER14–698–001.

Applicants: Midcontinent Independent System Operator, Inc.

Description: 2014–01–06 AIC Attachment O Compliance Amendment Filing to be effective 1/2/2013.

Filed Date: 1/7/14.

Accession Number: 20140107–5128.

Comments Due: 5 p.m. ET 1/28/14.

Docket Numbers: ER14–802–001.

Applicants: Valley Electric Association, Inc.

Description: Amendment to Annual TRBAA Update to be effective 1/1/2014.

Filed Date: 1/7/14.

Accession Number: 20140107–5129.

Comments Due: 5 p.m. ET 1/28/14.

Docket Numbers: ER14–960–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Midcontinent Independent System Operator, Inc. submits 01–08–2013 SA 2629 ITC-Big Turtle G997 GIA to be effective 1/9/2014.

Filed Date: 1/8/14.

Accession Number: 20140108–5081.

Comments Due: 5 p.m. ET 1/29/14.

Docket Numbers: ER14–961–000.

Applicants: Arizona Public Service Company.

Description: Cancellation of Umbrella Service Agreements Nos. 34, 96, 145, 155, 156, 159, 160, 171,and 172 of Arizona Public Service Company.

Filed Date: 1/8/14.

Accession Number: 20140108–5089.

Comments Due: 5 p.m. ET 1/29/14.

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: January 8, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–00937 Filed 1–17–14; 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 rate filings:

Docket Numbers: ER14–525–001.

Applicants: ISO New England Inc.

Description: Rev. Related to FA for Non-Commercial Capacity in the FCM to be effective 3/28/2014.

Filed Date: 1/7/14.

Accession Number: 20140107–5050.

Comments Due: 5 p.m. ET 1/17/14.

Docket Numbers: ER14–612–003.

Applicants: Skylar Energy LP.

Description: Skylar Market-Based Rate Tariff to be effective 1/16/2014.

Filed Date: 1/7/14.

Accession Number: 20140107–5080.

Comments Due: 5 p.m. ET 1/14/14.

Docket Numbers: ER14–713–001.

Applicants: ISO New England Inc.

Description: Conforming Filing of Effective Language to be effective 12/17/2013.

Filed Date: 1/7/14.

Accession Number: 20140107–5073.

Comments Due: 5 p.m. ET 1/17/14.

Docket Numbers: ER14–957–000.

Applicants: PJM Interconnection, L.L.C.

Description: Original Service Agreement No. 3687; Queue No. Y3–027 to be effective 12/12/2013.

Filed Date: 1/7/14.

Accession Number: 20140107–5054.

Comments Due: 5 p.m. ET 1/28/14.

Docket Numbers: ER14–958–000.

Applicants: Public Service Company of New Mexico.

Description: Certificates of Concurrence to be effective 12/30/2013.

Filed Date: 1/7/14.

Accession Number: 20140107–5057.

Comments Due: 5 p.m. ET 1/28/14.

Docket Numbers: ER14–959–000.

Applicants: PacifiCorp.

Description: PacifiCorp submits Nobel Americas Energy Solutions NITSA Rev 6 to be effective 1/1/2014.

Filed Date: 1/7/14.

Accession Number: 20140107–5070.

Comments Due: 5 p.m. ET 1/28/14.

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: January 7, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–00936 Filed 1–17–14; 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: ER14–83–001.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–01–09_ER14–83–000_Module E–1 RAR Compliance to be effective 12/13/2013.
Filed Date: 1/9/14.
Accession Number: 20140109–5065.
Comments Due: 5 p.m. ET 1/30/14.

Docket Numbers: ER14–268–001.
Applicants: Alabama Power Company.
Description: Attachment N Filing in Compliance with FERC Order to be effective 1/1/2014.
Filed Date: 1/10/14.
Accession Number: 20140110–5059.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–421–001.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–01–10_ER14–421–000_Re-collation Clean-up Filing to be effective 11/19/2013.
Filed Date: 1/10/14.
Accession Number: 20140110–5039.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–482–001.
Applicants: DTE Electric Company.
Description: Amendment to Rate Schedule 41 to be effective 1/1/2014.
Filed Date: 1/10/14.
Accession Number: 20140110–5025.
Comments Due: 5 p.m. ET 1/17/14.

Docket Numbers: ER14–506–000.
Applicants: Biofuels Washington LLC.
Description: BioFuels Washington, LLC submits supplement to the December 2, 2013 filing.
Filed Date: 1/10/14.
Accession Number: 20140110–5075.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–967–000.
Applicants: Flat Ridge Wind Energy, LLC.
Description: Revised Market-Based Rate Tariff to be effective 3/11/2014.
Filed Date: 1/9/14.
Accession Number: 20140109–5063.
Comments Due: 5 p.m. ET 1/30/14.

Docket Numbers: ER14–968–000.
Applicants: Flat Ridge 2 Wind Energy LLC.
Description: Revised Market-Based Rate Tariff to be effective 3/11/2014.
Filed Date: 1/9/14.
Accession Number: 20140109–5064.
Comments Due: 5 p.m. ET 1/30/14.

Docket Numbers: ER14–969–000.
Applicants: Deseret Generation & Transmission Co-operative, Inc.
Description: Garkane Member Discount Filing to be effective 12/31/2013.
Filed Date: 1/10/14.
Accession Number: 20140110–5053.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–970–000.
Applicants: ISO New England Inc., New England Power Pool Participants Committee.
Description: Pipeline Information-Sharing Changes to be effective 1/11/2014.
Filed Date: 1/10/14.
Accession Number: 20140110–5068.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–971–000.
Applicants: California Independent System Operator Corporation.
Description: 2010–01–10 Tariff Waiver—Pay for Performance to be effective N/A.
Filed Date: 1/10/14.
Accession Number: 20140110–5071.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–972–000.
Applicants: PJM Interconnection, L.L.C.
Description: Amendments to Schedule 12-Appendix A re RTEP approved by PJM Board 12/11/2013 to be effective 4/10/2014.
Filed Date: 1/10/14.
Accession Number: 20140110–5104.
Comments Due: 5 p.m. ET 1/31/14.

Docket Numbers: ER14–973–000.
Applicants: Northern Indiana Public Service Company.
Description: Filing of an Amendment to Transmission Upgrade Agreement to be effective 3/12/2013.
Filed Date: 1/10/14.
Accession Number: 20140110–5111.
Comments Due: 5 p.m. ET 1/31/14.

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: January 10, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–00938 Filed 1–17–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–18–000]

Gregory R. Swecker, Beverly F. Swecker v. Midland Power Cooperative, Central Iowa Power Cooperative; Notice of Petition for Enforcement

Take notice that on January 10, 2014, Gregory R. and Beverly F. Swecker (the Sweckers) filed a Petition for Enforcement, pursuant to section 210(h) of the Public Utility Regulatory Policies Act of 1978 (PURPA), requesting the Federal Energy Regulatory Commission (Commission) to exercise its authority and initiate enforcement action against Midland Power Cooperative (Midland) and Central Iowa Power Cooperative (CIPCO) for payment of excess electric energy and capacity delivered to Midland at Midland and/or CIPCO's full avoided costs rates.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). 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 notices, motions, or protests must be filed on or before the comment date. 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 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 5 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.

Comment Date: 5:00 p.m. Eastern Time on January 31, 2014.

Dated: January 14, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–01056 Filed 1–17–14; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2006–0947; FRL–9905–52–OEI]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NO_X Budget Trading Program To Reduce the Regional Transport of Ozone (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR), ''Information Collection Request Renewal for the NO_X Budget Trading Program to Reduce the Regional Transport of Ozone'' (EPA ICR No. 1857.06, OMB Control No. 2060–0445) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through February 28, 2014. Public comments were previously requested via the **Federal Register** (78 FR 57153) on September 17, 2013 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before February 20, 2014.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OAR–2006–0947, to (1) EPA online using *www.regulations.gov* (our preferred method), by email to *a-and-r-docket@epamail.epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Karen VanSickle, Clean Air Markets Division, Office of Air and Radiation, (6204J), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number (202) 343–9220; fax number: (202) 343–2361; email address: *vansickle.karen@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: The NO_X Budget Trading Program was a market-based cap and trade program created to reduce emissions of nitrogen oxides (NO_X) from power plants and other large combustion sources in the eastern United States. NO_X is a prime ingredient in the formation of ground-level ozone (smog), a pervasive air pollution problem in many areas of the eastern United States. The NO_X Budget Trading Program was established as an optional implementation mechanism for the NO_X State Implementation Plan (SIP) Call and was designed to reduce NO_X emissions during the warm summer months, referred to as the ozone season, when ground-level ozone concentrations are highest. In 2009 the program was replaced by the Clean Air Interstate Rule (CAIR) Ozone Season Trading Program. The renewal of this ICR is necessary primarily because some sources in certain States are still required to monitor and report emissions data to EPA under those states' NO_X SIP Call rules. All data received by EPA will be treated as public information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

Form Numbers: EPA form number 7620–16.

Respondents/affected entities: Entities potentially affected by this action are those which formerly participated in the NO_X Budget Trading Program to Reduce the Regional Transport of Ozone and which continue to have reporting obligations under their states' NO_X SIP Call rules that are not duplicated under other rules.

Respondent's obligation to respond: mandatory (Sections 110(a) and 301(a) of the Clean Air Act).

Estimated number of respondents: EPA estimates that there are 122 former NO_X Budget Trading Program units that will continue to conduct monitoring in accordance with Part 75 solely under the NO_X SIP call.

Frequency of response: yearly, quarterly, occasionally.

Total estimated burden: 57,586 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $8,066,616 (per year), includes $3,777,000 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is no increase in the hours in the total estimated respondent burden compared with the ICR currently approved by OMB.

John Moses,

Director, Collection Strategies Division.

[FR Doc. 2014–01051 Filed 1–17–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9905–68–ORD]

An Assessment of Potential Mining Impacts on Salmon Ecosystems of Bristol Bay, Alaska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing the availability of the final report titled, ''An Assessment of Potential Mining Impacts on Salmon Ecosystems of Bristol Bay, Alaska'' (EPA 910–R–14–001A–C). EPA conducted this assessment to determine the significance of Bristol Bay's ecological resources and evaluate the potential impacts of large-scale mining on these resources.

The report ''An Assessment of Potential Mining Impacts on Salmon Ecosystems of Bristol Bay, Alaska'' (EPA 910–R–14–001A–C) is available via the Internet on the EPA Region 10 Web site *www.epa.gov/bristolbay.* The report is also available on the National Center for Environmental Assessment's Web site (*www.epa.gov/ncea*) under the Recent Additions and the Data and Publications menu.

DATES: This report was posted publicly on January 15, 2014.

ADDRESSES: The report is available primarily via the Internet on the EPA Region 10 Web site *www.epa.gov/bristolbay* as well as on the National Center for Environmental Assessment's Web site (*www.epa.gov/ncea*) under the Recent Additions and Publications menu. A limited number of CD–ROM copies will be available from EPA Region 10; telephone 503–326–6994; email *R10BristolBay@epa.gov.* If you are requesting a CD–ROM copy, please provide your name, your mailing address, and the document title.

FOR FURTHER INFORMATION CONTACT: For additional information concerning the assessment, contact EPA Region 10, Judy Smith, telephone 503–326–6994 or email *R10BristolBay@epa.gov.*

SUPPLEMENTARY INFORMATION:

The U.S. Environmental Protection Agency (EPA) conducted this assessment to characterize the biological and mineral resources of the Bristol Bay watershed, increase understanding of potential impacts of large-scale mining on the region's fish resources, and inform future government decisions related to protecting and maintaining the chemical, physical, and biological integrity of the watershed. The assessment is intended to be a technical resource for the public and for federal, state, and tribal government entities as they consider how best to address the challenges of mining and ecological protection in the Bristol Bay watershed. It will inform ongoing discussion of the risks of mine development to the sustainability of the Bristol Bay salmon fisheries and will be of value to the many stakeholders in this debate. The assessment also could inform the consideration of options for future government action, including by EPA. The Web site that describes the project is *www.epa.gov/bristolbay.*

Dated: January 14, 2014.

Debra B. Walsh,

Acting Deputy Director, National Center for Environmental Assessment.

[FR Doc. 2014–01082 Filed 1–17–14; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than February 4, 2014.

A. Federal Reserve Bank of Atlanta (Chapelle Davis, Assistant Vice President) 1000 Peachtree Street, NE., Atlanta, Georgia 30309:

1. *CBM Holdings Qualified Family, L.P.,* Toronto, Ontario, Canada, and Marcelo Faria, de Lima, as the general partner, São Paulo, Brazil; to acquire voting shares of C1 Financial, Inc., and thereby indirectly acquire voting shares of C1 Bank, both in St. Petersburg, Florida.

Board of Governors of the Federal Reserve System, January 15, 2014.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2014–01007 Filed 1–17–14; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

[File No. 132 3165]

New World Auto Imports, Inc., Doing Business as Southwest Kia, et al.; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/southwestkiaconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Southwest Kia—Consent Agreement; File No. 132–3165'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/southwestkiaconsenthttps://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC

Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm*. A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Southwest Kia—Consent Agreement; File No. 132–3165'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm*. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/southwestkiaconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Southwest Kia—Consent Agreement; File No. 132–3165'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm*.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from New World Auto Imports, Inc., d/b/a Southwest Kia, New World Auto Imports of Rockwall, Inc., d/b/a Southwest Kia, and Southwest Kia of Rockwall, and Hampton Two Auto Corporation, d/b/a Southwest Kia, Southwest Kia-NW, and Southwest Kia Mesquite. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondents are motor vehicle dealers. According to the FTC complaint, respondents have advertised that consumers can finance the purchase of vehicles for the advertised terms, including the advertised monthly payment amount. The complaint alleges that, in fact, the monthly payment increases dramatically at the end of the transaction, because consumers owe a balloon payment of many thousand dollars. The complaint alleges, therefore, that respondents' representations are false or misleading in violation of Section 5 of the FTC Act. The complaint also alleges that respondents have advertised that consumers can pay $27 at lease inception to lease the advertised vehicles for the advertised monthly payment amount. The complaints alleges that, in fact, consumers must also pay fees, including but not limited to an acquisition fee, which is $595, and the first month's payment, for a total of at least $700 for each vehicle. The complaint alleges, therefore, that respondents' representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Truth in Lending Act (''TILA'') and Regulation Z for failing to disclose clearly and conspicuously certain costs and terms when advertising credit. The complaint also alleges a violation of the Consumer Leasing Act (''CLA'') and Regulation M for failing to clearly and conspicuously disclose the costs and terms when advertising leases.

The proposed order is designed to prevent the respondents from engaging in similar deceptive practices in the future. Part I.A prohibits the respondents from misrepresenting the cost of: (1) Purchasing a vehicle with financing, including but not necessarily limited to the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment; or (2) leasing a vehicle, including but not limited to the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments. Part I.B prohibits the respondents from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the TILA allegation. It requires that the respondents clearly and conspicuously make all of the disclosures required by TILA and Regulation Z if they state the amount or percentage of any

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

downpayment, the number of payments or period of repayment, the amount of any payment, or the amount of any finance charge. In addition, Part II prohibits the respondents from stating a rate of finance charge without stating the rate as an ''annual percentage rate'' or the abbreviation ''APR,'' using that term. Part II also prohibits any other violation of TILA and Regulation Z.

Part III of the proposed order addresses the CLA allegation. It requires that the respondents clearly and conspicuously make all of the disclosures required by CLA and Regulation M if they state relevant trigger terms, including the monthly lease payment or the amount of any payment or that any or no initial payment is required at lease inception.

Part IV of the proposed order requires respondents to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part V requires that respondents provide copies of the order to certain of their personnel. Part VI requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VII requires the respondents to file compliance reports with the Commission. Finally, Part VIII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00998 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132 3142]

Bill Robertson & Sons, Inc. Doing Business as Honda of Hollywood; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/hondaconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Honda of Hollywood—Consent Agreement; File No. 132–3142'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/hondaconsenthttps://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Honda of Hollywood—Consent Agreement; File No. 132–3142'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/hondaconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Honda of Hollywood—Consent Agreement; File No. 132–3142'' on your comment and on the envelope, and mail

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Bill Robertson & Sons, Inc. d/b/a Honda of Hollywood. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC complaint, the respondent has advertised cars for leasing. In connection with its advertised leasing offers, the complaint alleges that the respondent has advertised that consumers can pay ''$0 down'' with ''0 first payment'' and ''0 due at signing'' to lease a car, and has depicted several cars in its advertisements to which this offer applies, listing a specific monthly lease payment for each such car. The complaint alleges that, in fact, for a $0 up-front payment, consumers cannot lease the cars shown in the advertisements for the advertised monthly payment amounts, and that instead, consumers must also pay between $1,995 and $2,499 at lease signing. The complaint alleges that, therefore, the respondent's representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Consumer Leasing Act and Regulation M for failing to clearly and conspicuously disclose the costs and terms of certain leases offered, despite the respondent's use of certain triggering terms in the advertisements.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices and law violations in the future. Part I.A prohibits the respondent from misrepresenting the cost of: (1) Leasing a vehicle, including but not limited to the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments; or (2) purchasing a vehicle with financing, including but not necessarily limited to the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the CLA allegation. It requires that the respondent clearly and conspicuously make all of the disclosures required by CLA and Regulation M if it states relevant triggering terms, including the monthly lease payment. In addition, Part II prohibits any other violation of CLA and Regulation M.

Part III of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part IV requires that respondent provide copies of the order to certain of its personnel. Part V requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VI requires the respondent to file compliance reports with the Commission. Finally, Part VII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00973 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132 3188]

Infiniti of Clarendon Hills, Inc.; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/infiniticonsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Infiniti of Clarendon Hills Inc.—Consent Agreement; File No. 132–3188'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/infiniticonsenthttps://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC

Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Infiniti of Clarendon Hills Inc.—Consent Agreement; File No. 132–3188'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/infiniticonsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Infiniti of Clarendon Hills Inc.—Consent Agreement; File No. 132–3188'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Infiniti of Clarendon Hills, Inc. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC complaint, respondent has advertised that consumers can pay $0 up-front to lease a car for a specific monthly payment amount. The complaint alleges that, in fact, the advertised payment amounts exclude substantial fees, including but not limited to the first month's payment and an acquisition fee. The complaint alleges therefore that the respondent's representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Consumer Leasing Act and Regulation M for failing to disclose the costs and terms of certain leases offered, despite the respondent's use of certain triggering terms in the advertisements.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices in the future. Part I.A prohibits the respondent from misrepresenting the cost of: (1) Leasing a vehicle, including but not limited to the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments; or (2) purchasing a vehicle with financing, including but not necessarily limited to the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the CLA allegation. It requires that the respondent clearly and conspicuously make all of the disclosures required by CLA and Regulation M if it states relevant triggering terms, including the monthly lease payment. In addition, Part II prohibits any other violation of CLA and Regulation M.

Part III of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part IV requires that respondent provide copies of the order to certain of its personnel. Part V requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VI requires the respondent to file compliance reports with the Commission. Finally, Part VII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00974 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132–3151]

Norm Reeves, Inc., Doing Business as Norm Reeves Honda Superstore; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/normreevesconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Norm Reeves, Inc.—Consent Agreement; File No. 132–3151'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/normreevesconsenthttps://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm*. A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Norm Reeves, Inc.—Consent Agreement; File No. 132–3151'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm*. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/normreevesconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Norm Reeves, Inc.—Consent Agreement; File No. 132–3151'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm*.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Norm Reeves, Inc. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC complaint, respondent has advertised cars for leasing, and has also advertised financing offers. In connection with its advertising of lease offers, the complaint alleges, the respondent has advertised that consumers can pay ''$0'' up-front to lease a car, and has depicted several cars in its advertisements to which this offer applies, listing a specific monthly lease payment for each such car. The complaint alleges that, in fact, for a $0 up-front payment, consumers cannot lease the cars shown in the advertisements for the advertised monthly payment amounts, and that instead, consumers must also pay a security deposit and/or significant fees, including but not limited to an acquisition fee. The complaint alleges that, therefore, the respondent's representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Consumer Leasing Act and Regulation M for failing to clearly and conspicuously disclose the costs and terms of certain leases offered, despite the respondent's use of certain triggering terms in the advertisements.

The complaint further alleges, in connection with its advertising of financing offers, that the respondent has advertised that it offers 0% APR financing on all new cars. According to the complaint, the respondent's advertisements have failed to disclose adequately that consumers who finance more than a certain amount—*e.g.,* $12,000—will be charged more than 0% APR. The complaint alleges that, therefore, the respondent's representations are deceptive in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Truth in Lending Act and Regulation Z for failing to clearly and conspicuously disclose the amount or percentage of the downpayment, despite the respondent's use of certain triggering terms in the advertisements.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices and law violations in the future. Part I.A prohibits the respondent from misrepresenting the cost of: (1) Leasing a vehicle, including but not limited to the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments; or (2) purchasing a vehicle with financing, including but not necessarily limited to the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, the annual percentage rate or any other finance rate, and the repayment obligation over the full term of the loan, including any balloon payment. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order prohibits the respondent from making any representation regarding an annual percentage rate or other interest rate, unless the representation clearly and conspicuously discloses any material limitation on obtaining the rate, including whether different rates apply based on the amount financed, and if so, the different rates that apply.

Part III of the proposed order addresses the CLA allegation. It requires that the respondent clearly and conspicuously make all of the disclosures required by CLA and Regulation M when any of its advertisements states relevant triggering terms. In addition, Part III prohibits any other violation of CLA and Regulation M.

Part IV of the proposed order addresses the TILA allegation. It requires that the respondent make all of the disclosures required by TILA and Regulation Z when any of its advertisements states relevant triggering terms. In addition, Part IV prohibits any other violation of TILA and Regulation Z.

Part V of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part VI requires that respondent provide copies of the order to certain of its personnel. Part VII requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VIII requires the respondent to file compliance reports with the Commission. Finally, Part IX is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00999 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132–3163]

Nissan of South Atlanta, LLC, Also Doing Business as Nissan South; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/nissanconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Nissan of South Atlanta, LLC—Consent Agreement; File No. 132–3163'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/nissanconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the

World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Nissan of South Atlanta, LLC—Consent Agreement; File No. 132–3163'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/nissanconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Nissan of South Atlanta, LLC—Consent Agreement; File No. 132–3163'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Nissan of South Atlanta, LLC, also d/b/a Nissan South. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC complaint, respondent has advertised that consumers can finance the purchase of vehicles by paying $99 per month with a $0 downpayment. The complaint alleges that, in fact, consumers will pay $99 per month for only the first two months of an 84-month period. The complaint further alleges that the advertisements fail to state the amount of each payment beyond the first two months of financing. The complaint alleges therefore that the respondent's representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges that the respondent violated the Truth in Lending Act (''TILA'') and Regulation Z for failing to clearly and conspicuously disclose required information concerning costs and credit terms.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices in the future. Part I.A prohibits the respondent from misrepresenting the cost of: (1) Purchasing a vehicle with financing, including but not necessarily limited to the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment; or (2) leasing a vehicle, including but not limited to the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the TILA allegations. It requires clear and conspicuous TILA and Regulation Z disclosures when advertising any of the relevant triggering terms with regard to issuing consumer credit. It also requires that if any finance charge is advertised, the rate be stated as an ''annual percentage rate'' using that term or the abbreviation ''APR.'' In addition, Part II prohibits any other violation of TILA or Regulation Z.

Part III of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part IV requires that respondent provide copies of the order to certain of its personnel. Part V requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VI requires the respondent to file compliance reports with the Commission. Finally, Part VII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–01001 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132–3107]

Luis Alfonso Sierra Doing Business as Casino Auto Sales; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/casinoconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Casino Auto Sales—Consent Agreement; File No. 132–3107'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/casinoconsent* by following the instructions on the Web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Casino Auto Sales—Consent Agreement; File No. 132–3107'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/casinoconsent* by following the instructions on the Web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Casino Auto Sales—Consent Agreement; File No. 132–3107'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Luis Alfonso Sierra d/b/a/Casino Auto Sales. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent operates a motor vehicle dealership. According to the FTC complaint, the respondent has advertised cars for sale. The complaint alleges that the respondent's advertisements feature photographs of numerous cars, with a price prominently displayed below each car, and that the respondent has advertised that each car is available for purchase at the price that is prominently displayed below the car. The complaint alleges that, in fact, the featured cars are not available for purchase at the prices that are displayed below each car, and that, instead, the purchase price of each car is actually $5,000 more than the advertised price.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices and law violations in the future. Part I.A prohibits the respondent from misrepresenting the cost of purchasing a vehicle, including but not necessarily limited to (1) the purchase price of the vehicle, or (2) any finance terms, including the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order requires the respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part III requires that the respondent provide copies of the order to certain personnel. Part IV requires notification to the Commission regarding changes in the respondent's business activities or employment, or his affiliation with any new business or employment. Part V requires the respondent to file compliance reports with the Commission. Finally, Part VI is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00975 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132–3191]

Paramount Kia of Hickory, LLC; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/paramountkiaconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Paramount Kia of Hickory, LLC—Consent Agreement; File No. 132–3191'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/paramountkiaconsenthttps://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Paramount Kia of Hickory, LLC—Consent Agreement; File No. 132–3191'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR

4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/paramountkiaconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Paramount Kia of Hickory, LLC—Consent Agreement; File No. 132–3191'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Paramount Kia of Hickory, LLC. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC complaint, respondent has advertised that consumers can pay $0 up-front and $99 per month to finance a car. The complaint alleges that, in fact, monthly payment increases dramatically after the first three payments. The complaint alleges, therefore, that the respondent's representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Truth In Lending Act and Regulation Z for failing to disclose clearly and conspicuously required credit information, despite the respondent's use of certain triggering terms in the advertisements.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices in the future. Part I.A prohibits the respondent from misrepresenting the cost of: (1) Purchasing a vehicle with financing, including but not necessarily limited to the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment; or (2) leasing a vehicle, including but not limited to the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the TILA allegation. It requires that the respondent clearly and conspicuously make all of the disclosures required by TILA and Regulation Z if it states the amount or percentage of any downpayment, the number of payments or period of repayment, the amount of any payment, or the amount of any finance charge. In addition, Part II prohibits the respondent from stating a rate of finance charge without stating the rate as an ''annual percentage rate'' or the abbreviation ''APR,'' using that term. Part II also prohibits any other violation of TILA and Regulation Z.

Part III of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part IV requires that respondent provide copies of the order to certain of its personnel. Part V requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VI requires the respondent to file compliance reports with the Commission. Finally, Part VII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–01000 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

FEDERAL TRADE COMMISSION

[File No. 132–3023]

Fowlerville Ford, Inc., Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/fowlervilleconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Fowlerville Ford, Inc.—Consent Agreement; File No. 132–3023'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/fowlervilleconsenthttps://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer

Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Fowlerville Ford, Inc.—Consent Agreement; File No. 132–3023'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR part 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/fowlervilleconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Fowlerville Ford, Inc.—Consent Agreement; File No. 132–3023'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a consent order from Fowlerville Ford, Inc. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC complaint, respondent has advertised that consumers have won a prize worth between $1,000 and $25,000. The complaint alleges that, in fact, consumers have not won a prize worth between $1,000 and $25,000. The complaint alleges therefore that the respondent's representations are false or misleading in violation of Section 5 of the FTC Act. In addition, the complaint alleges a violation of the Truth in Lending Act (''TILA'') and its implementing Regulation Z for failing to disclose or disclose adequately terms of certain financing offered, despite the respondent's use of certain triggering terms in the advertisements.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices in the future. Part I.A prohibits the respondent from misrepresenting the material terms of any prize, sweepstakes, giveaway, or other incentive, including whether a consumer has won a prize, sweepstakes, giveaway, or other incentive, and the nature, value, or amount of a prize, sweepstakes, giveaway, or other incentive required to be paid at lease inception, and the amounts of all monthly or other periodic payments. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the TILA allegation. It requires that the respondent clearly and conspicuously make all of the disclosures required by TILA and Regulation Z if it states relevant triggering terms, including the monthly financing payment. In addition, Part II prohibits any other violation of TILA and Regulation Z.

Part III of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part IV requires that respondent provide copies of the order to certain of its personnel. Part V requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VI requires the

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR part 4.9(c).

respondent to file compliance reports with the Commission. Finally, Part VII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00971 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 132–3140]

Mohammad Sabha, Also Doing Business as Rainbow Auto Sales; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before February 10, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/rainbowconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Proposed Consent Agreement In the Matter of Rainbow Auto Sales, Inc.; File No. 132–3140'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/rainbowconsent, https://ftcpublic.commentworks.com/ftc/fidelitynationalconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Mark Glassman, Bureau of Consumer Protection, (202–326–2826), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for January 9, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before February 10, 2014. Write ''Proposed Consent Agreement In the Matter of Rainbow Auto Sales, Inc.; File No. 132–3140'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/rainbowconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Proposed Consent Agreement In the Matter of Rainbow Auto Sales, Inc.; File No. 132–3140'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before February 10, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'') has accepted, subject to final approval, an agreement containing a

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

consent order from Mohammad Sabha, also d/b/a Rainbow Auto Sales. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the FTC will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent operates a motor vehicle dealership. According to the FTC complaint, the respondent has advertised cars for sale. The complaint alleges that the respondent's advertisements feature photographs of numerous cars, with a price prominently displayed below each car, and that the respondent has advertised that each car is available for purchase at the price that is prominently displayed below the car. The complaint alleges that, in fact, the featured cars are not available for purchase at the prices that are displayed below each car, and that, instead, the purchase price of each car is actually $5,000 more than the advertised price.

The proposed order is designed to prevent the respondent from engaging in similar deceptive practices and law violations in the future. Part I.A prohibits the respondent from misrepresenting the cost of purchasing a vehicle, including but not necessarily limited to (1) the purchase price of the vehicle, or (2) any finance terms, including the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, and the repayment obligation over the full term of the loan, including any balloon payment. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order requires the respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part III requires that the respondent provide copies of the order to certain personnel. Part IV requires notification to the Commission regarding changes in the respondent's business activities or employment, or his affiliation with any new business or employment. Part V requires the respondent to file compliance reports with the Commission. Finally, Part VI is a provision ''sunsetting'' the order after twenty (20 years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–00972 Filed 1–17–14; 8:45 am]

BILLING CODE 6750–01–P

GOVERNMENT ACCOUNTABILITY OFFICE

Medicare Payment Advisory Commission Nomination Letters

AGENCY: Government Accountability Office (GAO).

ACTION: Notice on letters of nomination.

SUMMARY: The Balanced Budget Act of 1997 established the Medicare Payment Advisory Commission (MedPAC) and gave the Comptroller General responsibility for appointing its members. For appointments to MedPAC that will be effective May 1, 2014, I am announcing the following: Letters of nomination should be submitted between January 21 and March 7, 2014, to ensure adequate opportunity for review and consideration of nominees prior to the appointment of new members.

ADDRESSES:

GAO: *MedPACappointments@gao.gov.*

GAO: 441 G Street NW., Washington, DC 20548.

FOR FURTHER INFORMATION CONTACT: GAO: Office of Public Affairs, (202) 512–4800.

42 U.S.C. 1395b–6.

Gene L. Dodaro,

Comptroller General of the United States.

[FR Doc. 2014–00961 Filed 1–17–14; 8:45 am]

BILLING CODE M

OFFICE OF GOVERNMENT ETHICS

Agency Information Collection Activities; Submission for OMB Review; Proposed Collection; Comment Request for a Modified OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report

AGENCY: Office of Government Ethics (OGE).

ACTION: Notice of request for agency and public comments.

SUMMARY: After publication of this second round notice, OGE intends to submit a modified OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report to the Office of Management and Budget (OMB) for review and approval of a three-year extension under the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

DATES: Written comments by the public and the agencies on this proposed extension are invited and must be received on or before February 20, 2014.

ADDRESSES: You may submit comments on this paperwork notice to the Office of Management and Budget, Attn: Desk Officer for OGE, via fax at 202–395–6974 or email at *OIRA_Submission@omb.eop.gov.* (Include reference to ''OGE Form 278 paperwork comment'' in the subject line of the message).

FOR FURTHER INFORMATION CONTACT: Mr. Paul D. Ledvina, Agency Clearance Officer, at the U.S. Office of Government Ethics; telephone: 202–482–9247; TTY: 800–877–8339; FAX: 202–482–9237; Email: *paul.ledvina@oge.gov.* An electronic copy of the current OGE Form 278 is available in the Forms Library section of OGE's Web site at *http://www.oge.gov.* A copy of the OGE Form 278 containing the proposed modifications may be obtained, without charge, by contacting Mr. Ledvina.

SUPPLEMENTARY INFORMATION:

Title: Executive Branch Personnel Public Financial Disclosure Report.

Form Number: OGE Form 278.

OMB Control Number: 3209–0001.

Type of Information Collection: Extension with modifications of a currently approved collection.

Type of Review Request: Regular.

Respondents: Private citizen Presidential nominees to executive branch positions subject to Senate confirmation; other private citizens who are potential (incoming) Federal employees whose positions are designated for public disclosure filing; those who file termination reports from such positions after their Government service ends; and Presidential and Vice-Presidential candidates.

Estimated Annual Number of Respondents: 1,394.

Estimated Time per Response: 3 hours.

Estimated Total Annual Burden: 4,182 hours.

Abstract: The OGE Form 278 collects information from certain officers and high-level employees in the executive branch for conflicts of interest review and public disclosure. The form is also completed by individuals who are nominated by the President for high-level executive branch positions requiring Senate confirmation, new

entrants to other public reporting positions in the executive branch, and Presidential and Vice-Presidential candidates. The financial information collected relates to: Assets and income; transactions; gifts, reimbursements and travel expenses; liabilities; agreements or arrangements; outside positions; and compensation over $5,000 paid by a source—all subject to various reporting thresholds and exclusions. The information is collected in accordance with section 102 of the Ethics in Government Act, 5 U.S.C. app. section 102, as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112–105) (STOCK Act), and OGE's implementing financial disclosure regulations at 5 CFR part 2634. OGE is proposing to make minor modifications to the paper version of the OGE Form 278 to update the Privacy Act Statement and the legal authorities under which the information is collected. OGE proposes to include in this renewal submission the new OGE Form 278e, an electronic version to be implemented later in 2014, pursuant to the e-filing system mandated under section 11(b) of the STOCK Act. (See Amendments to the STOCK Act Pub. L. 113–7 (April 15, 2013)).

The OGE Form 278e will collect the same information that both the current paper version of the OGE Form 278 collects, as well as the 14 e-filing systems that are currently in use in executive branch agencies. Although the OGE Form 278e will not collect any additional information, the application will produce a streamlined output report format that presents only the filer's inputs in given categories, and that does not report other categories not selected by the filer.

OGE published a first round notice of its intent to request paperwork clearance for a modified OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report. See 78 FR 55079 (September 9, 2013). OGE received one response to that notice from an executive branch agency ethics official who requested that OGE modify the language of the filer's certification. The current certification requires the filer to certify that statements made on the form and all attached schedules are true, complete, and correct to the best of the filer's knowledge. The agency official commented that the certification should also include a statement that there are no potential conflicts or that conflicts have been identified. This agency submitted the same comment in response to OGE's request for public comments about the proposed renewal under the Paperwork Reduction Act of an unmodified OGE Form 450, the confidential financial disclosure report for employees of the executive branch. The filer's certification on the OGE Form 450 is very similar to the filer's certification on the OGE Form 278. OGE declined to adopt this recommendation for the OGE Form 450 because OGE deemed the existing certification to be appropriate.

OGE also declines to adopt this suggestion with regard to the OGE Form 278. Neither the Ethics in Government Act, 5 U.S.C. app. sections 101–111, nor the financial disclosure regulation, 5 CFR part 2634, requires the filer to certify that he or she has no conflicts of interest. A certification that is made once a year, such as the proposed one, is ineffective. The analysis of whether a filer has conflicts of interest must continue throughout a filer's executive branch employment and is not limited to the date on which the filer signs a financial disclosure report. No conflicts may exist on the date that the filer signs the report. A conflict, however, may arise six months later if, for example, the filer is faced with participating in a particular matter that has a direct and predictable effect on one of the companies in which the filer owns stock. Once a conflict arises, it is the responsibility of the filer to seek the advice of an ethics counselor to determine the appropriate remedy for the conflict.

Request for Comments: Agency and public comment is again invited specifically on the need for and practical utility of this information collection, the accuracy of OGE's burden estimate, the enhancement of quality, utility and clarity of the information collected, and the minimization of burden (including the use of information technology). Comments received in response to this notice will be summarized for, and may be included with, the OGE request for extension of OMB paperwork approval. The comments will also become a matter of public record.

Approved: January 14, 2014.

Walter M. Shaub, Jr.,

Director, Office of Government Ethics.

[FR Doc. 2014–00946 Filed 1–17–14; 8:45 am]

BILLING CODE 6345–03–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HHS gives notice concerning the final effect of the HHS decision to designate a class of employees from the Rocky Flats Plant in Golden, Colorado, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000.

FOR FURTHER INFORMATION CONTACT: Stuart L. Hinnefeld, Director, Division of Compensation Analysis and Support, NIOSH, 4676 Columbia Parkway, MS C–46, Cincinnati, OH 45226, Telephone 877–222–7570. Information requests can also be submitted by email to *DCAS@CDC.GOV.*

SUPPLEMENTARY INFORMATION:

Authority: 42 U.S.C. 7384q(b). 42 U.S.C. 7384*l*(14)(C).

On December 12, 2013, as provided for under the Secretary of HHS designated the following class of employees as an addition to the SEC:

All employees of the Department of Energy, its predecessor agencies, and their contractors and subcontractors who worked at the Rocky Flats Plant in Golden, Colorado, from April 1, 1952, through December 31, 1983, for a number of work days aggregating at least 250 work days, occurring either solely under this employment or in combination with work days within the parameters established for one or more other classes of employees included in the Special Exposure Cohort.

This designation became effective on January 11, 2014. Hence, beginning on January 11, 2014, members of this class of employees, defined as reported in this notice, became members of the SEC.

John Howard,

Director, National Institute for Occupational Safety and Health.

[FR Doc. 2014–00932 Filed 1–17–14; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HHS gives notice concerning the final effect of the HHS decision to designate a class of employees from the Sandia National Laboratories-Livermore in Livermore, California, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000.

FOR FURTHER INFORMATION CONTACT: Stuart L. Hinnefeld, Director, Division of Compensation Analysis and Support, NIOSH, 4676 Columbia Parkway, MS C–46, Cincinnati, OH 45226, Telephone 877–222–7570. Information requests can also be submitted by email to *DCAS@CDC.GOV.*

SUPPLEMENTARY INFORMATION:

Authority: 42 U.S.C. 7384q(b). 42 U.S.C. 7384*l*(14)(C).

On December 12, 2013, as provided for under the Secretary of HHS designated the following class of employees as an addition to the SEC:

All employees of the Department of Energy, its predecessor agencies, and its contractors and subcontractors who worked in any area at Sandia National Laboratories-Livermore in Livermore, California, from October 1, 1957, through December 31, 1994, for a number of work days aggregating at least 250 work days, occurring either solely under this employment or in combination with work days within the parameters established for one or more other classes of employees included in the Special Exposure Cohort.

This designation became effective on January 11, 2014. Hence, beginning on January 11, 2014, members of this class of employees, defined as reported in this notice, became members of the SEC.

John Howard,

Director, National Institute for Occupational Safety and Health.

[FR Doc. 2014–00933 Filed 1–17–14; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Federal Financial Participation in State Assistance Expenditures; Federal Matching Shares for Medicaid, the Children's Health Insurance Program, and Aid to Needy Aged, Blind, or Disabled Persons for October 1, 2014 Through September 30, 2015

AGENCY: Office of the Secretary, DHHS.

ACTION: Notice.

SUMMARY: The Federal Medical Assistance Percentages (FMAP), Enhanced Federal Medical Assistance Percentages (eFMAP), and disaster-recovery FMAP adjustments for Fiscal Year 2015 have been calculated pursuant to the Social Security Act (the Act). These percentages will be effective from October 1, 2014 through September 30, 2015. This notice announces the calculated FMAP and eFMAP rates that the U.S. Department of Health and Human Services (HHS) will use in determining the amount of federal matching for state medical assistance (Medicaid) and Children's Health Insurance Program (CHIP) expenditures, Temporary Assistance for Needy Families (TANF) Contingency Funds, Child Support Enforcement collections, Child Care Mandatory and Matching Funds of the Child Care and Development Fund, Foster Care Title IV–E Maintenance payments, and Adoption Assistance payments. Table 1 gives figures for each of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. This notice also announces the disaster-recovery FMAP adjustments for qualifying States for FY 2015 that the U.S. Department of Health and Human Services (HHS) will use in determining the amount of federal matching for state medical assistance (Medicaid) and title IV–E Foster Care, Adoption Assistance and Guardianship Assistance programs.

Programs under title XIX of the Act exist in each jurisdiction. Programs under titles I, X, and XIV operate only in Guam and the Virgin Islands, while a program under title XVI (Aid to the Aged, Blind, or Disabled) operates only in Puerto Rico. The percentages in this notice apply to state expenditures for most medical assistance and child health assistance, and assistance payments for certain social services. The Act provides separately for federal matching of administrative costs.

Sections 1905(b) and 1101(a)(8)(B) of the Social Security Act (the Act) require the Secretary of HHS to publish the FMAP rates each year. The Secretary calculates the percentages, using formulas in sections 1905(b) and 1101(a)(8), and calculations by the Department of Commerce of average income per person in each State and for the Nation as a whole. The percentages must fall within the upper and lower limits given in section 1905(b) of the Act. The percentages for the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands are specified in statute, and thus are not based on the statutory formula that determines the percentages for the 50 States.

Section 1905(b) of the Act specifies the formula for calculating FMAPs as follows:

''Federal medical assistance percentage'' for any State shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 45 per centum as the square of the per capita income of such State bears to the square of the per capita income of the continental United States (including Alaska) and Hawaii; except that (1) the Federal medical assistance percentage shall in no case be less than 50 per centum or more than 83 per centum, (2) the Federal medical assistance percentage for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa shall be 55 percent. . .''.

Section 4725(b) of the Balanced Budget Act of 1997 amended section 1905(b) to provide that the FMAP for the District of Columbia for purposes of titles XIX and XXI shall be 70 percent. For the District of Columbia, we note under Table 1 that other rates may apply in certain other programs. In addition, we note the rate that applies for Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands in certain other programs pursuant to section 1118 of the Act.

Section 1905(y) of the Act, as added by section 2001 of the Patient Protection and Affordable Care Act of 2010 (''Affordable Care Act''), provides for a significant increase in the Federal Medical Assistance Percentage (FMAP) for medical expenditures for individuals determined eligible under the new adult group in the State and who will be considered to be ''newly eligible'' in 2014, as defined in section 1905(y)(2)(A) of the Act. The FMAP for these newly eligible individuals will be 100 percent for Calendar Years 2014, 2015, and 2016, gradually declining to 90 percent in 2020 where it remains indefinitely. In addition, section 1905(z) of the Act, as added by section 10201 of the Affordable Care Act, provides that

States that had expanded substantial coverage to low-income parents and nonpregnant adults without children prior to the enactment of the Affordable Care Act, referred to as ''expansion States,'' shall receive an enhanced FMAP that begins in 2014 for nonpregnant childless adults who may be required to enroll in benchmark coverage. These provisions are discussed in more detail in the Medicaid Eligibility proposed rule published on August 17, 2011 (76 FR 51172) and the final rule published on March 23, 2012 (77 FR 17143).

For purposes of Title XIX (Medicaid) of the Social Security Act, the Federal Medical Assistance Percentage (FMAP), defined in section 1905(b) of the Social Security Act, for each State beginning with fiscal year 2006 is subject to an adjustment pursuant to section 614 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), Public Law 111–3. Section 614 of CHIPRA stipulates that a State's FMAP under Title XIX (Medicaid) must be adjusted in two situations.

In the first situation, if a State experiences positive growth in total personal income and an employer in that State has made a significantly disproportionate contribution to a pension or insurance fund, the State's FMAP must be adjusted. Employer pension and insurance fund contributions are significantly disproportionate if the increase in contributions exceeds 25 percent of the increase in total personal income in that State. A **Federal Register** Notice with comment period was issued on June 7, 2010 announcing the methodology for calculating this adjustment; a final notice was issued on October 15, 2010.[1] [2]

A second situation arises if a State experiences negative growth in total personal income. Beginning with Fiscal Year 2006, section 614(b)(3) of CHIPRA specifies that certain employer pension or insurance fund contributions shall be disregarded when computing the per capita income used to calculate the FMAP for States with negative growth in total personal income. In that instance, for the purposes of calculating the FMAP, for a calendar year in which a State's total personal income has declined, the portion of an employer pension and insurance fund contribution that exceeds 125 percent of the amount of the employer contribution in the previous calendar year shall be disregarded. The statutory formula for calculating the FMAP is based on the ratio of the State's per capita income to the per capita income of the entire United States. Employer pension or insurance fund contributions increase State personal income and, by operation of the statutory formula, could result in lower FMAPs than would be the case if those contributions were disregarded.

We request that States follow the same methodology to determine potential FMAP adjustments for negative growth in total personal income that HHS employs to adjust the FMAP for States experiencing significantly disproportionate pension or insurance contributions. For a State experiencing negative growth in total personal income, if that State believes that an individual employer has made a pension or insurance fund contribution that may qualify for an FMAP adjustment for negative growth, the State should provide data on that individual employer contribution to HHS. The State may submit official audited financial statements for the employer for the year of the contribution and the prior year or other evidence that the increase in the employer's contribution is likely to exceed 125 percent of the employer's contribution in the previous year in the State.

The deadline for submitting 2005 through 2012 employer contributions, and the associated prior year contributions, will be the end of FY 2014 (September 30, 2014). The deadline for submitting 2013 and future employer contributions, and the associated prior year contributions, will be the end of the second fiscal year following the end of the employer's annual fiscal statement that includes the employer contributions.

After a State submits written notification that such a contribution or contributions occurred, HHS will verify the State's data. As part of this verification process, HHS will search the Security Exchange Commission (SEC) filings or the Internal Revenue Service (IRS) 5500 Annual Return/Report of Employee Benefit Plan database to find the employer's contributions for the relevant two-year period. If HHS is unable to verify the State's submitted data, no FMAP adjustment will be made.

This notice does not contain an FY 2015 adjustment for a major statewide disaster for any State because no State's FMAP decreased by at least three percentage points from FY 2014 to FY 2015.

Section 2105(b) of the Act specifies the formula for calculating the eFMAP rates as follows:

> The ''enhanced FMAP'', for a State for a fiscal year, is equal to the Federal medical assistance percentage (as defined in the first sentence of section 1905(b)) for the State increased by a number of percentage points equal to 30 percent of the number of percentage points by which (1) such Federal medical assistance percentage for the State, is less than (2) 100 percent; but in no case shall the enhanced FMAP for a State exceed 85 percent.

The eFMAP rates are used in the Children's Health Insurance Program under Title XXI, and in the Medicaid program for certain children for expenditures for medical assistance described in sections 1905(u)(2) and 1905(u)(3) of the Act. There is no specific requirement to publish the eFMAP rates. We include them in this notice for the convenience of the States.

DATES: *Effective Dates:* The percentages listed in Table 1 will be effective for each of the four quarter-year periods beginning October 1, 2014 and ending September 30, 2015.

FOR FURTHER INFORMATION CONTACT: Thomas Musco or Rose Chu, Office of Health Policy, Office of the Assistant Secretary for Planning and Evaluation, Room 447D—Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201, (202) 690–6870.

(Catalog of Federal Domestic Assistance Program Nos. 93.558: TANF Contingency Funds; 93.563: Child Support Enforcement; 93.596: Child Care Mandatory and Matching Funds of the Child Care and Development Fund; 93.658: Foster Care Title IV–E; 93.659: Adoption Assistance; 93.769: Ticket-to-Work and Work Incentives Improvement Act (TWWIIA) Demonstrations to Maintain Independence and Employment; 93.778: Medical Assistance Program; 93.767: Children's Health Insurance Program).

[1] As required by section 614(b)(2), the personal income data set originally used to calculate FMAP rates shall also be used for making this adjustment to the FMAP rates. The required adjustment is a recalculation of the FMAP rate disregarding any significantly disproportionate employer pension or insurance fund contribution in computing the State per capita income, but not disregarding such contributions in computing the United States per capita income used in the FMAP calculation. Section 614(c) provides that in no case shall a State have its FMAP reduced because of the application of this disregard.

[2] A change in BEA's method for reporting defined benefit pension plans should mitigate the reporting, and therefore the need for this adjustment in the future. In 2013, BEA changed its method for reporting defined benefit pension plans as part of personal income by changing from a cash accounting basis to an accrual accounting basis. This change will tend to have steadier estimates than the more volatile cash contributions made by employers. (McCulla, Stephanie H., Holdren, Alyssa E., and Smith, Shelly. ''Improved Estimates of the National Income and Product Accounts.'' Survey of Current Business, September 2013 (page 14)).

Dated: December 18, 2013.

Kathleen Sebelius,

Secretary.

TABLE 1—FEDERAL MEDICAL ASSISTANCE PERCENTAGES AND ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGES, EFFECTIVE OCTOBER 1, 2014–SEPTEMBER 30, 2015

[Fiscal Year 2015]

State	Federal medical assistance percentages	Enhanced federal medical assistance percentages
Alabama	68.99	78.29
Alaska	50.00	65.00
American Samoa *	55.00	68.50
Arizona	68.46	77.92
Arkansas	70.88	79.62
California	50.00	65.00
Colorado	51.01	65.71
Connecticut	50.00	65.00
Delaware	53.63	67.54
District of Columbia **	70.00	79.00
Florida	59.72	71.80
Georgia	66.94	76.86
Guam *	55.00	68.50
Hawaii	52.23	66.56
Idaho	71.75	80.23
Illinois	50.76	65.53
Indiana	66.52	76.56
Iowa	55.54	68.88
Kansas	56.63	69.64
Kentucky	69.94	78.96
Louisiana	62.05	73.44
Maine	61.88	73.32
Maryland	50.00	65.00
Massachusetts	50.00	65.00
Michigan	65.54	75.88
Minnesota	50.00	65.00
Mississippi	73.58	81.51
Missouri	63.45	74.42
Montana	65.90	76.13
Nebraska	53.27	67.29
Nevada	64.36	75.05
New Hampshire	50.00	65.00
New Jersey	50.00	65.00
New Mexico	69.65	78.76
New York	50.00	65.00
North Carolina	65.88	76.12
North Dakota	50.00	65.00
Northern Mariana Islands *	55.00	68.50
Ohio	62.64	73.85
Oklahoma	62.30	73.61
Oregon	64.06	74.84
Pennsylvania	51.82	66.27
Puerto Rico *	55.00	68.50
Rhode Island	50.00	65.00
South Carolina	70.64	79.45
South Dakota	51.64	66.15
Tennessee	64.99	75.49
Texas	58.05	70.64
Utah	70.56	79.39
Vermont	54.01	67.81
Virgin Islands *	55.00	68.50
Virginia	50.00	65.00
Washington	50.03	65.02
West Virginia	71.35	79.95
Wisconsin	58.27	70.79
Wyoming	50.00	65.00

* For purposes of section 1118 of the Social Security Act, the percentage used under titles I, X, XIV, and XVI will be 75 per centum.

** The values for the District of Columbia in the table were set for the state plan under titles XIX and XXI and for capitation payments and DSH allotments under those titles. For other purposes, the percentage for D.C is 50.00, unless otherwise specified by law.

[FR Doc. 2014–00931 Filed 1–17–14; 8:45 am]
BILLING CODE 4150–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Advisory Council on Alzheimer's Research, Care, and Services; Meeting

AGENCY: Assistant Secretary for Planning and Evaluation, HHS.

ACTION: Notice of meeting.

SUMMARY: This notice announces the public meeting of the Advisory Council on Alzheimer's Research, Care, and Services (Advisory Council). The Advisory Council on Alzheimer's Research, Care, and Services provides advice on how to prevent or reduce the burden of Alzheimer's disease and related dementias on people with the disease and their caregivers. During the February meeting, the Advisory Council will hear presentations from the three subcommittees (Research, Clinical Care, and Long-Term Services and Supports), which will inform the 2014 recommendations. The Advisory Council will discuss the G8 Dementia Summit that was held on December 11, 2013.

DATES: The meeting will be held on February 3, 2013 from 9:30 a.m. to 4:30 p.m. EDT.

ADDRESSES: The meeting will be held in Room 800 in the Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201.

Comments: Time is allocated on the agenda to hear public comments. In lieu of oral comments, formal written comments may be submitted for the record to Helen Lamont, Ph.D., OASPE, 200 Independence Avenue SW., Room 424E, Washington, DC 20201. Comments may also be sent to *napa@hhs.gov.* Those submitting written comments should identify themselves and any relevant organizational affiliations.

FOR FURTHER INFORMATION CONTACT: Helen Lamont, Ph.D. (202) 690–7996, *helen.lamont@hhs.gov.* Note: Seating may be limited. Those wishing to attend the meeting must send an email to *napa@hhs.gov* and put ''February 3 meeting attendance'' in the Subject line by Friday, January 24, so that their names may be put on a list of expected attendees and forwarded to the security officers at the Department of Health and Human Services. Any interested member of the public who is a non-U.S. citizen should include this information at the time of registration to ensure that the appropriate security procedure to gain entry to the building is carried out. Although the meeting is open to the public, procedures governing security and the entrance to Federal buildings may change without notice. If you wish to make a public comment, you must note that within your email.

SUPPLEMENTARY INFORMATION: Notice of these meetings is given under the Federal Advisory Committee Act (5 U.S.C. App. 2, section 10(a)(1) and (a)(2)). Topics of the Meeting: The Advisory Council will hear presentations from the three subcommittees (Research, Clinical Care, and Long-Term Services and Supports), which will inform the 2014 recommendations. The Advisory Council will discuss the G8 Dementia Summit that was held on December 11, 2013.

Procedure and Agenda: This meeting is open to the public. Please allow 30 minutes to go through security and walk to the meeting room. The meeting will also be webcast at *www.hhs.gov/live.*

Authority: 42 U.S.C. 11225; Section 2(e)(3) of the National Alzheimer's Project Act. The panel is governed by provisions of Public Law 92–463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

Dated: January 2, 2014.

Donald Moulds,

Acting Assistant Secretary for Planning and Evaluation.

[FR Doc. 2014–01083 Filed 1–17–14; 8:45 am]
BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–0001]

Microbiology Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Microbiology Devices Panel of the Medical Devices Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the Agency on FDA's regulatory issues.

Date and Time: The meeting will be held on March 12, 2014, from 8 a.m. to 6 p.m.

Location: College Park Holiday Inn, Ballroom, 10000 Baltimore Ave., College Park, MD 20740; 301–345–6700.

Contact Person: Shanika Craig, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993, *Shanika.Craig@fda.hhs.gov,* 301–796–6639, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area). A notice in the **Federal Register** about last minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice. Therefore, you should always check the Agency's Web site at *http://www.fda.gov/AdvisoryCommittees/default.htm* and scroll down to the appropriate advisory committee meeting link, or call the advisory committee information line to learn about possible modifications before coming to the meeting.

Agenda: On March 12, 2014, the committee will discuss, make recommendations, and vote on a premarket approval application for a new indication for the cobas Human Papillomavirus (HPV) Test, sponsored by Roche Molecular Systems, Inc. The cobas HPV Test is a qualitative in vitro test for the detection of HPV that is currently approved for use in conjunction with cervical cytology. Roche is seeking a claim whereby the cobas HPV Test can be used as a first-line primary cervical screening test. The test utilizes amplification of target DNA by the polymerase chain reaction and nucleic acid hybridization for the detection of 14 high risk (HR) HPV types in a single analysis. The test specifically identifies types HPV 16 and HPV 18 while concurrently detecting the rest of the high risk types (31, 33, 35, 39, 45, 51, 52, 56, 58, 59, 66, and 68). Per the proposed indication, women who test negative for high risk HPV types by the cobas HPV Test would be followed up in accordance with the physician's assessment of screening and medical history, other risk factors, and professional guidelines. Women who test positive for HPV genotypes 16 and/or 18 by the cobas HPV Test would be referred to colposcopy. Women who test high risk HPV positive and 16/18 negative by the cobas HPV Test (12 other HR HPV positive) would be evaluated by cervical cytology to determine the need for referral to colposcopy.

FDA intends to make background material available to the public no later than 2 business days before the meeting. If FDA is unable to post the background

material on its Web site prior to the meeting, the background material will be made publicly available at the location of the advisory committee meeting, and the background material will be posted on FDA's Web site after the meeting. Background material is available at *http://www.fda.gov/AdvisoryCommittees/Calendar/default.htm.* Scroll down to the appropriate advisory committee meeting link.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person on or before March 3, 2014. On March 12, 2014, oral presentations from the public will be scheduled between approximately 1 p.m. and 2 p.m. Those individuals interested in making formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation on or before February 21, 2014. Time allotted for each presentation may be limited. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled open public hearing session, FDA may conduct a lottery to determine the speakers for the scheduled open public hearing session. The contact person will notify interested persons regarding their request to speak by February 25, 2014.

Persons attending FDA's advisory committee meetings are advised that the Agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact James Clark, Committee Management Staff, *james.clark@fda.hhs.gov,* or 301–796–5293 at least 7 days in advance of the meeting.

FDA is committed to the orderly conduct of its advisory committee meetings. Please visit our Web site at *http://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm111462.htm* for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: January 14, 2014.

Jill Hartzler Warner,

Acting Associate Commissioner for Special Medical Programs.

[FR Doc. 2014–00939 Filed 1–17–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0001]

Request for Notification From Industry Organizations Interested in Participating in the Selection Process for Nonvoting Industry Representatives and Request for Nominations for Nonvoting Industry Representatives on the Device Good Manufacturing Practice Advisory Committee

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting that any industry organization interested in participating in the selection of a nonvoting industry representative to serve on the Device Good Manufacturing Practice Advisory Committee (DGMPAC) in the Center for Devices and Radiological Health notify FDA in writing. A nominee may either be self-nominated or nominated by an organization to serve as a nonvoting industry representative. Nominations will be accepted for the upcoming vacancy effective with this notice.

FDA seeks to include the views of women and men, members of all racial and ethnic groups, and individuals with and without disabilities on its advisory committees, and therefore, encourages nominations of appropriately qualified candidates from these groups. Specifically, in this document, nominations for nonvoting representatives of industry interests are encouraged from device manufacturing industry.

DATES: Any industry organizations interested in participating in the selection of an appropriate nonvoting member to represent industry interests must send a letter stating that interest to the FDA by February 20, 2014, for the vacancy listed in this notice. Concurrently, nomination materials for prospective candidates should be sent to FDA by February 20, 2014.

ADDRESSES: All letters of interest and nominations should be submitted in writing to Margaret J. Ames (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Margaret J. Ames, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5234, Silver Spring, MD 20993, 301–796–5960, email: *margaret.ames@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(j)), as amended, provides that the DGMPAC shall be composed of two representatives of interests of the device manufacturing industry. The Agency is requesting nominations for a nonvoting industry representative on the DGMPAC.

I. Function of DGMPAC

The DGMPAC reviews proposed regulations issuance regarding good manufacturing practices governing the methods used in, and the facilities and controls used for manufacture, packaging, storage, installation, and servicing of devices, and make recommendations regarding the feasibility and reasonableness of those proposed regulations. The DGMPAC also reviews and makes recommendations on proposed guidelines developed to assist the medical device industry in meeting the good manufacturing practice requirements, and provides advice with regard to any petition submitted by a manufacturer for an exemption or variance from good manufacturing practice regulations.

II. Qualifications

Persons nominated for the DGMPAC should possess appropriate qualifications to understand and contribute to the committee's work as described in the DGMPAC's function.

III. Selection Procedure

Any industry organization interested in participating in the selection of an appropriate nonvoting member to represent industry interests should send a letter stating that interest to the FDA contact (see **FOR FURTHER INFORMATION CONTACT**) within 30 days of publication of this document (see **DATES**). Within the subsequent 30 days, FDA will send a letter to each organization that has expressed an interest. Attached to the letter will be a complete list of all such organizations and a list of all nominees along with their current resumes. The letter will also state that it is the responsibility of the interested organizations to confer with one another and select a candidate to serve as the nonvoting member to represent industry interests for a particular committee within 60 days of receiving the FDA's

letter. The interested organizations are not bound by the list of nominees in selecting a candidate. However, if no individual is selected within the 60 days, the Commissioner of Food and Drugs will select the nonvoting member to represent industry interests.

IV. Application Procedure

Individuals may self-nominate and/or an organization may nominate one or more individuals to serve as a nonvoting industry representative. The nominee's contact information, a current curriculum vitae, and the name of the committee of interest should be sent to the FDA contact person (see **FOR FURTHER INFORMATION CONTACT**) within 30 days of publication of this document (see **DATES**). FDA will forward all nominations to the organizations expressing interest in participating in the selection process for the committee. (Persons who nominate themselves as nonvoting industry representatives will not participate in the selection process).

This notice is issued under the Federal Advisory Committee Act (5 U.S.C. app. 2) and 21 CFR part 14, relating to advisory committees.

Dated: January 14, 2014.

Jill Hartzler Warner,

Acting Associate Commissioner for Special Medical Programs.

[FR Doc. 2014–00964 Filed 1–17–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–1633]

Request for Notification From Industry Organizations Interested in Participating in the Selection Process for Nonvoting Industry Representatives and Request for Nominations for Nonvoting Industry Representatives on Public Advisory Panels

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting that any industry organization interested in participating in the selection of nonvoting industry representatives to serve on the Medical Devices Advisory Committee (MDAC) in the Center for Devices and Radiological Health (CDRH) notify FDA in writing. FDA is also requesting nominations for nonvoting industry representatives to serve on certain device panels of the MDAC in the CDRH. A nominee may either be self-nominated or nominated by an organization to serve as a nonvoting industry representative. Nominations will be accepted for upcoming vacancies effective with this notice.

DATES: Any industry organization interested in participating in the selection of an appropriate nonvoting member to represent industry interests must send a letter stating that interest to FDA (see **ADDRESSES**) by February 20, 2014, for the vacancies listed in this notice. Concurrently, nomination materials for prospective candidates should be sent to FDA (see **ADDRESSES**) by February 20, 2014.

ADDRESSES: All letters of interest and nominations should be submitted in writing to Margaret Ames (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Margaret Ames, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5234, Silver Spring, MD 20993. Telephone: 301–796–5960, Fax: 301–847–8505, email: *margaret.ames@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Section 520(f)(3) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360j(f)(3)), as amended by the Medical Device Amendments of 1976, provides that each medical device panel include one nonvoting member to represent the interests of the medical device manufacturing industry. The Agency is requesting nominations for nonvoting industry representatives to certain panels identified in the following paragraphs.

I. Functions of MDAC

(1) Review and evaluate data on the safety and effectiveness of marketed and investigational devices and make recommendations for their regulation; (2) advise the Commissioner of Food and Drugs (the Commissioner) regarding recommended classification or reclassification of these devices into one of three regulatory categories; (3) advise on any possible risks to health associated with the use of devices; (4) advise on formulation of product development protocols; (5) review premarket approval applications for medical devices; (6) review guidelines and guidance documents; (7) recommend exemption to certain devices from the application of portions of the FD&C Act; (8) advise on the necessity to ban a device; (9) respond to requests from the Agency to review and make recommendations on specific issues or problems concerning the safety and effectiveness of devices; and (10) make recommendations on the quality in the design of clinical studies regarding the safety and effectiveness of marketed and investigational devices.

A. Dental Products Panel

Reviews and evaluates data concerning the safety and effectiveness of marketed and investigational products for use in dentistry, endodontics, or bone physiology relative to the oral and maxillofacial area and makes appropriate recommendations to the Commissioner.

B. Hematology and Pathology Devices Panel

Reviews and evaluates data concerning the safety and effectiveness of marketed and investigational in vitro devices for use in clinical laboratory medicine including pathology, hematology, histopathology, cytotechnology, and molecular biology and makes appropriate recommendations to the Commissioner.

C. Immunology Devices Panel

Reviews and evaluates data concerning the safety and effectiveness of marketed and investigational in vitro devices for use in clinical laboratory medicine including oncology, immunology, and allergy and makes appropriate recommendations to the Commissioner.

II. Qualifications

Persons nominated for the device panels should be full-time employees of firms that manufacture products that would come before the panel, or consulting firms that represent manufacturers, or have similar appropriate ties to industry.

III. Selection Procedure

Any industry organization interested in participating in the selection of an appropriate nonvoting member to represent industry interests should send a letter stating that interest to the FDA contact (see **FOR FURTHER INFORMATION CONTACT**) within 30 days of publication of this document (see **DATES**). Within the subsequent 30 days, FDA will send a letter to each organization that has expressed an interest, attaching a complete list of all such organizations, and a list of all nominees along with their current résumés. The letter will also state that it is the responsibility of the interested organizations to confer with one another and to select a candidate, within 60 days after the receipt of the FDA letter, to serve as the nonvoting member to represent industry interests for a particular device panel. The interested organizations are not

bound by the list of nominees in selecting a candidate. However, if no individual is selected within the 60 days, the Commissioner will select the nonvoting member to represent industry interests.

IV. Application Procedure

Individuals may self nominate and/or an organization may nominate one or more individuals to serve as a nonvoting industry representative. Contact information, a current curriculum vitae, and the name of the committee of interest should be sent to the FDA contact person (see **FOR FURTHER INFORMATION CONTACT**) within 30 days of publication of this document (see **DATES**). FDA will forward all nominations to the organizations expressing interest in participating in the selection process for the panel. (Persons who nominate themselves as nonvoting industry representatives will not participate in the selection process).

FDA seeks to include the views of women and men, members of all racial and ethnic groups, and individuals with and without disabilities on its advisory committees, and therefore encourages nominations of appropriately qualified candidates from these groups. Specifically, in this document, nominations for nonvoting representatives of industry interests are encouraged from the device manufacturing industry.

This notice is issued under the Federal Advisory Committee Act (5 U.S.C. App. 2) and 21 CFR part 14, relating to advisory committees.

Dated: January 13, 2014.

Jill Hartzler Warner,

Acting Associate Commissioner for Special Medical Programs.

[FR Doc. 2014–01003 Filed 1–17–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission For OMB Review; 30-Day Comment Request: Gulf Long-Term Follow-Up Study (GuLF STUDY)

SUMMARY: Under the provisions of Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institute of Environmental Health Sciences (NIEHS), the National Institutes of Health, has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below. This proposed information collection was previously published in the **Federal Register** on November 7, 2013 on pages 66945–66946 and allowed 60-days for public comment. No public comments were received. The purpose of this notice is to allow an additional 30 days for public comment. The National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health, 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.

Direct Comments to OMB: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the: Office of Management and Budget, Office of Regulatory Affairs, *OIRA_submission@omb.eop.gov* or by fax to 202–395–6974, Attention: NIH Desk Officer.

Comment Due Date: Comments regarding this information collection are best assured of having their full effect if received within 30 days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, or request more information on the proposed project, contact: Dr. Dale P. Sandler, Chief, Epidemiology Branch, NIEHS, Rall Building A3–05, P.O. Box 12233, Research Triangle Park, NC 27709 or call non-toll-free number 919–541–4668 or Email your request, including your address to: *Sandler@niehs.nih.gov.* Formal requests for additional plans and instruments must be requested in writing.

Proposed Collection: Gulf Long-Term Follow-Up Study (GuLF STUDY), 0925–0626, Expiration Date 01/31/2014—REVISION, National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH).

Need and Use of Information Collection:

The purpose of the GuLF STUDY is to investigate potential short- and long-term health effects associated with oil spill clean-up activities and exposures related to the Deepwater Horizon disaster, and to create a resource for additional collaborative research on focused hypotheses or subgroups. Exposures range from negligible to potentially significant; however, potential long-term human health consequences are largely unknown due to insufficient research in this area.

The study has enrolled 32,762 participants with a range of jobs/exposures, including participants who performed various types of clean-up-related work (''exposed'') and other who did not (''unexposed'' controls). Of the 32,762 enrolled into the Full Cohort, 20,000 have been assigned to the Active Follow-up Sub-cohort, and 6,000 of these have been assigned to the Biomedical Surveillance Sub-cohort.

In order to minimize loss to follow-up, updated contact information will be collected yearly for the Full Cohort. Follow-up questionnaires will be administered biennially to the Active Follow-up Sub-Cohort to assess changes in health status and factors that could confound associations between exposures and outcomes. A supplemental mental health questionnaire will be administered repeatedly over a 2-year period to a subset of 4,600 participants in the Active Follow-up Sub-cohort to assess mental health trajectories among those affected by the oil spill and utilization of mental health services in the Gulf region. Participants in the Biomedical Surveillance Sub-cohort will be invited to take part in a comprehensive research-based clinical examination. The clinical exam provides an opportunity to carry out more comprehensive clinical testing and mental health evaluations than could be completed during the baseline home visit. The exams will allow for a much more in-depth assessment of pulmonary, neurological, and mental health outcomes that may be associated with the Deepwater Horizon oil spill exposures and experiences.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 21,724.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form/activity	Number of respondents	Number of responses per respondent	Average time per response (in hours)	Total burden hour (for 3 years)	Annualized burden hour
Cleanup & non-Cleanup Workers.	Annual Recontact Questionnaire.	32,762	3	15/60	24,572	8,191
Cleanup & non-Cleanup Workers.	Supplemental Mental Health Telephone Questionnaire.	4,600	4	15/60	4,600	1,533
Cleanup & non-Cleanup Workers.	Follow-up Telephone Questionnaire.	20,000	2	30/60	20,000	6,667
Cleanup & non-Cleanup Workers.	Clinical Exam	4,000	1	4	16,000	5,333

Dated: January 9, 2014.

Joellen M. Austin,

Associate Director for Management.

[FR Doc. 2014–01038 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Member Conflict SEP.

Date: February 5, 2014.

Time: 2:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Xiaodu Guo, MD, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 761, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–4719, *guox@extra.niddk.nih.gov*.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; The NIDDK–KUR Fellowship Review Committee.

Date: February 5, 2014.

Time: 8:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Xiaodu Guo, MD, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 761, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–4719, *guox@extra.niddk.nih.gov*.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; R13 Conference Applications.

Date: February 24, 2014.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Jian Yang, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 755, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7799, *yangj@extra.niddk.nih.gov*.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; R24 Collaborative Interdisciplinary Team Science Applications.

Date: March 6, 2014.

Time: 11:00 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Jian Yang, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 755, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7799, *yangj@extra.niddk.nih.gov*.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; P20 Developmental Centers in Benign Urology—RFA–DK–13–019.

Date: March 13, 2014.

Time: 8:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda, One Metro Center, Bethesda, MD 20814.

Contact Person: Najma Begum, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 749, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–8894, *begumn@niddk.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: January 14, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–00970 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the Board of Scientific Counselors, NIEHS.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute of Environmental Health Sciences, including

consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NIEHS.

Date: February 23–25, 2014.

Closed: February 23, 2014, 7:00 p.m. to 10:00 p.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Doubletree Guest Suites, 2515 Meridian Parkway, Research Triangle Park, NC 27713.

Open: February 24, 2014, 8:30 a.m. to 9:20 a.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Open: February 24, 2014, 9:20 a.m. to 11:15 a.m.

Agenda: Scientific Presentations.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: February 24, 2014, 11:15 a.m. to 1:00 p.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Open: February 24, 2014, 1:00 p.m. to 2:30 p.m.

Agenda: Poster Session.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: February 24, 2014, 2:30 p.m. to 3:00 p.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Open: February 24, 2014, 3:00 p.m. to 4:55 p.m.

Agenda: Scientific Presentations.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: February 24, 2014, 5:00 p.m. to 5:30 p.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: February 24, 2014, 7:00 p.m. to 10:00 p.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Doubletree Guest Suites, 2515 Meridian Parkway, Research Triangle Park, NC 27713.

Open: February 25, 2014, 8:30 a.m. to 9:20 a.m.

Agenda: Scientific Presentation.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: February 25, 2014, 9:20 a.m. to 11:30 a.m.

Agenda: To review and evaluate programmatic and personnel issues.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Contact Person: Darryl C. Zeldin, M.D., Scientific Director & Principal Investigator, Division of Intramural Research, National Institute of Environmental Health Sciences, NIH, 111 TW Alexander Drive, Maildrop A2–09, Research Triangle Park, NC 27709, 919–541–1169, *zeldin@niehs.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: January 14, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–00968 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Initial Review Group; Behavior and Social Science of Aging Review Committee NIA–S.

Date: March 6–7, 2014.

Time: 4:30 p.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Doubletree Hotel Bethesda, (Formerly Holiday Inn Select), 8120 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Rebecca J. Ferrell, Ph.D., Scientific Review Officer, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, *rebecca.ferrell@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS).

Dated: January 15, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–01043 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Initial Review Group Mental Health Services Research Committee.

Date: February 6, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Melrose Hotel, 2430 Pennsylvania Ave. NW., Washington, DC 20037.

Contact Person: Aileen Schulte, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6136, MSC 9606, Bethesda, MD 20852, 301–443–1225, *aschulte@mail.nih.gov.*

Name of Committee: National Institute of Mental Health Initial Review Group Interventions Committee for Disorders Involving Children and Their Families.

Date: February 11, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Marcy Ellen Burstein, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6154G, MSC 9608, Bethesda, MD 20892–9606, 301–443–9699, *bursteinme@mail.nih.gov*.

Name of Committee: National Institute of Mental Health Initial Review Group Interventions Committee for Adult Disorders.

Date: February 11, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: David I. Sommers, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, 6001 Executive Blvd., Room 6154, MSC 9606, Bethesda, MD 20892–9606, 301–443–7861, *dsommers@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: January 14, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–00966 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; 2014 Beeson Review.

Date: February 28, 2014.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Double Tree by Hilton Bethesda, Double Tree Hotel, 8120 Wisconsin Ave., Bethesda, MD 20814.

Contact Person: Alexander Parsadanian, Ph.D., Scientific Review Officer, National Institute on Aging, Gateway Building 2C/212, 7201 Wisconsin Avenue, Bethesda, MD 20892, 301–496–9666, *PARSADANIANA@NIA.NIH.GOV*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS).

Dated: January 15, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–01042 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable materials, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Neurological Disorders and Stroke Initial Review Group; Neurological Sciences and Disorders B.

Date: February 20–21, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Monaco Alexandria, 480 King Street, Alexandria, VA 22314.

Contact Person: Birgit Neuhuber, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS, NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892–9529, *neuhuber@ninds.nih.gov*.

Name of Committee: Neurological Sciences Training Initial Review Group; NST–1 Subcommittee.

Date: February 24–25, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Palomar Hotel, 2121 P Street NW., Washington, DC 20037.

Contact Person: Raul A. Saavedra, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS, NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–496–9223, *saavedrr@ninds.nih.gov*.

Name of Committee: Neurological Sciences Training Initial Review Group NST–2 Subcommittee.

Date: March 3–4, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Fairmont Washington, DC, 2401 M Street NW., Washington, DC 20037.

Contact Person: JoAnn McConnell, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS, NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–496–5324, *mcconnej@ninds.nih.gov*.

Name of Committee: National Institute of Neurological Disorders and Stroke Initial Review Group; Neurological Sciences and Disorders A.

Date: March 3–4, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Fairmont Olympic Hotel, 411 University Street, Seattle, WA 98101.

Contact Person: Natalia Strunnikova, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS, NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–402–0288, *Natalia.Strunnikova@nih.gov*.

Name of Committee: National Institute of Neurological Disorders and Stroke Initial Review Group; Neurological Sciences and Disorders C.

Date: March 13–14, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Westin Riverwalk Hotel, 420 West Market Street, San Antonio, TX 78205.

Contact Person: William C. Benzing, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS, NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–496–0660, *benzingw@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: January 14, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–00965 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Advisory Council on Aging.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Council on Aging.

Date: February 25–26, 2014.

Closed: February 25, 2014, 3:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing, Conference Room 6, 31 Center Drive, Bethesda, MD 20892.

Open: February 26, 2014, 8:00 a.m. to 2:00 p.m.

Agenda: Call to order and report from the Director; discussion of future meeting dates; consideration of minutes from the last meeting; reports from the Task Force on Minority Aging Research, Council of Councils, Working Group on Program; Council speaker; Program Highlights; Intramural Program Report.

Place: National Institutes of Health, Building 31, C Wing, Conference Room 6, 31 Center Drive, Bethesda, MD 20892.

Closed: February 26, 2014, 2:00 p.m. to 2:30 p.m.

Agenda: To Review And Evaluate Intramural Research Program.

Place: National Institutes Of Health, Building 31, C Wing, Conference Room 6, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Robin Barr, Ph.D., Director, National Institute on Aging, Office of Extramural Activities, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20814, (301) 496–9322, *barrr@nia.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *www.nih.gov/nia/naca/,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: January 15, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–01041 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute On Alcohol Abuse and Alcoholism; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Initial Review Group Biomedical Research Review Subcommittee.

Date: February 25, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Alcohol Abuse and Alcoholism, 5635 Fishers Lane, T508, Rockville, MD 20852.

Contact Person: Philippe Marmillot, Ph.D., Scientific Review Officer, National Institutes Of Health, National Institute On Alcohol Abuse And Alcoholism, 5635 Fishers Lane, Rm 2017, Bethesda, MD 20892–9304, 301–443–2861, *marmillotp@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.273, Alcohol Research Programs; National Institutes of Health, HHS)

Dated: January 14, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–00967 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Microbiology, Infectious Diseases and AIDS Initial Review Group; Microbiology and Infectious Diseases Research Committee MIDRC February 2014.

Date: February 11–12, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Crystal City, 2399 Jefferson Davis Hwy., Arlington, VA 22202.

Contact Person: Vasundhara Varthakavi, Ph.D., DVM, Scientific Review Officer, Scientific Review Program, DEA/NIAID/NIH/DHHS, Room 2217, 6700–B Rockledge Drive, Bethesda, MD 20892–7616, 301–496–2550, *varthakaviv@niaid.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS).

Dated: January 13, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–00969 Filed 1–17–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5758–N–01]

60-Day Notice of Proposed Information Collection: Baseline Assessment of Renewable Energy Capacity Within HUD's Public Housing and Federally-Assisted Multifamily Housing Portfolios

AGENCY: Office of Policy Development and Research, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* March 24, 2014.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Colette Pollard at *Colette.Pollard@hud.gov* or telephone 202–402–3400. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Baseline Assessment of Renewable Energy Capacity within HUD's Public Housing and Federally-Assisted Multifamily Housing Portfolios.

OMB Approval Number: None.

Type of Request: New Request.

Form Number: None.

Description of the need for the information and proposed use: The information is being collected to establish a baseline assessment of the renewable energy capacity in HUD's public housing and federally-assisted multifamily housing portfolios. The assessment will support President Obama's Climate Action Plan, which calls for the installation of 100 megawatts (MW) of renewable energy generation capacity by 2020 at LIHTC properties (Treasury), Rural Development properties (USDA), and public housing and multifamily-assisted properties (HUD). The proposed data collection instrument is a web-based census survey that will be supported by follow-up telephone interviews to all non-respondents.

Respondents (i.e. affected public): Employees of housing organizations receiving funding from HUD, specifically public housing agencies and HUD-assisted multifamily properties.

Estimated Number of Respondents: 19,107.

Estimated Number of Responses: 15,286 (based on a 80% response rate).

Frequency of Response: 1.

Average Hours per Response: 0.467 (weighted average).

Total Estimated Burdens: 8,916.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Web Survey only	15,286	1	1	0.4	6,114	$42.66	$260,823
Telephone Interview & Web Survey	3,821	1	1	0.733	2,802	$42.66	$119,533
Total	19,107				8,916		$380,357

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions 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;

(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 through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: January 14, 2014.

Jean Lin Pao,

General Deputy Assistant Secretary for Policy Development and Research.

[FR Doc. 2014–01067 Filed 1–17–14; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R2–ES–2013–N281; FXES11130200000–145–FF02ENEH00]

Endangered and Threatened Species Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications; request for public comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered or threatened species. The Endangered Species Act of 1973, as amended (Act), prohibits activities with endangered and threatened species

unless a Federal permit allows such activities. The Act and the National Environmental Policy Act also require that we invite public comment before issuing these permits.

DATES: To ensure consideration, written comments must be received on or before February 20, 2014.

ADDRESSES: Marty Tuegel, Section 10 Coordinator, by U.S. mail at Division of Endangered Species, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 6034, Albuquerque, NM at (505) 248–6920. Please refer to the respective permit number for each application when submitting comments.

FOR FURTHER INFORMATION CONTACT: Susan Jacobsen, Chief, Endangered Species Division, P.O. Box 1306, Albuquerque, NM 87103; (505) 248–6651.

SUPPLEMENTARY INFORMATION:

Public Availability of Comments

The Act (16 U.S.C. 1531 et seq.) prohibits activities with endangered and threatened species unless a Federal permit allows such activities. Along with our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17, the Act provides for permits, and requires that we invite public comment before issuing these permits.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes applicants to conduct activities with U.S. endangered or threatened species for scientific purposes, enhancement of survival or propagation, or interstate commerce. Our regulations regarding implementation of section 10(a)(1)(A) permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Applications Available for Review and Comment

We invite local, State, Tribal, and Federal agencies, and the public to comment on the following applications. Please refer to the appropriate permit number (e.g., Permit No. TE–123456) when requesting application documents and when submitting comments.

Documents and other information the applicants have submitted with these applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

Permit TE–082492

Applicant: Charles Hathcock, Los Alamos, New Mexico.

Applicant requests an amendment to a current permit for research and recovery purposes to conduct presence/absence surveys of Jemez Mountains salamander (*Plethodon neomexicanus*) within New Mexico.

Permit TE–798920

Applicant: City of Austin-Balcones Canyonlands Preserve, Austin, Texas.

Applicant requests a renewal to a current permit for research and recovery purposes to conduct presence/absence surveys of the following species in Texas:

- Bee Creek Cave harvestman (*Texella reddelli*)
- Black-capped vireo (*Vireo atricapilla*)
- Bone Cave harvestman (*Texella reyesi*)
- Braken Bat Cave meshweaver (*Cicurina venii*)
- Coffin Cave mold beetle (*Batrisodes texanus*)
- Cokendolpher Cave harvestman (*Texella cokendolpheri*)
- Golden-cheeked warbler (*Dendroica chrysoparia*)
- Government Canyon Bat Cave meshweaver (*Cicurina vespera*)
- Government Canyon Bat Cave spider (*Neoleptoneta microps*)
- Ground beetle (*Rhadine exilis)*
- Ground beetle *(Rhadine infernalis*)
- Helotes mold beetle (*Batrisodes venyivi*)
- Kretschmarr Cave mold beetle (*Texamaurops reddelli*)
- Madla Cave meshweaver (*Cicurina madla*)
- Robber Baron Cave meshweaver (*Cicurina baronia*)
- Tooth Cave ground beetle (*Rhadine persephone*)
- Tooth Cave pseudoscorpion (*Tartarocreagris texana*)
- Tooth Cave spider (*Neoleptoneta (Leptoneta) myopica*)

Permit TE–233289

Applicant: Dante Fenolio, San Antonio, Texas.

Applicant requests an amendment to a current permit for research and recovery purposes to conduct presence/absence surveys for Ozark cavefish (*Amblyopsis rosae*) within Oklahoma.

Permit TE–22545B

Applicant: Michelle Hanington, Hesperus, Colorado.

Applicant requests an amendment to a current permit for research and recovery purposes to conduct presence/absence surveys of southwestern willow flycatcher (*Empidonax traillii extimus*) within New Mexico, Arizona, Colorado, and Utah.

Permit TE–230274

Applicant: David Keller, Los Alamos, New Mexico.

Applicant requests a renewal to an expired permit for research and recovery purposes to conduct presence/absence surveys of Jemez Mountain salamanders (*Plethodon neomexicanus*) within New Mexico.

Permit TE–023643

Applicant: U.S. Army, III Corps and Fort Hood, Fort Hood, Texas.

Applicant requests an amendment to a current permit for research and recovery purposes to collect blood from 250–350 adult and hatch-year black-capped vireos (*Vireo atricapilla*) as part of a genetic study within Texas.

Permit TE–23162B

Applicant: Eric Herman, Phoenix, Arizona.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys of southwestern willow flycatcher (*Empinodax trailli extimus*) within Arizona.

Permit TE–022190

Applicant: Arizona-Sonora Desert Museum. Tucson, Arizona.

Applicant requests an amendment to a current permit for research and recovery purposes to conduct husbandry and holding of the following species within the museum in Arizona:

- Acuna cactus (*Echinomastus erectocentrus* var. *acunensis*)
- Humpback chub (*Gila cypha*)
- Loach minnow (*Tiaroga cobitis*)
- Spikedace (*Meda fulgida*)

Permit TE–20166A

Applicant: Trinity Bey, Boerne, Texas.

Applicant requests a renewal to a current permit for research and recovery purposes to conduct presence/absence surveys of golden-cheeked warbler (*Dendroica chrysoparia*) within Texas.

Permit TE–4343941

Applicant: James Collins, Tempe, Arizona.

Applicant requests a renewal to a current permit for research and recovery purposes to conduct presence/absence surveys of Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*) within Texas.

National Environmental Policy Act (NEPA)

In compliance with NEPA (42 U.S.C. 4321 *et seq.*), we have made an initial

determination that the proposed activities in these permits are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM 6 Appendix 1, 1.4C(1)).

Public Availability of Comments

All comments and materials we receive in response to this request will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

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

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*)

Dated: December 24, 2013.

Dana Roth,

Acting Regional Director, Southwest Region.

[FR Doc. 2014–01005 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R6–ES–2013–N287; FXES11130600000D2–123–FF06E00000]

Endangered and Threatened Wildlife and Plants; Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered or threatened species. With some exceptions, the Endangered Species Act of 1973, as amended (Act), prohibits activities with endangered and threatened species unless a Federal permit allows such activity. The Act requires that we invite public comment before issuing these permits.

DATES: To ensure consideration, please send your written comments by February 20, 2014.

ADDRESSES: You may submit comments or requests for copies or more information by any of the following methods. Alternatively, you may use one of the following methods to request hard copies or a CD–ROM of the documents. Please specify the permit you are interested in by number (e.g., Permit No. TE–XXXXXX).

- *Email: permitsR6ES@fws.gov.* Please refer to the respective permit number (e.g., Permit No. TE–XXXXXX) in the subject line of the message.
- *U.S. Mail:* Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486–DFC, Denver, CO 80225.
- *In-Person Drop-off, Viewing, or Pickup:* Call (303) 236–4212 to make an appointment during regular business hours at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

FOR FURTHER INFORMATION CONTACT: Kathy Konishi, Permit Coordinator, Ecological Services, (303) 236–4212 (phone); *permitsR6ES@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

Background

The Act (16 U.S.C. 1531 et seq.) prohibits activities with endangered and threatened species unless a Federal permit allows such activity. Along with our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17, the Act provides for permits and requires that we invite public comment before issuing these permits.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes the permittees to conduct activities with U.S. endangered or threatened species for scientific purposes, enhancement of propagation or survival, or interstate commerce (the latter only in the event that it facilitates scientific purposes or enhancement of propagation or survival). Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Applications Available for Review and Comment

We invite local, State, and Federal agencies and the public to comment on the following applications. Documents and other information the applicants have submitted with their applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

Permit Application Number TE183432

Applicant: Kansas City Zoo, 6800 Zoo Drive, Kansas City, MO.

The applicant requests the renewal of a permit for educational display and propagation of Wyoming toad *(Bufo baxteri)* to preserve genetic diversity and provide individuals for reintroduction into suitable sites identified by the Service for the purpose of enhancing the species' survival.

Permit Application Number TE046929

Applicant: Kansas Department of Transportation, Bureau of Design, Eisenhower State Office Building, 700 SW Harrison St., Topeka, KS.

The applicant requests the renewal of a permit to conduct presence/absence surveys for the American burying beetle (*Nicrophorus americanus*) in Kansas to determine range, distribution, and abundance for the purpose of enhancing the species' survival.

Permit Application Number TE081867

Applicant: Otter Tail Environmental, Inc., 10200 W. 44th Ave., Suite 210, Wheat Ridge, CO.

The applicant requests the renewal of an existing permit to conduct presence/absence surveys for the Southwestern willow flycatcher (*Empidonax traillii extimus*) for the purpose of enhancing the species' survival.

Permit Application Number TE0051718

Applicant: Savage and Savage, Inc., 4610 Haystack Drive, Windsor, CO.

The applicant requests the renewal of an existing permit to conduct presence/absence surveys for the Southwestern willow flycatcher (*Empidonax traillii extimus*) for the purpose of enhancing the species' survival.

Permit Application Number TE067486

Applicant: University of Nebraska at Lincoln, 3310 Holdrege St., 402 Hardin Hall, Lincoln, NE.

The applicant requests the renewal of an existing permit to capture, collect, tag, hold, and transport pallid sturgeons (*Scaphirhynchus albus*) for baseline information for the purpose of enhancing the species' survival.

National Environmental Policy Act

In compliance with the National Environmental Policy Act (42 U.S.C. 4321 et seq.), we have made an initial determination that the proposed activities in these permits are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM 6 Appendix 1, 1.4C(1)).

Public Availability of Comments

All comments and materials we receive in response to these requests will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

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

We provide this notice under section 10 of the Act (16 U.S.C. 1531 et seq.).

Dated: *January 7, 2014.*

Michael G. Thabault,

Assistant Regional Director, Mountain-Prairie Region.

[FR Doc. 2014–00486 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R6–R–2013–N223; FXRS1266066CCP0S3–134–FF06R06000]

Benton Lake National Wildlife Refuge Complex, Great Falls, Montana; Final Comprehensive Conservation Plan and Finding of No Significant Impact for Environmental Assessment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of a final comprehensive conservation plan (CCP) and finding of no significant impact (FONSI) for the environmental assessment (EA) for Benton Lake National Wildlife Refuge Complex. In this final CCP, we describe how we intend to manage the refuge complex for the next 15 years.

ADDRESSES: You will find the final CCP and the FONSI on the planning Web site: *http://www.fws.gov/mountain-prairie/planning/ccp/mt/bnl/bnl.html.* A limited number of hard copies are available. You may request one by any of the following methods:

Email: toni_griffin@fws.gov. Include ''Benton Lake NWR Complex'' in the subject line of the message.

Fax: Attn: Toni Griffin, Planning Team Leader, 303–236–4792.

U.S. Mail: Toni Griffin, Planning Team Leader, Suite 300, 134 Union Boulevard, Lakewood, CO 80228.

FOR FURTHER INFORMATION CONTACT: Toni Griffin, 303–236–4378 (phone); 303–236–4792 (fax); or *toni_griffin@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

Introduction

With this notice, we continue the CCP process for Benton Lake National Wildlife Refuge Complex, which we began by publishing a notice of intent in the **Federal Register** (73 FR 48237) on August 18, 2008. For more about the initial process and the history of this refuge, see that notice. We released the draft CCP and EA to the public, announcing and requesting comments in a notice of availability (77 FR 19309) on March 30, 2012. The 60-day comment period ended on June 1, 2012. A summary of public comments and the agency responses is included in the final CCP.

Background

The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd–668ee) (Administration Act), requires us to develop a CCP for each national wildlife refuge. The purpose in developing a CCP is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System (NWRS), consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

Each unit of the NWRS was established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management goals and objectives for each refuge within the NWRS mission, and to determine how the public can use each refuge. The planning process is a way for us and the public to evaluate management goals and objectives that will ensure the best possible approach to wildlife, plant, and habitat conservation, while providing for wildlife-dependent recreation opportunities that are compatible with each refuge's establishing purposes and the mission of the NWRS.

Additional Information

The final CCP may be found at *http://www.fws.gov/mountain-prairie/planning/ccp/mt/bnl/bnl.html.* The final CCP includes detailed information about the planning process, refuge, issues, and management alternative selected. The Web site also contains the draft CCP, which includes an EA, prepared in accordance with the National Environmental Policy Act (NEPA) (43 U.S.C. 4321 et seq.). The EA/FONSI includes discussion of alternative refuge management options. The Service's selected alternative is reflected in the final CCP.

The selected alternative for the complex focuses on achieving self-sustaining systems with long-term productivity. Management efforts would focus on supporting and restoring ecological processes, including natural communities and the dynamics of the ecosystems of the northern Great Plains and northern Rocky Mountains in relationship to their geomorphic landscape positioning. Conservation of native landscapes would be a high priority, accomplished by protecting habitats from conversion, using a combination of partnerships, easements, and fee-title lands, and through active management and proactive enforcement of easements. Management actions such as prescribed fire, grazing, and invasive species control would be used to support the resiliency and sustainability of Service-owned lands throughout the refuge complex. Whenever possible, habitat conditions would be allowed to fluctuate with climatically driven wet and dry cycles, which are essential for long-term productivity. The success of these efforts and programs would depend on added staff, research, and monitoring programs, operations money, infrastructure, and new and expanded partnerships.

Benton Lake Refuge wetland units will be managed to focus on the importance of restoring the health and long-term sustainability of the wetland basin and include efforts within the Lake Creek and Muddy Creek watersheds. Flexible water management will occur, which will affect the amount, duration, and location of artificially provided water (pumped water) within the wetland basin. Management will strive to provide some waterfowl hunting and fall/spring migration habitat for at least 11 out of 15 years, and basin-wide drawdowns

will occur no more than 4 out of 15 years (with no more than 3 consecutive years of basin-wide drying). An adaptive resource management approach will be applied that may modify these wet and dry cycles to ensure progress towards achieving habitat objectives. Wetland basin infrastructure may be modified to enhance water conservation and efficient delivery. The Pumphouse and all water rights will be regularly exercised and maintained. Managing grasslands and other wildlife dependent public uses (wildlife observation and photography, environmental education and interpretation, and upland game bird hunting) on the refuge will occur as resources allow. A detailed description of objectives and actions included in this selected alternative is found in chapter 4 of the final CCP.

Dated: December 3, 2013.

Matt Hogan,

Acting Regional Director, Mountain-Prairie Region, U.S. Fish and Wildlife Service, Mountain-Prairie Region.

[FR Doc. 2014–01013 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R7–R–2013–N276; FF07RAM000 FXRS12610700000 145 MNGR]

Alaska Maritime National Wildlife Refuge, Alaska; Preparation of Environmental Assessments or Environmental Impact Statements Concerning Cattle Grazing on Wosnesenski and Chirikof Islands

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are in the process of identifying issues, and developing alternatives, to address the unauthorized grazing by cattle on two islands in the Alaska Maritime National Wildlife Refuge, Wosnesenski and Chirikof. This effort is known as ''scoping'' and is an early step in a process to develop either Environmental Assessments or Environmental Impact Statements in compliance with the National Environmental Policy Act (NEPA).

The purpose of this notice is (1) to advise other Federal and State agencies, Tribes, and the public of our intention to address grazing issues on Wosnesenski and Chirikof Islands and (2) to advise the public on how to provide suggestions and information regarding livestock grazing on these two islands.

DATES: Comments on the issues and possible alternatives to be addressed in the documents must be received no later than February 20, 2014.

ADDRESSES: Information about the Refuge and grazing on these two islands is available on the internet at: *http://www.fws.gov/alaska/nwr/akmar/grazing.htm*. Comments, questions, and requests for further information can be sent via electronic mail to *fw7_akmaritime@fws.gov,* faxed to (907) 235–7783, or mailed to Refuge Manager, Alaska Maritime National Wildlife Refuge, 95 Sterling Highway #1, Homer, AK 99603.

FOR FURTHER INFORMATION CONTACT: Steve Delehanty, Refuge Manager, phone (907) 235–6546.

SUPPLEMENTARY INFORMATION:

Project

These documents will examine the history of livestock grazing on the islands, the impact of grazing on the environment and natural biodiversity, identify the need for action and authority to act, summarize potential issues, evaluate a reasonable range of alternatives, and describe the affected environment and environmental consequences of alternatives. Cattle ownership and compatibility of grazing with purposes of the refuge will also be addressed.

Both Wosnesenski and Chirikof islands, located in remote Southwest Alaska, are uninhabited and part of the Alaska Maritime National Wildlife Refuge. The Refuge was established in 1980 to conserve marine mammals, seabirds and other migratory birds, and the marine resources upon which they rely. Wosnesenski and Chirikof islands have sustained severe impacts to wildlife habitat, native vegetation, and archaeological sites from grazing by unauthorized cattle left behind when they were left on the islands years ago.

Refuge Background

Stretching from the Arctic Ocean to the southeast panhandle, the Alaska Maritime National Wildlife Refuge protects breeding habitat for seabirds, marine mammals, and other wildlife on more than 2,500 islands, spires, rocks, and coastal headlands. Some of these isolated islands host unique species not found elsewhere. In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) created the Alaska Maritime Refuge by combining and adding to 11 existing coastal refuges.

Public Involvement

The public's ideas and comments are an important part of the planning process, and we invite public participation. We will meet with the public in communities within and near the Refuge and in Homer and Kodiak. Meetings will be announced locally and posted on our Web site. We encourage the public to provide comments, which will help us determine the issues and formulate alternatives. We will be accepting comments at meetings, via email, U.S. mail, and telephone during this open comment period (see **DATES**), as well as through personal contacts throughout the planning process.

Public Availability of Comments

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.

Authorities

NEPA (42 U.S.C. 4321 et seq.) and its implementing regulations; Alaska National Interest Lands Conservation Act (ANILCA; 16 U.S.C. 3111–3126); and the National Wildlife Refuge System Administration Act of 1966 (Refuge Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Refuge Improvement Act).

Dated: January 13, 2014.

Geoffrey L. Haskett,

Regional Director, U.S. Fish and Wildlife Service, Anchorage, Alaska.

[FR Doc. 2014–01024 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS00560.L58530000 ES0000.241A; N–90846; 14–08807; MO#4500059940; TAS: 14X5232]

Notice of Realty Action: Classification for Lease and/or Subsequent Conveyance for Recreation and Public Purposes of Public Land for a Park and Ride Facility (N–90846) in Clark County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) has examined and found suitable for classification for lease and/or subsequent conveyance under the provisions of the Recreation and Public Purposes (R&PP) Act, as amended, approximately 15 acres of public land in Clark County, Nevada. The Regional Transportation Commission (RTC) of Southern Nevada proposes to use the land for a Park and Ride facility.

DATES: Interested parties may submit written comments regarding the proposed classification of the land for lease and/or subsequent conveyance of the land, and the environmental assessment, until March 7, 2014.

ADDRESSES: Send written comments to the BLM Las Vegas Field Manager, 4701 N. Torrey Pines Drive, Las Vegas, Nevada 89130, or email: *cwilliams@blm.gov.*

FOR FURTHER INFORMATION CONTACT: Catrina Williams, 702–515–5176 or *cwilliams@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: The RTC of Southern Nevada has filed an application to develop the following described land as a Park and Ride with related facilities in the southwestern part of the Las Vegas Valley, between Las Vegas Boulevard South and I–15, north of St. Rose Parkway in Clark County, Nevada. The parcel of land is legally described as:

Mount Diablo Meridian, Nevada

T. 23 S., R. 61 E.,
Sec. 5, SW¼SE¼SE¼ and N½SE¼SE¼SE¼.

The area described contains 15.0 acres, more or less, in Clark County.

The proposed Park and Ride facility would include parking, approximately 6 bus bays, a 1,800-square foot transit terminal building, ticket vending machines, storage, indoor and outdoor waiting areas, and public restrooms. Additional detailed information pertaining to this application, plan of development, and site plan is in case file N–90846 which is located at the BLM Las Vegas Field Office at the address in the **ADDRESSES** section. The BLM's environmental assessment 2012–0074 EA for this proposed action can be viewed at the BLM Las Vegas Field Office and on the Web at *http://www.blm.gov/nv/st/en/fo/lvfo/blm_information/nepa.html.* The land is not required for any Federal purpose. The lease and/or subsequent conveyance of the public land is consistent with the BLM Las Vegas Resource Management Plan dated October 5, 1998, and would be in the public interest. The RTC of Southern Nevada is a political subdivision of the State of Nevada and is therefore a qualified applicant under the R&PP Act. The RTC of Southern Nevada has not applied for more than the 640-acre limitation for public purpose uses in a year consistent with the regulations at 43 CFR 2741.7(a)(2). They have submitted a statement addressing their compliance with the regulations at 43 CFR 2741.4(b).

The lease and/or subsequent conveyance of the public land will be subject to valid existing rights. Subject to limitations prescribed by law and regulation, prior to patent issuance, a holder of any right-of-way within the lease area may be given the opportunity to amend the right-of-way for conversion to a new term, including perpetuity, if applicable.

The lease and/or subsequent conveyance, if issued, would be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and will contain the following terms, conditions, and reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945);
2. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe;
3. All valid existing rights;
4. Right-of-way N–48572 for fiber optic facilities granted to AT&T GRE Lease Administration, its successors and assigns, pursuant to the Act of October 21, 1976 (U.S.C. 1761);
5. Right-of-way N–74998 for a water pipeline granted to Las Vegas Valley Water District, pursuant to the Act of October 21, 1976 (U.S.C. 1761);
6. Right-of-way N–82079 for a sewer line to Clark County Water Reclamation District, pursuant to the Act of October 21, 1976 (U.S.C. 1761);
7. Right-of-way N–82821for a drainage facility to Clark County, pursuant to the Act of October 21, 1976 (U.S.C. 1761);
8. Right-of-way N–82822 for a road to Clark County, pursuant to the Act of October 21, 1976 (U.S.C. 1761);
9. Right-of-way N–85420 for a distribution power line to Nevada Power Company, pursuant to the Act of October 21, 1976 (U.S.C. 1761); and
10. An appropriate indemnification clause protecting the United States from claims arising out of the lessee's/patentee's use, occupancy, or occupations on the leased/patented lands.

Upon publication of this notice in the **Federal Register**, the land described is segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease/conveyance under the R&PP Act, leasing under the mineral leasing laws, and disposals under the mineral material disposal laws.

Interested parties may submit written comments regarding the suitability of the land for a Park and Ride facility. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

Interested parties may also submit written comments regarding the specific use proposed in the application and plan of development, and whether the BLM followed proper administrative procedures in rendering a decision to lease and/or convey under the R&PP Act.

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. Any adverse comments will be reviewed by the BLM Nevada State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the decision will become effective on March 24, 2014. The lands will not be available for lease/conveyance until after decision becomes effective.

Authority: 43 CFR part 2741.

Catrina Williams,

Acting Assistant Field Manager, Las Vegas Field Office.

[FR Doc. 2014–00883 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–CR–14621; PPWOCRADI0, PCU00RP14.R50000]

Proposed Information Collection; Archeology Permit Applications and Reports

AGENCY: National Park Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (National Park Service, NPS) will ask the Office of Management and Budget (OMB) to approve the information collection (IC) described below. As required by the Paperwork Reduction Act of 1995 and as part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this IC. This IC is scheduled to expire on June 30, 2014. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: To ensure that we are able to consider your comments on this IC, we must receive them by March 24, 2014.

ADDRESSES: Send your comments on the IC to Madonna L. Baucum, Information Collection Clearance Officer, National Park Service, 1849 C Street NW., (2601), Washington, DC 20240 (mail); or *madonna_baucum@nps.gov* (email). Please include ''1024–0037'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Karen Mudar at *Karen_Mudar@nps.gov* (email) or 202–354–2103 (telephone).

SUPPLEMENTARY INFORMATION:

I. Abstract

Section 4 of the Archeological Resources Protection Act (ARPA) of 1979 (16 U.S.C 470cc), and Section 3 of the Antiquities Act (AA) of 1906 (16 U.S.C. 432), authorize any individual or institution to apply to Federal land managing agencies to scientifically excavate or remove archeological resources from public or Indian lands. A permit is required for any archeological investigation by non-NPS personnel occurring on parklands, regardless of whether or not these investigations are linked to regulatory compliance. Archeological investigations that require permits include excavation, shovel-testing, coring, pedestrian survey (with and without removal of artifacts), underwater archeology, photogrammetry, and rock art documentation. Individuals, academic and scientific institutions, museums, and businesses that propose to conduct archeological field investigations on parklands must first obtain a permit before the project may begin.

To apply for a permit, applicants submit DI Form 1926 (Application for Permit for Archeological Investigations). In general, an application includes, but is not limited to, the following information:

- Statement of Work.
- Statement of Applicant's Capabilities.
- Statement of Applicant's Past Performance.
- Curriculum vitae for Principal Investigator(s) and Project Director(s).
- Written consent by State or tribal authorities to undertake the activity on State or tribal lands that are managed by the NPS, if required by the State or tribe.
- Curation Authorization.
- Detailed Schedule of All Project Activities.

Persons receiving a permit must submit the following reports:

- Preliminary Reports. Within 6 weeks of completion of the field component of the research project, the permittee must submit a preliminary report that describes the fieldwork, including accomplishments, methods used to accomplish the work, names of individuals that carried out the fieldwork, maps, any GPS data, information about any newly recorded archeological sites, and any professional recommendations. If fieldwork involves only minor work and/or minor findings, a final report may be submitted in place of the preliminary report.
- Annual Reports. If the permit extends for more than 1 year, we require an annual progress report. The report must detail the extent of work accomplished to date, and how much work remains to be carried out.
- Final Reports. Within 6 months of completion of the field component of the research project, the permittee must submit a final report for review by the regional director.

II. Data

OMB Control Number: 1024–0037.

Title: Archeology Permit Applications and Reports–43 CFR 3 and 7.

Form Number(s): DI–1926.

Type of Request: Extension of a currently approved collection.

Description of Respondents: Individuals or organizations wishing to excavate or remove archeological resources from public or Indian lands.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Activity	Number of respondents	Number of annual responses	Average time per response (hours)	Total annual burden hours
Applications for Archeology Permits	452	452	2.5	1,130
Reporting—Archeology Permits	452	452	.5	226
Totals	904	904	3.0	1,356

Estimated Annual Nonhour Cost Burden: None.

III. Comments

We invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this IC. 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: January 14, 2014.

Madonna L. Baucum,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2014–01009 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–EH–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–PWR–PWRO–14363; PX.PO137227A.00.1]

Draft Wilderness Management Plan/ Environmental Impact Statement, Lake Mead National Recreation Area, Nevada/Bureau of Land Management, Southern Nevada District

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), the National Park Service (NPS) and Bureau of Land Management (BLM) announce the availability of Draft Wilderness Management Plan and Environmental Impact Statement (EIS) for the NPS Lake Mead National Recreation Area and BLM Southern Nevada District Office. The jointly prepared Draft Wilderness Management Plan addresses management issues, identifies stewardship goals and objectives, proposes decision-making guidelines for administrative actions and visitor use, and provides guidelines for managing the Jimbilnan, Pinto Valley, Black Canyon, Eldorado, Ireteba Peaks, Nellis Wash, Spirit Mountain, and Bridge Canyon wilderness areas. The NPS and the BLM jointly manage three of these wilderness areas, and five of these areas are managed by the NPS. The proposed plan analyzes three alternatives for future management and use of the eight wilderness areas. *Alternative A* (no action alternative) reflects current wilderness management and serves as a baseline for comparison with the other alternatives. No major change would occur in the management of the wilderness areas. *Alternative B* (preferred alternative) generally focuses on identifying specific opportunities for access into the areas while still protecting the character of the wilderness areas. *Alternative C* provides a higher level of access and visitor use management while still protecting the overall character of the wilderness areas.

DATES: All written comments must be postmarked or transmitted not later than 60 days after the date of publication in the **Federal Register** of the Environmental Protection Agency's notice of filing of the Draft EIS. Several public meetings will be hosted mid-way during the public review period—the dates, locations and other information about the meetings will be announced on *http://parkplanning.nps.gov/lake,* via local and regional press media, and will also be available by contacting Lake Mead National Recreation Area and the BLM's Las Vegas Field Office.

ADDRESSES: The Draft EIS will be available for public review and comment online at *http://parkplanning.nps.gov.lake,* in the office of the Superintendent, Lake Mead National Recreation Area, 601 Nevada Way, Boulder City, NV 89005; telephone (702) 293–8920; and the BLM Las Vegas Field Office, 4701 North Torrey Pines Drive, Las Vegas, NV 89130; telephone (702) 515–5297. You may submit your written comments by one of two methods. You may mail comments to Lake Mead National Recreation Area, Attn: Draft Wilderness Management Plan/Environmental Impact Statement, 601 Nevada Way, Boulder City, NV 89005. You may also comment via the internet at *http://parkplanning.nps.gov/lake.* Comments will also be accepted during the public meetings. Bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted.

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. All submissions from organizations and businesses, and individuals identifying themselves as representatives or officials of organizations or businesses, are made available in their entirety.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Holland, Wilderness Planner, Lake Mead National Recreation Area, 601 Nevada Way, Boulder City, NV 89005; *jim_holland@nps.gov;* telephone (702) 293–8986.

Ms. Sendi Kalcic, Wilderness Specialist, BLM Las Vegas Field Office, 4701 North Torrey Pines Drive, Las Vegas, NV 89130; *skalcic@blm.gov;* telephone (702) 515–5297.

Mr. Greg Jarvis, Project Manager, NPS Denver Service Center, 12795 W. Alameda Parkway, Lakewood, CO 80228; *greg_jarvis@nps.gov;* telephone (303) 969–2263.

SUPPLEMENTARY INFORMATION: During April 2010 a Draft Wilderness Management Plan/Environmental Assessment was distributed for public review. However, due to issues subsequently raised by rock climbers and American Indian tribes, the NPS and BLM agreed to prepare a revised Wilderness Management Plan/EIS. Regarding rock climbing management for alternatives B and C in the Draft Wilderness Management Plan/EIS, no fixed anchors or equipment for climbing activities would be permitted in Spirit Mountain Wilderness; all existing fixed anchors and equipment would be removed if it can be done without damaging rock faces. In Bridge Canyon Wilderness no new fixed anchors or fixed equipment would be permitted, with the exception of permitted replacement anchors. After an inventory of climbing routes is completed, the NPS would work with tribes and partners to reduce the concentration of some of the existing bolt-intensive face climbs at certain climbing areas in Bridge Canyon Wilderness.

Other key topics addressed in the Draft Wilderness Management Plan/EIS include:

- Providing access within the wilderness areas versus protecting wilderness characteristics,
- Providing information about the wilderness areas versus protecting wilderness characteristics,
- Providing for use of Spirit Mountain while meeting tribal needs and concerns,
- Consideration of the kinds of activities and levels of visitor use that should be permitted while ensuring cultural resource protection,
- The use of climbing equipment (including climbing chalk) near sensitive cultural resources (e.g., petroglyphs and pictographs),
- Restoring disturbed areas within the wilderness areas,
- Coordinating interagency management efforts.

Decision Process: Following due consideration of all comments received, a Final EIS will be prepared. Because this is a delegated EIS, the officials responsible for a final decision are the NPS Regional Director, Pacific West Region, and the BLM State Manager, Nevada.

Dated: October 25, 2013.

Martha J. Lee,

Acting Regional Director, Pacific West Region, National Park Service.

[FR Doc. 2014–01008 Filed 1–17–14; 8:45 am]

BILLING CODE 4312–FF–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NERO–CACO–14639; PPNECACOS0, PPMPSD1Z.YM0000]

Notice of February 3, 2014, Meeting for Cape Cod National Seashore Advisory Commission

AGENCY: National Park Service, Interior.

ACTION: Meeting notice.

SUMMARY: This notice sets forth the date of the 292nd meeting of the Cape Cod National Seashore Advisory Commission.

DATES: The public meeting of the Cape Cod National Seashore Advisory Commission will be held on Monday, February 3, 2014, at 1:00 p.m. (EASTERN).

ADDRESSES: The Commission members will meet in the conference room at park headquarters, 99 Marconi Site Road, Wellfleet, Massachusetts 02667.

The 292nd meeting of the Cape Cod National Seashore Advisory Commission will take place on Monday, February 3, 2014, at 1:00 p.m., in the conference room at park headquarters, 99 Marconi Station, in Wellfleet, Massachusetts, to discuss the following:

1. Adoption of Agenda
2. Approval of Minutes of Previous Meeting (December 2, 2013)
3. Reports of Officers
4. Reports of Subcommittees
   Update of Pilgrim Nuclear Plant Emergency Planning Subcommittee
5. Superintendent's Report
   Update on Sequestration/FY 14 Budget
   Update on Dune Shacks
   Improved Properties/Town Bylaws
   Herring River Wetland Restoration
   Storm Damage
   Shorebird Management Planning
   Highlands Center Update
   Alternate Transportation Funding
   Ocean Stewardship Topics—Shoreline Change
   Climate Friendly Parks
6. Old Business
7. New Business
   Discussion of NSTAR Spraying Plans and Utility Right-of-Ways
8. Date and Agenda for Next Meeting
9. Public Comment
10. Adjournment

FOR FURTHER INFORMATION CONTACT: Further information concerning the meeting may be obtained from George E. Price, Jr., Superintendent, Cape Cod National Seashore, 99 Marconi Site Road, Wellfleet, MA 02667, or via telephone at (508) 771–2144.

SUPPLEMENTARY INFORMATION: The Commission was reestablished pursuant to Public Law 87–126 as amended by Public Law 105–280. The purpose of the Commission is to consult with the Secretary of the Interior, or her designee, with respect to matters relating to the development of Cape Cod National Seashore, and with respect to carrying out the provisions of sections 4 and 5 of the Act establishing the Seashore.

The meeting is open to the public. It is expected that 15 persons will be able to attend the meeting in addition to Commission members. Interested persons may make oral presentations to the Commission during the business meeting or file written statements. Such requests should be made to the park superintendent prior to the meeting. 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.

Dated: January 15, 2014.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2014–01088 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–WV–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NERO–ACAD–14782; PPNEACADSO, PPMPSPDIZ.YM0000]

Notice of Meeting of the Acadia National Park Advisory Commission

AGENCY: National Park Service, Interior.

ACTION: Meeting notice.

SUMMARY: This notice sets forth the date of the next meeting of the Acadia National Park Advisory Commission.

DATES: The public meeting of the Acadia National Park Advisory Commission will be held on Monday, February 3, 2014, at 1:00 p.m. (EASTERN).

ADDRESSES: The meeting will be held at the Acadia National Park headquarters conference room, 20 McFarland Hill Drive, Bar Harbor, Maine 04609.

Agenda

The commission meeting will consist of the following:

1. Committee Reports:
   - Land Conservation
   - Park Use
   - Science and Education
   - Historic
2. Old Business
3. Superintendent's Report
4. Chairman's Report
5. Public Comments
6. Adjournment

FOR FURTHER INFORMATION CONTACT: Sheridan Steele, Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, Maine 04609; telephone (207) 288–8702.

SUPPLEMENTARY INFORMATION: The meeting is open to the public. Interested persons may make oral or written presentations to the Commission or file written statements. Such requests should be made to the Superintendent at least seven days prior to the meeting. Be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you may request that your personal identifying information be withheld from the public, we cannot guarantee that we will be able to do so.

Dated: January 15, 2014.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2014–01077 Filed 1–17–14; 8:45 am]

BILLING CODE 4310–WV–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–14729; 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 December 21, 2013. Pursuant to § 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 February 5, 2014. 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: December 24, 2013.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

DISTRICT OF COLUMBIA

District of Columbia

Washington Railway and Electric Company Garage, (Streetcar and Bus Resources of Washington, DC MPS) 2112 Georgia Ave. NW., Washington, 13001133

FLORIDA

St. Johns County

St. Augustine Water Works, 184 San Marco Ave., St. Augustine, 13001134

IOWA

Clinton County

Wilson Buildings, (Clinton, Iowa MPS) 211–219 5th Ave., S., Clinton, 13001135

Harrison County

Modale School and Masonic Hall, 107 S. Main St., Modale, 13001136

Jones County

Scotch Grove Historic District, Jct. of IA 38, 116th Ave. & Cty. Rd. E17, Monticello, 13001137

Sac County

Chautauqua Park Historic District, 106 Park Ave., Sac City, 13001138

Shelby County

Shelby Consolidated School, 304 Western Ave., Shelby, 13001139

Story County

Iowa Beta Chapter of Sigma Phi Epsilon, 228 Gray Ave., Ames, 13001140

Winneshiek County

Highlandville School, 3499 Highlandville Rd., Decorah, 13001141

LOUISIANA

East Baton Rouge Parish

Olinde Building, 1854 North St., Baton Rouge, 13001142

Orleans Parish

Oil and Gas Building, 1100 Tulane Ave., New Orleans, 13001143

MINNESOTA

Beltrami County

Minnesota and International Railway Trestle at Blackduck, (Railroads in Minnesota MPS) .25 mi. N. of Jct. CSAH 39, Blackduck, 13001144

Hennepin County

Hollywood Theater, 2815 Johnson St. NE., Minneapolis, 13001145

Plymouth Building, 12 S. 6th St., Minneapolis, 13001146

Ramsey County

Minnesota Milk Company Building, 370 W. University Ave., Saint Paul, 13001148

MISSOURI

Moniteau County

Assumption of the Blessed Virgin Mary Parish Historic District, (Rural Church Architecture of Missouri, c. 1819 to c. 1945 MPS) NW. corner of Jct. of Cedron Rd. & Zey Ln., Jamestown, 13001147

NEW HAMPSHIRE

Rockingham County

North Hampton Library, 237 Atlantic Ave., North Hampton, 13001149

NEW YORK

Bronx County

Port Morris Ferry Bridges, 106 Locust Ave., Bronx, 13001150

St. Anselm's Roman Catholic Church and School, 683 Tinton Ave., Bronx, 13001151

New York County

New York Bible Society, 5 E. 48th St., Manhattan, 13001152

North Presbyterian Church, 525 W. 155th St., Manhattan, 13001153

Onondaga County

Bellevue Country Club, 1901 Glenwood Ave., Syracuse, 13001154

Queens County

Rockaway Courthouse, 90–01 Beach Channel Dr., Rockaway Beach, 13001155

Temple of Israel Synagogue, 1–88 Beach 84th St., Rockaway Beach, 13001156

Schenectady County

First Unitarian Society Church, 1221 Wendell Ave., Schenectady, 13001157

NORTH CAROLINA

Henderson County

Oakdale Cemetery, N. & S. sides of 6th Ave., W., W. of Valley St., Hendersonville, 13001158

TEXAS

Travis County

Lung House, (East Austin MRA) 1605 Canterbury St., Austin, 13001159

Walsh, James M. & Leana B., House, 3701 Bonnie Rd., Austin, 13001160

VIRGINIA

Franklin Independent City

Woods Hill, 1501 Clay St., Franklin (Independent City), 13001161

Henrico County

James River Steam Brewery Cellars, 4920 Old Main St., Richmond, 13001162

King and Queen County

King and Queen Courthouse Green Historic District (Boundary Increase), 106 Allen Cir., Shacklefords, 13001163

Mecklenburg County

On the Hill, 982 Jefferson St., Boydton, 13001164

Richmond Independent City

Laurel Meadow, 1640 Bramwell Rd., Richmond (Independent City), 13001165

WEST VIRGINIA

Jefferson County

Potomac Mills, River & Trough Rds., Shepardstown, 13001166

[FR Doc. 2014–00976 Filed 1–17–14; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–14777; 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 January 4, 2014. 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 February 5, 2014. 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: January 7, 2014.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

NEW YORK

Albany County

Albany Felt Company Complex, 1373 Broadway, Menands, 14000001

Building at 44 Central Avenue, 44 Central Ave., Albany, 14000002

Erie County

Houk Manufacturing Co., 300–320 Grote St., 1686–1700 Elmwood Ave., Buffalo, 14000003

Jefferson County

Losee, John, House, 17100 Cty. Rd. 155, Watertown, 14000004

Monroe County

Feasel, Florendin, House, 1294 Lehigh Station Rd., Henrietta, 14000005

Onondaga County

Courier Building, The, 210 Montgomery St., 237–43 Genesee St., E., Syracuse, 14000006

Queens County

Sohmer and Company Piano Factory, 31–01 Vernon Blvd., Queens, 14000007

Rensselaer County

Troy Waste Manufacturing Company Building, 444 River St., Troy, 14000008

Van Zandt, Jacobs and Company Collar and Cuff Factory, (Textile Factory Buildings in Troy, New York, 1880–1920 MPS) 621 River St., Troy, 14000009

VIRGINIA

Clarke County

Chapel Rural Historic District, Generally centered along Lord Fairfax Hwy., Millwood, 14000010

Fauquier County

Little River Rural Historic District, Roughly bounded by VA 629, VA 776 & U.S. 50, The Plains, 14000011

A request for removal has been received for the following resource:

WISCONSIN

Rock County

Dougan Round Barn, (Centric Barns in Rock County TR) 444 West Colley Rd., Beloit, 79000108

[FR Doc. 2014–00981 Filed 1–17–14; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–14755; 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 December 28, 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 February 5, 2014. 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: December 3, 2013.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

COLORADO

Jefferson County

Conifer Junction Schoolhouse, 26951 Barkley Rd., Conifer, 13001167

GEORGIA

Emanuel County

Twin City Historic District, 6th, Railroad & 5th Aves., Maple & College Sts., Twin City, 13001168

Fulton County

Fulton County Almshouse, 215 W. Wieuca Rd. NW., Atlanta, 13001169

MINNESOTA

Ramsey County

Euclid View Flats, 234–238 Bates Ave., Saint Paul, 13001170

VIRGINIA

Loudoun County

Fair Oaks, 23718 New Mountain Rd., Aldie, 13001171

Old Welbourne Farm and Dulany Family Cemetery, 21398 Willisville Rd., Bluemont, 13001172

Richmond Independent City

Springhill Historic District, (Historic Residential Suburbs in the United States, 1830–1960 MPS) W. 19th, W. 20th, W. 21st & W. 22nd Sts., Riverside Dr., Stonewall Ave., Richmond (Independent City), 13001173

Rockbridge County

Haines Chapel and Cemetery, 2600 Tye River Tpk., Vesuvius, 13001174

Shenandoah County

Wilkins Farm, 989 Swover Creek Rd., Edinburg, 13001175

[FR Doc. 2014–00980 Filed 1–17–14; 8:45 am]

BILLING CODE 4312–51–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–898]

Certain Marine Sonar Imaging Devices, Products Containing the Same, and Components Thereof; Commission Determination Not To Review an Initial Determination Granting Complainants' Motion To Amend the Complaint and the Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 5) issued by the presiding administrative law judge (''ALJ'') on December 16, 2013, granting the complainants' unopposed motion to amend the complaint and notice of investigation to add further respondents.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–5468. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its

Internet server (*http://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 13, 2013, based on a complaint filed by Navico, Inc. and Navico Holding AS (''Navico''). 78 FR 68091–92. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain marine sonar imaging devices, products containing the same, and components thereof, by reason of infringement of certain claims of U.S. Patent Nos. 8,300,499 and 8,305,840. The Commission's notice of investigation named as respondents Raymarine, Inc. of Nashua, New Hampshire; Raymarine UK Ltd. of Fareham, United Kingdom; and In-Tech Electronics Ltd. of Hong Kong.

On December 11, 2013, Navico filed an unopposed motion to amend the complaint and notice of investigation to add as respondents Raymarine Belgium BVBA, In-Tech Electronics (Shenzhen) Ltd., and In-Tech Science & Technology R&D Ltd. Navico states that there is good cause for such an amendment because Navico only recently learned of the relevance of these additional parties through the original respondents' discovery responses. Navico further contends that no party will suffer prejudice because the investigation is still at an early stage.

On December 16, 2013, the ALJ issued the subject ID, granting Navico's unopposed motion to amend the complaint and notice of investigation. The ALJ found good cause for granting the motion because the amendment is based on information learned recently through discovery and will not prejudice the parties. No petitions for review were filed.

The Commission has determined not to review the subject ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: January 15, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–01081 Filed 1–17–14; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Federal Advisory Committee Meeting

AGENCY: Department of Justice.

ACTION: Notice of Federal Advisory Committee Meeting.

SUMMARY: This notice announces a forthcoming public meeting of the National Commission on Forensic Science.

DATES: The meeting will be held on February 3, 2014, from 9 a.m. to 5:00 p.m. and February 4, 2014 from 9 a.m. to 1:30 p.m. On-line registration for the meeting must be completed on or before 5:00 p.m. (EST) January 27, 2014 (see ''Procedures'' for detailed registration information).

Location: Office of Justice Programs, 3rd floor ballroom. 810 7th Street NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Brette Steele, Senior Forensic Science Advisor and Senior Counsel to the the Deputy Attorney General, by email at *Brette.L.Steele@usdoj.gov* or by phone at (202) 305–0180.

SUPPLEMENTARY INFORMATION:

Agenda: On February 3, the meeting will be called to order at 9:00 a.m. The meeting will begin with communicating administrative information to the Commission members. Welcoming remarks will be delivered by the co-chairs, Deputy Attorney General James M. Cole and Under Secretary of Commerce for Standards and Technology and NIST Director Patrick D. Gallagher. The afternoon will include presentations of background information on issues such as accreditation, certification, and proficiency testing. The afternoon will close with a one-hour public comment period.

On February 4, 2014, the meeting will be called to order at 9:00 a.m. The Commissioners will receive background on forensic science standards and an update on forensic science initiatives from NIST. The Commissioners will then discuss issues to be considered and establish short term and long term priorities. The afternoon will close with a one-hour public comment period.

Materials: Background material will be made available to the public on *www.facadatabase.gov* under committee number 83353.

Procedures: The meeting will be open to the public. Those interested in attending the meeting in person will be required to register in advance and will be subject to security screening. Seating in the meeting room is limited and will be available on a first-come, first-served basis. Overflow space will be made available with video feed of the proceedings for those who cannot be accommodated in the meeting room. All persons who are interested in being on-site for the meeting must register on-line at *http://conferences.csrincorporated.com* by using conference code: 2014–103P no later than 5:00 p.m. (EST) January 27, 2014.

Members of the public may present oral or written comments on issues pending before the Commission. Oral comments from the public will be scheduled between approximately 4:00 p.m. and 5:00 p.m. on February 3 and 12:30–1:30 p.m. on February 4. Those individuals interested in making oral comments should indicate their intent through the on-line registration form and will be allocated on a first-come, first-served basis. Time allotted for an individual's comment period will be limited to no more than 3 minutes. Written public comments are also accepted and may be submitted to Brette Steele no later than 5:00 p.m. (EST) on January 27, 2014. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled public comment periods, written comments will be accepted in lieu of oral comments. All submitted comments, written or oral, will be made available to the public.

The Department of Justice welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations, please indicate your requirements on the on-line registration form.

James M. Cole,

Deputy Attorney General.

[FR Doc. 2014–00943 Filed 1–17–14; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[OMB Number 1117–0043]

Agency Information Collection Activities: Proposed Collection; Comments Requested: Drug Questionnaire; DEA Form 341

ACTION: 60-day notice.

The Department of Justice (DOJ), Drug Enforcement Administration (DEA), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted until March 24, 2014. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Raymond A. Pagliarini, Jr., Assistant Administrator, Human Resources Division, Drug Enforcement Administration, 8701 Morrissette Drive, Springfield, VA 22152.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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 or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of Information Collection 1117–0043

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Drug Questionnaire (DEA Form 341).

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: DEA Form 341.

Component: Human Resources Division, Drug Enforcement Administration, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Individuals.

Other: None.

Abstract: DEA Policy states that a past history of illegal drug use may be a disqualification for employment with DEA. This form asks job applicants specific questions about their personal history, if any, of illegal drug use.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 255,000 respondents will respond annually, taking 5 minutes to complete each form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 21,250 annual burden hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: January 15, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–01016 Filed 1–17–14; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Benefit Appeals Report

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, ''Benefit Appeals Report,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 et seq.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201305-1205-001* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503, Fax: 202–395–6881 (this is not a toll-free number), email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210, email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authorization for the Benefit Appeals Report, Form ETA 5130. A State Workforce Agency (SWA) uses this report to forward the number of unemployment insurance (UI) appeals and resultant decisions classified by program, appeals level, and cases filed and disposed of (workflow) and decisions by level, appellant, and issue to the ETA. The ETA uses data in this report to monitor the benefit appeals process in each SWA and to develop any needed plans for remedial action. The data are also used to determine workload forecasts and administrative funding. As with most UI reports, the Benefits Appeals Report is part of an electronic reporting system through which a SWA enters and transmits data to the ETA. A State has the option of creating a file on the SWA's own computer system and uploading the file to the UI system; thus, eliminating manual data entry and potential corresponding errors. Social Security Act section 303(a)(6), 42 U.S.C. 503(a)(6), authorizes this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is

approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205–0175.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on January 31, 2014. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 22, 2013 (78 FR 30336).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0172. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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 or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL–ETA.

Title of Collection: Benefit Appeals Report.

OMB Control Number: 1205–0172.

Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Respondents: 53.

Total Estimated Number of Responses: 1,908.

Total Estimated Annual Burden Hours: 1,908.

Total Estimated Annual Other Costs Burden: $0.

Dated: January 15, 2014.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2014–01075 Filed 1–17–14; 8:45 am]

BILLING CODE 4510–FW–P

LEGAL SERVICES CORPORATION

Sunshine Act Meeting

DATE AND TIME: The Legal Services Corporation's Board of Directors and its six committees will meet January 23–25, 2014. On Thursday, January 23, the first meeting will commence at 2 p.m., Central Standard Time (CST), with the meeting thereafter commencing promptly upon adjournment of the immediately preceding meeting. On Friday, January 24, the first meeting will commence at 7:45 a.m., CST, with the next meeting commencing at 2:45 p.m., CST, and the meeting thereafter commencing promptly upon adjournment of the immediately preceding meeting. On Saturday, January 25, the first meeting will commence at 9:30 a.m., CST, and it will be followed by the meeting of the Board of Directors which will commence promptly upon adjournment of the first meeting.

LOCATION: Sabine Conference Room, Hilton Garden Inn Austin Downtown, 500 North Interstate 35, Austin, Texas 78701.

PUBLIC OBSERVATION: Unless otherwise noted herein, the Board and all committee meetings will be open to public observation. Members of the public who are unable to attend in person but wish to listen to the public proceedings may do so by following the telephone call-in directions provided below.

CALL-IN DIRECTIONS FOR OPEN SESSIONS:

- Call toll-free number: 1–866–451–4981;
- When prompted, enter the following numeric pass code: 5907707348
- When connected to the call, please immediately ''MUTE'' your telephone.

Members of the public are asked to keep their telephones muted to eliminate background noises. To avoid disrupting the meeting, please refrain from placing the call on hold if doing so will trigger recorded music or other sound. From time to time, the presiding Chair may solicit comments from the public.

Meeting Schedule

	Time *
Thursday, January 23, 2014	
1. Finance Committee ..... 2. Audit Committee. 3. Operations & Regulations Committee.	2 p.m.
Friday, January 24, 2014	
1. Institutional Advancement Committee.	7:45 a.m.
2. Delivery of Legal Services Committee. 3. Governance & Performance Review Committee.	2:45 p.m.
Saturday, January 25, 2014	
1. Institutional Advancement Committee. 2. Board of Directors.	9:30 a.m.

* Please note that all times in this notice are in the *Central Standard Time.*

STATUS OF MEETING: Open, except as noted below.

Board of Directors—Open, except that, upon a vote of the Board of Directors, a portion of the meeting may be closed to the public to hear briefings by management and LSC's Inspector General, and to consider and act on the General Counsel's report on potential and pending litigation involving LSC and on a list of prospective funders.**

Institutional Advancement Committee—Open, except that, upon a vote of the Board of Directors, the meeting may be closed to the public for a briefing on contributions pledged and received, to discuss prospective funders for LSC's 40th anniversary celebration and development activities, and to consider and act on recommendation of new prospective funders members to the Board of Directors.**

Audit Committee—Open, except that the meeting may be closed to the public to hear briefings on the following matters: The Office of Compliance and Enforcement's active enforcement matter(s) and follow-up to the Office of the Inspector General's open investigations; governance under Statement on Auditing Standard 114; and the Information Technology Systems Risk Assessment.**

** Any portion of the closed session consisting solely of briefings does not fall within the Sunshine Act's definition of the term ''meetings'' and therefore, the requirements of the Sunshine Act do no apply to such portion of the closed session. 5 U.S.C. 552b(a)(2) and (b). See also 45 CFR 1622.2 & 1622.3.

A verbatim written transcript will be made of the closed session of the Board, Institutional Advancement Committee and Audit Committee meetings. The transcript of any portions of the closed sessions falling within the relevant provisions of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(6) and (10), will not be available for public inspection. A copy of the General Counsel's Certification that, in his opinion, the closing is authorized by law will be available upon request.

Matters To Be Considered

January 23, 2014

Finance Committee

1. Approval of agenda
2. Approval of minutes of the Committee's meeting on October 22, 2013
3. Presentation of the LSC's Financial Report for FY 2013
4. Presentation of the LSC's Financial Report for the first two months of FY 2014
5. Consider and act on LSC's Revised Temporary Operating Budget for FY 2014, Resolution 2014–0XX
   - Presentation by David Richardson, Treasurer/Comptroller
6. Discussion on submission of LSC's FY 2015 appropriations request
   - Presentation by Carol Bergman, Director of Government Relations & Public Affairs
7. Discussion of Committee's evaluation for 2013 and the Committee's goals for 2014
8. Public comment
9. Consider and act on other business
10. Consider and act on adjournment of meeting

Audit Committee

Open Session

1. Approval of agenda
2. Approval of minutes of the Committee's October 20, 2013 meeting
3. Presentation of the Fiscal Year (FY) 2013 Annual Financial Audit
   - Ronald (Dutch) Merryman, Assistant IG for Audits
   - Nancy Davis, WithumSmith+Brown
4. Review of LSC's Form 990 for FY 2013
5. Briefing by Office of Inspector General
   - Jeffrey Schanz, Inspector General
6. Management discussion regarding risk management
   - Ron Flagg, General Counsel
7. Discussion of Committee's evaluation for 2013 and the Committee's goals for 2014
8. Briefing by the Office of Compliance and Enforcement about follow-up from referrals by the Office of Inspector General regarding audit and investigation reports and annual Independent Public Accountants' audits of grantees
   - Lora Rath, Director, Office of Compliance and Enforcement
9. Public comment
10. Consider and act on other business

Closed Session

11. Briefing by Office of Compliance and Enforcement on active enforcement matter(s) and follow-up to OIG open investigations
    - Lora Rath, Director, Office of Compliance and Enforcement
12. Briefing by Corporate Auditor with those charged with governance under Statement on Auditing Standard 114
    - Jeffrey Schanz, Inspector General
    - Ronald ''Dutch'' Merryman, Assistant Inspector General for Audits
    - Nancy Davis, WithumSmith+Brown
13. Briefing on the Information Technology Systems Risk Assessment by the OIG
    - Jeffrey Schanz, Inspector General
    - Ronald ''Dutch'' Merryman, Assistant Inspector General for Audits
14. Briefing on Management's response to the Information Technology Systems Risk Assessment
    - Peter Campbell, Chief Information Officer
15. Consider and act on adjournment of meeting

Operations & Regulations Committee

1. Approval of agenda
2. Approval of minutes of the Committee's meeting on October 20, 2013
3. Update on rulemakings for Private Attorney Involvement and Restrictions on Legal Assistance with Respect to Criminal Proceedings and the Tribal Law and Order Act of 2010
   - Ron Flagg, General Counsel
   - Stefanie Davis, Assistant General Counsel
4. Consider and act on rulemaking on Restrictions on Legal Assistance to Aliens
   - Final Rule and Program Letter to replace the current appendix regarding documentation
   - Public comment
   a. Ron Flagg, General Counsel
   b. Stefanie Davis, Assistant General Counsel
5. Consider and act on review of Management's report on implementation of the Strategic Plan 2012–2016, as provided by section VI (3) of the Committee Charter
   - Jim Sandman, LSC President
6. Consider and act on Management's annual report regarding FY 2013 implementation of new enforcement mechanisms
   - Jim Sandman, LSC President
7. Consider and act on amendments to LSC's Employee Handbook.
   (a) Elimination of requirement for Board approval of revisions to the Employee Handbook
   (b) Elimination of section 2.5 regarding Audit Committee investigations of employee complaints
   - Ron Flagg, General Counsel
8. Discussion of Committee's evaluations for 2013 and the Committee's goals for 2014
9. Other public comment
10. Consider and act on other business
11. Consider and act on adjournment of meeting

Institutional Advancement Committee

January 24, 2014

Closed Session

1. Approval of agenda
2. Approval of minutes of the Committee's closed session meeting of December 10, 2013
3. Briefing on contributions pledged and received
4. Discussion of prospective funders for LSC's 40th anniversary celebration and development activities
5. Consider and act on recommendation of new prospective funders to the Board of Directors
6. Consider and act on adjournment of meeting

Delivery of Legal Services Committee

1. Approval of agenda
2. Approval of minutes of the Committee's meeting on September 20, 2013
3. Approval of minutes of the Committee's meeting on October 21, 2013
4. Discussion of Committee's evaluations for 2013 and the Committee's goals for 2014
5. Panel presentation and Committee discussion of LSC's Performance Criteria, Performance Area Four, Criterion 1. Board Governance—fiscal and financial oversight
   - AnnaMarie Johnson, Executive Director, Nevada Legal Services
   - Paul Larsen, former Board Chair, Nevada Legal Services
   - Steve Gottlieb, Executive Director, Atlanta Legal Aid Society
   - Mike Nations, Chair, Audit Committee, Atlanta Legal Aid

Society
- Lynn Jennings, Vice President for Grants Management, Legal Services Corporation (*Moderator*)

6. Public comment
7. Consider and act on other business
8. Consider and act on motion to adjourn the meeting

Governance and Performance Review Committee

1. Approval of agenda
2. Approval of minutes of the Committee's meeting of October 20, 2013
3. Report on Public Welfare Foundation grant and LSC research agenda
   - Presentation by Jim Sandman, President
   - Presentation by David Bonbright, Keystone Accountability
4. Discussion of President's evaluation for 2013
5. Discussion of renewal of President's contract
6. Discussion of the Inspector General's evaluation for 2013
7. Discussion of Board evaluations
   - Staff Report on 2013 Board & Committee Evaluations
   - Discussion of Governance & Performance Committee Evaluation
8. Report on progress in implementing GAO recommendations
   - Presentation by Carol Bergman, Director of Government Relations & Public Affairs
   - Consider and act on Performance Management Process (GAO recommendation 12)
   - ○ Presentation by Jim Sandman, President
9. Consider and act on LSC's Whistleblower Policy
   - Presentation by Ron Flagg, General Counsel & Corporate Secretary
10. Consider and act on proposed amendment to LSC Bylaw section 5.02(a)
    - Presentation by Ron Flagg, General Counsel & Corporate Secretary
11. Consider and act on other business
12. Public comment
13. Consider and act on motion to adjourn meeting

January 25, 2014

Institutional Advancement Committee

Open Session

7. Approval of agenda
8. Approval of minutes of the Committee's open session meeting of November 22, 2013
9. Approval of minutes of the Committee's open session meeting of December 10, 2013
10. Discussion of Committee's evaluations for 2013 and the Committee's goals for 2014
11. Presentation of LSC's online giving portal
    - Wendy Rhein, Chief Development Officer
12. Discussion of proposed 40th anniversary events
13. Public comment
14. Consider and act on other business

Board of Directors

Open Session

1. Pledge of Allegiance
2. Approval of agenda
3. Approval of minutes of the Board's Open Session telephonic meeting of November 21, 2013
4. Consider and act on nominations for the Chairman of the Board of Directors
5. Consider and act on nominations for the Vice Chairman of the Board of Directors
6. Chairman's Report
7. President's Report
8. Members' Reports
9. Inspector General's Report
10. Consider and act on the report of the Delivery of Legal Services Committee
11. Consider and act on the report of the Finance Committee
12. Consider and act on the report of the Audit Committee
13. Consider and act on the report of the Operations and Regulations Committee
14. Consider and act on the report of the Governance and Performance Review Committee
15. Consider and act on the report of the Institutional Advancement Committee
16. Report on implementation of recommendations of the Pro Bono Task Force
17. Public comment
18. Consider and act on other business
19. Consider and act on whether to authorize an executive session of the Board to address items listed below, under Closed Session

Closed Session

20. Approval of minutes of the Board's Closed Session of October 22, 2013
21. Management Briefing
22. Inspector General Briefing
23. Consider and act on General Counsel's report on potential and pending litigation involving LSC
24. Consider and act on list of prospective funders
25. Consider and act on motion to adjourn meeting

CONTACT PERSON FOR INFORMATION: Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295–1500. Questions may be sent by electronic mail to *FR_NOTICE_QUESTIONS@lsc.gov.*

NON-CONFIDENTIAL MEETING MATERIALS: Non-confidential meeting materials will be made available in electronic format at least 24 hours in advance of the meeting on the LSC Web site, at *http://www.lsc.gov/board-directors/meetings/board-meeting-notices/non-confidential-materials-be-considered-open-session*.

ACCESSIBILITY: LSC complies with the American's with Disabilities Act and Section 504 of the 1973 Rehabilitation Act. Upon request, meeting notices and materials will be made available in alternative formats to accommodate individuals with disabilities. Individuals who need other accommodations due to disability in order to attend the meeting in person or telephonically should contact Katherine Ward, at (202) 295–1500 or *FR_NOTICE_QUESTIONS@lsc.gov*, at least 2 business days in advance of the meeting. If a request is made without advance notice, LSC will make every effort to accommodate the request but cannot guarantee that all requests can be fulfilled.

Dated: January 15, 2014.

Atitaya C. Rok,

Staff Attorney.

[FR Doc. 2014–01086 Filed 1–16–14; 4:15 pm]

BILLING CODE 7050–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act: Notice of Agency Meeting

TIME AND DATE: 10:00 a.m., Thursday, January 23, 2014.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. NCUA's Strategic Plan for 2014 through 2017, and Annual Plan for 2014 and 2015.
2. Federal Credit Union Loan Interest Rate Ceiling.
3. NCUA's Rules and Regulations, Financial Derivative Transactions to Mitigate Interest Rate Risk.
4. NCUA's Rules and Regulations, Prompt Corrective Action and Risk-Based Capital Measures.

RECESS: 11:00 a.m.

TIME AND DATE: 11:15 a.m., Thursday, January 23, 2014.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

MATTERS TO BE CONSIDERED: 1. Consideration of Supervisory Activities. Closed pursuant to Exemptions (8), (9)(i)(B) and (9)(ii).

2. Personnel and Agency Practices. Closed pursuant to Exemption (2).

3. Consideration of Supervisory Activities. Closed pursuant to Exemption (8).

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2014–01168 Filed 1–16–14; 4:15 pm]

BILLING CODE 7535–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. NRC–2013–0238]

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on November 4, 2013 (78 FR 66078).

1. *Type of submission, new, revision, or extension:* Extension.

2. *The title of the information collection:* 10 CFR Part 34, ''Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations.''

3. *Current OMB approval number:* 3150–0007.

4. *The form number if applicable:* N/A.

5. *How often the collection is required:* On occasion.

6. *Who will be required or asked to report:* Applications for new licenses and amendments may be submitted at any time (on occasion). Applications for renewal are submitted every 10 years. Reports are submitted as events occur.

7. *An estimate of the number of annual responses:* 2,803 (371 reporting responses + 1,824 third-party disclosure responses + 608 recordkeepers).

8. *The estimated number of annual respondents:* 608 (529 Agreement State licensees plus 79 NRC licensees).

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 234,456.5 hours (502 reporting + 210,060.1 recordkeeping + 23894.4 third party disclosure). The NRC licensees' total burden is 30688.8 hours and the Agreement State licensees' total burden is 203,767.8 hours.

10. *Abstract:* Part 34 of Title 10 of the *Code of Federal Regulations* (10 CFR), establishes radiation safety requirements for the use of radioactive material in industrial radiography. The information in the applications, reports and records is used by the NRC staff to ensure that the health and safety of the public is protected and that licensee possession and use of source and byproduct material is in compliance with license and regulatory requirements.

The public may examine and have copied for a fee publicly-available documents, including the final supporting statement, at the NRC's Public Document Room, Room O–1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The OMB clearance requests are available at the NRC's Web site: *http://www.nrc.gov/public-involve/doc-comment/omb/.* The document will be available on the NRC's home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by February 20, 2014. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. Chad Whiteman, Desk Officer, Office of Information and Regulatory Affairs (3150–0007), NEOB–10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be emailed to *Chad_S_Whiteman@omb.eop.gov* or submitted by telephone at 202–395–4718.

The NRC Clearance Officer is Tremaine Donnell, telephone: 301–415–6258.

Dated at Rockville, Maryland, this 14th day of January, 2014.

For the Nuclear Regulatory Commission.

Kristen Benney,

Acting NRC Clearance Officer, Office of Information Services.

[FR Doc. 2014–01028 Filed 1–17–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2014–0010]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

Background

Pursuant to Section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from December 26, 2013 to January 8, 2014. The last biweekly notice was published on January 7, 2014 (79 FR 855).

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0010. 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–06–44M, 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.

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC–2014–0010 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0010.
- *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 ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.
- *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.

B. Submitting Comments

Please include Docket ID NRC–2014–0010 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 to be publicly disclosed in you comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as entering the comment submissions into ADAMS. 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.

Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of Title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/.* If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends

to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment.

All documents filed in the NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/apply-certificates.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with the NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866 672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's

electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to this license amendment application, see the application for amendment which is available for public inspection at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.*

Duke Energy Carolinas, LLC, Docket Nos. 50–369 and 50–370, McGuire Nuclear Station, Units 1 and 2, Mecklenburg County, North Carolina

Date of amendment request: October 28, 2013. A publicly available version is available in ADAMS under Accession No. ML13304B445.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information. The amendments request for a one-time change to Technical Specification 3.8.4, ''DC Sources-Operating'' for battery replacement.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

Removing one vital battery from service for a limited period of time does not involve a significant increase in the probability or consequences of an accident.

All four vital batteries have been sized to carry the load duty cycle for their respective bus/train while maintaining battery terminal voltage in a cross-tied alignment during a LOOP with a DBE on one unit and safe shut down of the other unit. The vital battery cross-tie alignment is part of the McGuire licensing basis, is in the Technical Specifications, and is routinely performed.

In addition, for defense-in-depth and risk mitigation measures, a fully sized temporary battery will be available as a defense in depth, back-up DC power supply for plant recovery and accident mitigation.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

Operation in accordance with the proposed LAR does not create a new plant configuration, nor adversely affect how the plant is currently operated. During the time period of each vital battery bank replacement, the associated DC channel will remain energized by being cross-tied to another operable DC channel as designed and as allowed by TS 3.8.4. This is a normal plant alignment, it maintains train independence, and is performed numerous times during a fuel cycle for vital battery maintenance and surveillance testing. No new accident causal mechanisms are created as a result of this proposed LAR. No changes are being made to any structure, system, or component which will introduce any new accident causal mechanisms. The temporary battery remains physically and electrically isolated from the rest of the 125VDC system via an open disconnect switch. The cable between the spare charger and the disconnect will remain de-energized by isolation from the charger's DC output breaker and both crosstie breakers. This proposed LAR does not impact any plant systems that are accident initiators and does not impact any safety analysis.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in the margin of safety?

Response: No.

The proposed LAR does not physically alter the present plant design nor affect how the plant is currently operated. This activity only extends the amount of time that vital DC channels are allowed to be cross-tied. So a significant reduction in the margin of safety does not occur.

Margin of safety is related to the confidence in the ability of the fission product barriers to perform their design functions during and following an accident situation. These barriers include the fuel cladding, the reactor coolant system, and the containment system. The performance of the fuel cladding, reactor coolant and containment systems will not be impacted by the proposed LAR.

Therefore, it is concluded that the proposed changes do not involve a significant reduction in the margin of safety.

Based upon the above evaluation, Duke Energy concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c) and, accordingly, a finding of ''no significant hazards consideration'' is justified.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lara S. Nichols, Associate General Counsel, Duke Energy Corporation, 526 South Church Street—EC07H, Charlotte, NC 28202.

NRC Branch Chief: Robert J. Pascarelli.

Energy Northwest, Docket No. 50–397, Columbia Generating Station, Benton County, Washington

Date of amendment request: October 2, 2013.

Description of amendment request: The proposed amendment incorporates Technical Specification Task Force (TSTF) Traveler TSTF–493–A, Revision 4, ''Clarify Application of Setpoint Methodology for LSSS [limiting safety system settings] Functions,'' Option A. The availability of this Technical Specification (TS) improvement was announced in the **Federal Register** on May 11, 2010 (75 FR 26294). The proposed amendment would revise the TSs by adding requirements to assess channel performance during testing that verifies instrument channel setting values established by plant-specific setpoint methodologies to all the functions identified in TSTF–493, Revision 4, Appendix A.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the

issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change adds test requirements to TS instrument Functions related to those variables that have a significant safety function to ensure that instruments will function as required to initiate protective systems or actuate mitigating systems at the point assumed in the applicable safety analysis.

Surveillance tests are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the TS for which surveillance Notes are added are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The change does not involve a physical alteration of the plant, i.e., no new or different type of equipment will be installed. The change does not alter assumptions made in the safety analysis but ensures that the instruments perform as assumed in the accident analysis. The proposed change is consistent with the safety analysis assumptions. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change adds test requirements that will assure that TS instrumentation AVs [allowable values] (1) will be limiting settings for assessing instrument channel operability and (2) will be conservatively determined so that evaluation of instrument performance history and the ALT [as-left tolerance] requirements of the calibration procedures will not have an adverse effect on equipment operability. The testing methods and acceptance criteria for systems, structures, and components specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis including the updated FSAR [final safety analysis report]. There is no impact to safety analysis acceptance criteria as described in the plant licensing basis because no change is made to the accident analysis assumptions.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: William A. Horin, Esq., Winston & Strawn, 1700 K Street NW., Washington, DC 20006–3817.

NRC Branch Chief: Michael T. Markley.

FirstEnergy Nuclear Operating Company, et al., Docket Nos. 50–334 and 50–412, Beaver Valley Power Station, Units 1 and 2, Beaver County, Pennsylvania

Date of amendment request: October 18, 2013.

Description of amendment request: The amendment would change the Beaver Valley Power Station Technical Specifications (TS). Specifically, this change request involves the adoption of an approved change to the standard TS for Westinghouse plants (NUREG–1431), to allow relocation of specific TS surveillance frequencies to a licensee-controlled program. The proposed change is described in TS Task Force (TSTF) Traveler, TSTF–425, Revision 3, ''Relocation Surveillance Frequencies to Licensee Control—RITSTF Initiative 5b'' (ADAMS Accession No. ML090850642). A Notice of Availability was published in the **Federal Register** on July 6, 2009 (74 FR 31996).

The proposed change relocates surveillance frequencies to a licensee-controlled program, the Surveillance Frequency Control Program. This change is applicable to licensees using probabilistic risk guidelines contained in NRC-approved NEI 04–10, Revision 1, ''Risk-Informed Technical Specifications Initiative 5b, Risk-Informed Method for Control of Surveillance Frequencies'' (ADAMS Accession No. ML071360456).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below, along with NRC edits in square brackets:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates the specified frequencies for periodic surveillance requirements to licensee control under a new Surveillance Frequency Control Program. Surveillance frequencies are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the technical specifications for which the surveillance frequencies are relocated are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (that is, no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

The design, operation, testing methods, and acceptance criteria for systems, structures, and components (SSCs), specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis (including the final safety analysis report and bases to the TS), since these are not affected by changes to the surveillance frequencies. Similarly, there is no impact to safety analysis acceptance criteria as described in the plant licensing basis.

To evaluate a change in the relocated surveillance frequency, [FirstEnergy Nuclear Operating Co.] FENOC will perform a probabilistic risk evaluation using the guidance contained in NRC approved Nuclear Energy Instituted (NEI) 04–10, Revision 1, in accordance with the TS Surveillance Frequency Control Program. NEI 04–10, Revision 1, methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies consistent with Regulatory Guide 1.177, ''An Approach for Plant-Specific, Risk Informed Decisionmaking: Technical Specifications.''

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David W. Jenkins, FirstEnergy Nuclear Operating Company, FirstEnergy Corporation, 76 South Main Street, Akron, OH 44308.

Acting NRC Branch Chief: John G. Lamb.

Omaha Public Power District, Docket No. 50–285, Fort Calhoun Station, Unit 1, Washington County, Nebraska

Date of amendment request: February 18, 2013.

Description of amendment request: The proposed amendment would revise Technical Specification (TS) Definitions and TS Sections 2.0.1 and 2.7 for Inoperable System, Subsystem or Component Due to Inoperable Power Source. Specifically, the proposed amendment would: (1) Revise the definition for Operable—Operability in the Fort Calhoun Station TS; (2) modify the provisions under which equipment may be considered operable when either its normal or emergency power source is inoperable; and (3) revise the minimum requirement statement in TS 2.7 to the wording previously reviewed and approved by the NRC in Amendment No. 147 dated August 2, 1992.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change to revise the definition of operable-operability, modify the provisions under which equipment may be considered operable when either its normal or emergency power source is inoperable, add Technical Specification (TS) limiting conditions for operation (LCO) 2.0.1(2), and relocate the guidance for inoperable power supplies and verifying operability of redundant components into the LCO for electrical equipment is more aligned with NUREG–0212, Revision 2, *Standard Technical Specifications* [STS] *for Combustion Engineering Plants,* and does not adversely impact the probability of an accident previously evaluated. The proposed change does not affect the operability requirements for the emergency diesel generators (DGs) or the house service transformers, and therefore does not impact the consequences of an analyzed accident. In addition, the administrative changes to renumber the existing TS sections ''TS 2.0.1(2) to 2.0.1(3)'' is being made as a result of additions to previous TS paragraphs and are being made for consistency and clarification. Also, revising the minimum requirement statement in TS 2.7 to the wording previously reviewed and approved by the NRC in Amendment 147 is an administrative change as the wording reverted to its pre-Amendment 147. This wording simply corrects previous administrative errors when TS Amendment 162 was issued on March 29, 1994.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not involve a physical alteration to the plant (i.e., no new or different type of equipment will be installed) or a change in methods governing normal plant operation. The proposed changes to TS 2.0.1(2) and TS 2.7 do not create the possibility of a new or different kind of accident since the design function of the affected equipment is not changed. No new interactions between systems or components are created. No new failure mechanisms of associated systems will exist.

No new failure mechanisms would be created. The proposed changes do not alter any assumptions made in the safety analyses.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes to add TS 2.0.1(2) and relocate the guidance for inoperable power supplies and verifying operability of redundant components from TS LCO 2.7 do not alter the manner in which safety limits or limiting safety system settings are determined. The safety analysis acceptance criteria are not affected by these proposed changes. The sources of power credited for design basis events are not affected by the proposed changes.

The proposed changes to modify the provisions under which equipment may be considered operable when either its normal or emergency power source is inoperable, and relocate the guidance for inoperable power supplies and verifying operability of redundant components into the

TS 2.0.1 LCO is more aligned with the STS contained in NUREG–0212.

Further, the proposed change does not change the design function of any equipment assumed to operate in the event of an accident.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David A. Repka, Esq., Winston & Strawn, 1700 K Street NW., Washington, DC 20006–3817.

NRC Branch Chief: Michael T. Markley.

Southern Nuclear Operating Company, Inc. Docket Nos. 52–025 and 52–026, Vogtle Electric Generating Plant, Units 3 and 4, Burke County, Georgia

Date of amendment request: November 27, 2013.

Description of amendment request: The requested amendment reclassifies portions of the five Tier 2* Human Factors (HF) Verification & Validation (V&V) planning documents listed in the Updated Final Safety Analysis Report (UFSAR) Table 1.6–1 and Chapter 18, Subsection 18.11.2. These five documents outline the overall plan for the HF V&V, including the Human Factors Engineering (HFE) design verification, task support verification, integrated system validation, discrepancy resolution process, and verification at plant startup. The licensee stated that the requested amendment identifies the portions of the five HF V&V planning documents that would more appropriately be classified as Tier 2, due to those portions having no impact on safety, and proposes the necessary departures to reclassify this information. This differentiation between Tier 2 and Tier 2* information in the HF V&V planning documents will allow for revisions of these documents using the Tier 2 change process provided in 10 CFR Part 52, Appendix D, Section VIII.B.5.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes reclassify portions of the five Tier 2* Human Factors (HF) Verification & Validation (V&V) planning documents listed in the Updated Final Safety Analysis Report (UFSAR). These changes do not modify the design, construction, or operation of any plant structures, systems, or components (SSC), nor do they change any procedures or method of control for any SSCs. Because the proposed changes do not change the design, construction, or operation of any SSCs, they do not adversely affect any

design function as described in the UFSAR. Therefore, the proposed amendment does not affect the probability of an accident previously evaluated. Similarly, because the proposed changes do not alter the design or operation of the nuclear plant or any plant SSCs, the proposed changes do not represent a change to the radiological effects of an accident, and therefore, they do not involve an increase in the consequences of an accident previously evaluated.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes are not a modification, addition to, or removal of any plant SSCs. Furthermore, the proposed changes are not a change to procedures or method of control of the nuclear plant or any plant SSCs. The only impact of this activity is the reclassification of portions of the five HF V&V planning documents as Tier 2 information. Because the proposed amendment does not change the design, construction, or operation of the nuclear plant or any plant operations, it does not affect the possibility of an accident.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes reclassify portions of the five Tier 2* HF V&V planning documents listed in the UFSAR from Tier 2* to Tier 2. The proposed amendment only affects the classification of planning documents and does not change the design, construction, or operation of the nuclear plant or any plant operations; therefore, the changes do not affect any margin of safety.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Mr. M. Stanford Blanton, Blach & Bingham LLP, 1710 Sixth Avenue North, Birmingham, AL 35203–2015.

NRC Branch Chief: Lawrence J. Burkhart.

Union Electric Company, Docket No. 50–483, Callaway Plant, Unit 1, Callaway County, Missouri

Date of amendment request: September 26, 2013.

Description of amendment request: The proposed amendment would revise Technical Specification (TS) Surveillance Requirement (SR) 3.7.10.1 and SR 3.7.13.1 to reduce the required run time for periodic operation of the control room pressurization system filter trains and emergency exhaust system filter trains, with heaters on, from 10 hours to 15 minutes, consistent with Technical Specifications Task Force (TSTF) change traveler TSTF–522–A, Revision 0, ''Revise Ventilation System Surveillance Requirements to Operate for 10 hours per Month,'' with minor variations. The Notice of Availability and model safety evaluation of the TS improvement were published in the **Federal Register** on September 20, 2012 (77 FR 58421).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change replaces existing Surveillance Requirements to operate the Control Room Emergency Ventilation System (CREVS) and the Emergency Exhaust System (EES) for a continuous 10-hour period with applicable heaters operating at a frequency controlled in accordance with the SFCP [Surveillance Frequency Control Program], with requirements to operate these systems for 15 continuous minutes with applicable heaters operating at a frequency controlled in accordance with the SFCP.

These systems are not accident initiators (i.e., their malfunction cannot initiate an accident or transient) and therefore, these changes do not involve a significant increase in the probability of an accident. The proposed system and filter testing changes are consistent with current regulatory guidance for these systems and will continue to assure that these systems perform their design function which may include mitigating accidents. Therefore, the change does not involve a significant increase in the consequences of an accident.

Therefore, it is concluded that this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The change proposed for these ventilation systems does not change any system operations or maintenance activities. Testing requirements will be revised and will continue to demonstrate that the Limiting Conditions for Operation are met and the system components are capable of performing their intended safety functions. The change does not create new failure modes or mechanisms and no new accident precursors are generated.

Therefore, it is concluded that this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The design basis for the ventilation system heaters in the EES and in the pressurization trains of the CREVS includes the capability to heat the incoming air, reducing the relative humidity (and thereby increasing adsorber efficiency). The heater testing change proposed will continue to demonstrate that the heaters are capable of heating the air and will thus perform their design function. The proposed change is consistent with regulatory guidance.

Therefore, it is concluded that this change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: John O'Neill, Esq., Pillsbury Winthrop Shaw Pittman LLP, 2300 N Street NW., Washington, DC 20037.

NRC Branch Chief: Michael T. Markley.

Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental

impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the NRC's Public Document Room (PDR), located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are accessible electronically through the Agencywide Documents Access and Management System (ADAMS) in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR's Reference staff at 1–800–397–4209, 301–415–4737 or by email to *pdr.resource@nrc.gov.*

Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50–416, Grand Gulf Nuclear Station, Unit 1, Claiborne County, Mississippi

Date of application for amendment: October 2, 2012, as supplemented by letters dated April 26, June 4, August 15, September 24, September 26, October 14, November 12, December 5, and December 11, 2013.

Brief description of amendment: The amendment revised the Technical Specifications (TS) for the Grand Gulf Nuclear Station, Unit 1 (GGNS) to support operation with 24-month fuel cycles. Specifically, the change revised the frequency of certain TS Surveillance Requirements (SRs) from ''18 months'' to ''24 months,'' in accordance with the guidance of NRC's Generic Letter (GL) 91–04, ''Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle,'' dated April 2, 1991. Consistent with the GL, changes were also made to the Administrative Controls TS Section 5.5.7, ''Ventilation Filter Testing Program (VFTP),'' to address changes to 18-month frequencies that are specified in NRC Regulatory Guide (RG) 1.52, Revision 2, ''Design, Testing, and Maintenance Criteria for Post-Accident Engineered-Safety-Feature Atmosphere Cleanup System Air Filtration and Adsorption Units of Light-Water-Cooled Nuclear Power Plants,'' March 1978, to 24-month frequencies. By letter dated December 11, 2013, the licensee withdrew its April 26, 2013, request to modify SR 3.7.7.2 in TS 3.7.7, ''Main Turbine Bypass System.'' Therefore, the NRC staff neither evaluated a change to, nor changed, the surveillance interval of SR 3.7.7.2.

Date of issuance: December 26, 2013.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No: 197.

Facility Operating License No. NPF–29: The amendment revised the Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register***: November 13, 2012 (77 FR 67681). The supplemental letters dated April 26, June 4, August 15, September 24, September 26, October 14, November 12, December 5, and December 11, 2013, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 26, 2013.

No significant hazards consideration comments received: No.

Northern States Power Company—Minnesota (NSPM), Docket No. 50–263, Monticello Nuclear Generating Plant (MNGP), Wright County, Minnesota

Date of application for amendment: December 11, 2008, as supplemented by letters dated, May 20, 2008, May 28, 2008, May 30, 2008, June 3, 2008, June 5, 2008, June 12, 2008, June 25, 2008, December 11, 2008, January 29, 2009, February 4, 2009 (2 letters), February 17, 2009, February 24, 2009, March 19, 2009, April 22, 2009, May 13, 2009, May 26, 2009, May 28, 2009, May 29, 2009, June 12, 2009, June 16, 2009, July 13, 2009, July 23, 2009, August 12, 2009 (2 letters), August 19, 2009, August 21, 2009 (2 letters), August 26, 2009, August 31, 2009, October 1, 2009, January 25, 2010, April 6, 2010, December 21, 2010, June 30, 2010, April 5, 2011, July 7, 2011, August 30, 2011, November 11, 2011, January 13, 2012, July 19, 2012, July 19, 2012, September 28, 2012, October 21, 2012, October 22, 2012, October 30, 2012, November 30, 2012, January 21, 2013, January 31, 2013, February 22, 2013, February 27, 2013, March 7, 2013, March 18, 2013, March 21, 2013, March 29, 2013, April 10, 2013, May 13, 2013, May 30, 2013, June 26, 2013, July 8, 2013, July 18, 2013 (2 letters), August 2, 2013, September 30, 2013, and November 8, 2013.

Brief description of amendment: The amendment increased the authorized maximum licensed thermal power level from the current licensed thermal power of 1,775 megawatts thermal (MWt) to 2,004 MWt, which is an increase of approximately 13 percent. The proposed increase in power level is considered an extended power uprate.

Date of issuance: December 9, 2013.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No: 176.

Renewed Facility Operating License No. DPR–22: The amendment revised the Renewed Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register***: January 23, 2009 (74 FR 4252). The supplemental letters dated May 20, 2008, May 28, 2008, May 30, 2008, June 3, 2008, June 5, 2008, June 12, 2008, June 25, 2008, December 11, 2008, January 29, 2009, February 4, 2009 (2 letters), February 17, 2009, February 24, 2009, March 19, 2009, April 22, 2009, May 13, 2009, May 26, 2009, May 28, 2009, May 29, 2009, June 12, 2009, June 16, 2009, July 13, 2009, July 23, 2009, August 12, 2009 (2 letters), August 19, 2009, August 21, 2009 (2 letters), August 26, 2009, August 31, 2009, October 1, 2009, January 25, 2010, April 6, 2010, December 21, 2010, June 30, 2010, April 5, 2011, July 7, 2011, August 30, 2011, November 11, 2011, January 13, 2012, July 19, 2012, July 19, 2012, September 28, 2012, October 21, 2012, October 22, 2012, October 30, 2012, November 30, 2012, January 21, 2013, January 31, 2013, February 22, 2013, February 27, 2013, March 7, 2013, March 18, 2013, March 21, 2013, March 29, 2013, April 10, 2013, May 13, 2013, May 30, 2013, June 26, 2013, July 8, 2013, July 18, 2013 (2 letters), August 2, 2013, September 30, 2013, and November 8, 2013, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 9, 2013.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 10th day of January 2014.

For the Nuclear Regulatory Commission.

Michele G. Evans,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2014–00877 Filed 1–17–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52–025 and 52–026; NRC–2008–0252]

Vogtle Units 3 and 4; Consideration of Approval of Transfer of Combined License and Conforming Amendment

AGENCY: Nuclear Regulatory Commission.

ACTION: License transfer request; opportunity to comment, request a hearing, and petition for leave to intervene.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of an application filed by Southern Nuclear Operating Company (SNC) on behalf of Municipal Electric Authority of Georgia (MEAG) Power and MEAG Power SPVM, LLC; MEAG Power SPVJ, LLC; and MEAG Power SPVP, LLC (together, ''the Applicants'') on December 2, 2013, as supplemented on December 12, 2013. The application seeks NRC approval of the direct transfer of Combined License Nos. NPF–091 and NPF–092 for the Vogtle Electric Generating Plant (VEGP), Units 3 and 4, from the current holder, MEAG, to one or more wholly-owned special purpose entities. These entities include MEAG Power SPVM, LLC; MEAG Power SPVJ, LLC; and MEAG Power SPVP, LLC (together, ''the Project Companies''). The NRC is also considering amending the combined licenses for administrative purposes to reflect the proposed transfer.

DATES: Comments must be filed by February 20, 2014. A request for a hearing must be filed by February 10, 2014.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- Federal rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2008–0252. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- Email comments to: *Hearingdocket@nrc.gov.* If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.
- Fax comments to: Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.
- Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.
- Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern Time) Federal workdays; telephone: 301–415–1677.

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: Anthony Minarik, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301–415–6185; email: *Anthony.Minarik@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC–2008–0252 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document by any of the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2008–0252.
- 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 application dated December 2, 2013, as supplemented on December 12, 2013, is available in ADAMS under Accession Nos. ML13337A398 and ML13347B231.
- 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.

B. Submitting Comments

Please include Docket ID NRC–2008–0252 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 to be 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. 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 submissions. 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. Introduction

The NRC is considering the issuance of an order under § 50.80 of Title 10 of the *Code of Federal Regulations* (10 CFR) approving the direct transfer of some or all of the current 22.7 percent share of control of the Combined Licenses, Nos. NPF–091 and NPF–092, for VEGP Units 3 and 4, from MEAG to the Project Companies. The NRC is also considering amending the combined licenses for administrative purposes to reflect the proposed transfer.

Following approval of one or all of the proposed transfers of control of the combined licenses, MEAG Power SPVM, LLC, would acquire 7.6886571 percent of MEAG Power's 22.7 percent ownership interest in the facility; MEAG Power SPVJ, LLC, would acquire 9.3466423 percent of MEAG Power's 22.7 percent ownership interest in the facility; and MEAG Power SPVP, LLC, would acquire 5.6647006 percent of MEAG Power's 22.7 percent ownership in the facility. Each of the three transfers may happen independently of the others, meaning all three may occur, two of the three may occur, or just one may occur during the finalization of the U.S. Department of Energy's Loan Guarantee process. Southern Nuclear Operating Company, Georgia Power Company, Oglethorpe Power Corporation, and the City of Dalton,

Georgia, will continue to own their appropriate portions of the facility, while SNC will continue to operate the facility.

No physical changes to the VEGP Units 3 and 4 facility or operational changes are being proposed in the application.

The NRC's regulations at 10 CFR 50.80 state that no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission gives its consent in writing. The Commission will approve an application for the direct transfer of a license if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission.

Before issuance of the proposed conforming license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility, which does no more than conform the license to reflect the transfer action, involves ''no significant hazards consideration.'' No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

III. Opportunity To Request a Hearing; Petition for Leave To Intervene

Within 20 days from the date of publication of this notice, any person(s) whose interest may be affected by the Commission's action on the application may request a hearing and intervention via electronic submission through the NRC's E-filing system. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C ''Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings,'' of 10 CFR part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.309, which is available at the NRC's PDR, located at O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC regulations are accessible electronically from the NRC Library on the NRC's public Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/.*

A petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition must provide the name, address, and telephone number of the petitioner and specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest.

A petition for leave to intervene must also include a specification of the contentions that the petitioner seeks to have litigated in the hearing. For each contention, the petitioner must provide a specific statement of the issue of law or fact to be raised or controverted, as well as a brief explanation of the basis for the contention. Additionally, the petitioner must demonstrate that the issue raised by each contention is within the scope of the proceeding and is material to the findings that the NRC must make to support the granting of a license amendment in response to the application. The petition must also include a concise statement of the alleged facts or expert opinions which support the position of the petitioner and on which the petitioner intends to rely at the hearing, together with references to the specific sources and documents on which the petitioner intends to rely. Finally, the petition must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact, including references to specific portions of the application for amendment that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application for amendment fails to contain information on a relevant matter as required by law, the identification of each failure, and the supporting reasons for the petitioner's belief. Each contention must be one that, if proven, would entitle the petitioner to relief.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that person's admitted contentions, including the opportunity to present evidence and to submit a cross-examination plan for cross-examination of witnesses, consistent with NRC regulations, policies, and procedures. The Atomic Safety and Licensing Board will set the time and place for any prehearing conferences and evidentiary hearings, and the appropriate notices will be provided.

Requests for hearing, petitions for leave to intervene, and motions for leave to file contentions after the deadline in 10 CFR 2.309(b) will not be entertained absent a determination by the presiding officer that the new or amended filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1).

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner's interest in the proceeding. The petition should be submitted to the Commission by February 10, 2014. The petition must be filed in accordance with the filing instructions in Section IV of this document, and should meet the requirements for petitions for leave to intervene set forth in this section, except that under § 2.309(h)(2) a State, local governmental body, or Federally-recognized Indian tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may also have the opportunity to participate under 10 CFR 2.315(c).

If a hearing is granted, any person who does not wish, or is not qualified, to become a party to the proceeding may, in the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of position on the issues, but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission by March 24, 2014.

IV. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/apply-certificates.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's public Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call to 1–866–672–7640. The NRC Meta System Help Desk is available between 8:00 a.m. and 8:00 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

Within 30 days from the date of publication of this notice, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission

will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this application, see the application dated December 2, 2013, as supplemented on December 12, 2013.

Dated at Rockville, Maryland, this 13th day of January 2014.

For the Nuclear Regulatory Commission.

Anthony Minarik,

Project Manager, Licensing Branch 4, Division of New Reactor Licensing, Office of New Reactors.

[FR Doc. 2014–01025 Filed 1–17–14; 8:45 am]

BILLING CODE 7590–01–P

POSTAL SERVICE

Privacy Act of 1974; System of Records

AGENCY: Postal Service™.

ACTION: Notice of modification to existing systems of records.

SUMMARY: The United States Postal Service® is proposing to modify two Customer Privacy Act Systems of Records. These updates are being made to account for additional communication methods that the Postal Service will use to contact customers with regard to the delivery of their mail and packages.

DATES: These revisions will become effective without further notice on February 20, 2014 unless comments received on or before that date result in a contrary determination.

ADDRESSES: Comments may be mailed or delivered to the Records Office, United States Postal Service, 475 L'Enfant Plaza SW., Room 9431, Washington, DC 20260–1101. Copies of all written comments will be available at this address for public inspection and photocopying between 8 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Matthew J. Connolly, Chief Privacy Officer, Privacy and Records Office, 202–268–8582.

SUPPLEMENTARY INFORMATION: This notice is in accordance with the Privacy Act requirement that agencies publish their amended systems of records in the **Federal Register** when there is a revision, change, or addition. The Postal Service™ has reviewed these systems of records and has determined that this General Privacy Act System of Records should be revised to modify categories of records in the system, purpose(s), and system manager(s) and address.

I. Background

To improve mail delivery and customer service, the Postal Service is enhancing current services to allow for customer notification upon delivery, and introducing new services and options that will enable customers to designate a specific location for the delivery of their mail and packages.

II. Rationale for Changes to USPS Privacy Act Systems of Records

The systems of records 820.200, Mail Management and Tracking Activity, and 880.000, Post Office and Retail Services, are being modified to account for the collection of a customer's text message number. The Postal Service will use the text message number to notify Collect On Delivery customers that their mail is ready to be delivered, to communicate with Package Intercept™ customers to re-route mail deliveries as requested, and to confirm that a package has been delivered to the specific locations requested by customers who use the forthcoming Electronically Authorize Shipment Release feature. The Postal Service also proposes to amend the purposes of each SOR to include providing customers with mail or package delivery options.

The Postal Service is also updating and deleting system manager titles to reflect the current structure of the organization.

III. Description of Changes to Systems of Records

The Postal Service is modifying two systems of records listed below. Pursuant to 5 U.S.C. 552a (e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the proposed modifications has been sent to Congress and to the Office of Management and Budget for their evaluation. The Postal Service does not expect this amended notice to have any adverse effect on individual privacy rights. The affected systems are as follows:

USPS 820.200
SYSTEM NAME: Mail Management and Tracking Activity
USPS 880.000
SYSTEM NAME: Post Office and Retail Services

Accordingly, for the reasons stated, the Postal Service proposes changes in the existing systems of records as follows:

USPS 820.200

SYSTEM NAME:

Mail Management and Tracking Activity

CATEGORIES OF RECORDS IN THE SYSTEM

[CHANGE TO READ]

1. Customer information: Customer or contact name, mail and email address(es), title or role, phone number(s), text message number, and cellphone carrier.

* * * * *

PURPOSE

* * * * *

[ADD TEXT]

4. To provide customers with mail or package delivery options.

* * * * *

[RENUMBER REMAINING TEXT]

SYSTEM MANAGER(S) AND ADDRESS

[DELETE]

Vice President, Secure Digital Solutions, United States Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

[CHANGE TO READ]

Chief Information Officer and Executive Vice President, United States Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

* * * * *

USPS 880.000

SYSTEM NAME:

Post Office and Retail Services

CATEGORIES OF RECORDS IN THE SYSTEM

[CHANGE TO READ]

1. Customer information: Name, customer ID(s), customer Personal Identification Numbers (PINs), company name, phone number, text message number, mail and email address, record of payment, passport applications and a description of passport services rendered, and Post Office box and caller service numbers.

* * * * *

PURPOSE

* * * * *

[ADD TEXT]

2. To provide customers with mail or package delivery options.

* * * * *

[RENUMBER REMAINING TEXT]

SYSTEM MANAGER(S) AND ADDRESS

[CHANGE TO READ]

Chief Marketing/Sales Officer and Executive Vice President, United States

Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

* * * * *

[DELETE]

Vice President, Global Business, United States Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

[ADD TEXT]

Vice President, Controller, United Stated Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

* * * * *

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2014–00962 Filed 1–17–14; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Schedule TO; OMB Control No. 3235–0515; SEC File No. 270–456

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Schedule TO (17 CFR 240.14d–100) must be filed by a reporting company that makes a tender offer for its own securities. Also, persons other than the reporting company making a tender offer for equity securities registered under Section 12 of the Exchange Act (15 U.S.C. 78l) (which offer, if consummated, would cause that person to own over 5% of that class of the securities) must file Schedule TO. The purpose of Schedule TO is to improve communications between public companies and investors before companies file registration statements involving tender offer statements. Schedule TO takes approximately 43.5 hours per response and is filed by approximately 820 issuers annually. We estimate that 50% of the 43.5 hours per response (21.75 hours) is prepared by the issuer for an annual reporting burden of 17,835 hours (21.75 hours per response × 820 responses).

Written comments are invited on: (a) Whether this 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 the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comment to Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00995 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Form S–4; OMB Control No. 3235–0324; SEC File No. 270–287

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Form S–4 (17 CFR 239.25) is the registration form used to register securities issued in business combination transactions under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure the adequacy of information available to investors in connection with business combination transactions. Form S–4 takes approximately 4,099.68 hours per response to prepare and is filed by 619 registrants annually. We estimate that 25% of the 4,099.68 hours per response (1,024.92 hours) is prepared by the registrant for an annual reporting burden of 634,425 hours (1,024.92 hours per response × 619 responses.

Written 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 will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comment to Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00993 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Regulations 14D and 14E (Schedule 14D–9); OMB Control No. 3235–0102, SEC File No. 270–114.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995

(44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Regulation 14D (17 CFR 240.14d–1—240.14d–11) and Regulation 14E (17 CFR 240.14e–1—240.14e–8) and related Schedule 14D–9 (17 CFR 240.14d–101) require information important to security holders in deciding how to respond to tender offers. Schedule 14D–9 takes approximately 260.566 hours per response to prepare and is filed by approximately 600 companies annually. We estimate that 25% of the 260.566 hours per response (65.141 hours) is prepared by the company for an annual reporting burden of 39,085 hours (65.141 hours per response × 600 responses).

Written 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 will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comments to Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov*.

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00994 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension: Form F–4; OMB Control No. 3235–0325, SEC File No. 270–288.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Form F–4 (17 CFR 239.34) is used by foreign issuers to register securities in business combinations, reorganizations and exchange offers pursuant to the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure that the information required to be filed by the Commission permits verification of compliance with securities law requirements and assures the public availability of such information. Form F–4 takes approximately 1,447 hours per response and is filed by approximately 68 respondents. We estimate that 25% of the 1,447 hours per response (361.75 hours) is prepared by the registrant for a total annual reporting burden of 24,599 hours (361.75 hours per response × 68 responses).

Written comments are invited on: (a) Whether this proposed 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 the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comment to Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00991 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213

Extension:
Form 6–K; OMB Control No. 3235–0116, SEC File No. 270–107.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Form 6–K (17 CFR 249.306) is a disclosure document under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) that must be filed by a foreign private issuer to report material information promptly after the occurrence of specified or other important corporate events that are disclosed in the foreign private issuer's home country. The purpose of Form 6–K is to ensure that U.S. investors have access to the same information that foreign investors do when making investment decisions. Form 6–K takes approximately 8.7 hours per response and is filed by approximately 20,812 issuers annually. We estimate that 75% of the 8.7 hours per response (6.525 hours) is prepared by the issuer for a total annual reporting burden of 135,798 hours (6.525 hours per response × 20,812 responses).

Written comments are invited on: (a) Whether this 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 the burden imposed

by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comment to Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00992 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Rule 104; SEC File No. 270–411, OMB Control No. 3235–0465.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 104 of Regulation M (17 CFR 242.104), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 104 permits stabilizing by a distribution participant during a distribution so long as the distribution participant discloses information to the market and investors. This rule requires disclosure in offering materials of the potential stabilizing transactions and that the distribution participant inform the market when a stabilizing bid is made. It also requires the distribution participants (i.e. the syndicate manager) to maintain information regarding syndicate covering transactions and penalty bids and disclose such information to the Self-Regulatory Organization.

There are approximately 795 respondents per year that require an aggregate total of 159 hours to comply with this rule. Each respondent makes an estimated 1 annual response. Each response takes approximately 0.20 hours (12 minutes) to complete. Thus, the total compliance burden per year is 159 hours. The total internal labor compliance cost for the respondents is approximately $10,017.00, resulting in an estimate of $12.60 (*i.e.,* $10,017.00/795 responses) per response.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Thomas Bayer, Director/Chief Information Officer, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted within 30 days of this notice.

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00990 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Rule 102; SEC File No. 270–409, OMB Control No. 3235–0467.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 102 of Regulation M (17 CFR 242.102), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 102 prohibits distribution participants, issuers, and selling security holders from purchasing activities at specified times during a distribution of securities. Persons otherwise covered by these rules may seek to use several applicable exceptions such as an exclusion for actively traded reference securities and the maintenance of policies regarding information barriers between their affiliates.

There are approximately 945 respondents per year that require an aggregate total of 1,845 hours to comply with this rule. Each respondent makes an estimated 1 annual response. Each response takes on average approximately 1.952 hours to complete. Thus, the total compliance burden per year is 1,845 burden hours. The total compliance cost for the respondents is approximately $116,235.00, resulting in a cost of compliance for the respondent per response of approximately $123.00 (i.e., $116,235.00/945 responses). These are internal labor costs and there are no other costs.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00988 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension: Rule 103; SEC File No. 270–410, OMB Control No. 3235–0466

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 103 of Regulation M (17 CFR 242.103), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 103 permits passive market-making in Nasdaq securities during a distribution. A distribution participant that seeks use of this exception would be required to disclose to third parties its intention to engage in passive market making.

There are approximately 255 respondents per year that require an aggregate total of 255 hours to comply with this rule. Each respondent makes an estimated 1 response annually. Each response takes approximately 1 hour to complete. Thus, the total hourly burden per year is 255 hours. The total estimated internal labor cost of compliance for the respondents is approximately $16,065.00, resulting in an estimated internal labor cost of compliance per response of approximately $63.00 (i.e., $16,065.00/255 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Thomas Bayer, Director/Chief Information Officer, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted within 30 days of this notice.

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00989 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–408, OMB Control No. 3235–0464]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:
Rule 101.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 101 of Regulation M (17 CFR 242.101), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 101 prohibits distribution participants from purchasing activities at specified times during a distribution of securities. Persons otherwise covered by this rule may seek to use several applicable exceptions such as a calculation of the average daily trading volume of the securities in distribution, the maintenance of policies regarding information barriers between their affiliates, and the maintenance of a written policy regarding general compliance with Regulation M for de minimus transactions.

There are approximately 1762 respondents per year that require an aggregate total of 34,525 hours to comply with this rule. Each respondent makes an estimated 1 annual response. Each response takes on average approximately 19.594 hours to complete. Thus, the total compliance burden per year is 34,525 burden hours. The total estimated internal labor compliance cost for the respondents is approximately $2,175,075.00, resulting in a cost of compliance for each respondent per response of approximately $1234.435 (i.e., $2,175,075.00/1762 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view the background documentation for this information collection at the following Web site: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Thomas Bayer, Director/Chief Information Officer, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted within 30 days of this notice.

Dated: January 14, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00987 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71296; File No. SR–Topaz–2014–02]

Self-Regulatory Organizations; Topaz Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Establish a Billing Dispute Practice

January 14, 2014.

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 January 8, 2014, the Topaz Exchange, LLC (d/b/a ISE Gemini) (the ''Exchange'' or ''Topaz'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II 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

Topaz is proposing to amend its Schedule of Fees to establish a billing practice with respect to billing disputes. The text of the proposed rule change is available on the Exchange's Web site at *http://www.ise.com,* at the principal

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

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 self-regulatory organization 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 its Schedule of Fees to establish a billing practice to prevent members from contesting their bills long after they have been sent an invoice. In accordance with the proposed rule change, members must submit all disputes no later than ninety calendar days after receipt of an Exchange invoice. After ninety calendar days, all fees assessed by the Exchange will be considered final. The Exchange provides members with both daily and monthly fee reports and thus believes members should be aware of any potential billing errors within ninety calendar days of receiving an invoice. Requiring that members dispute an invoice within this time period will encourage them to promptly review their invoices so that any disputed charges can be addressed in a timely manner while the information and data underlying those charges (*e.g.,* applicable fees and order information) is still easily and readily available. This practice will avoid issues that may arise when members do not dispute an invoice in a timely manner, and will conserve Exchange resources that would have to be expended to resolve untimely billing disputes. The Exchange notes that this type of provision is common among many other exchanges, which require that members dispute invoices within as few as sixty days.[3] In addition, the Exchange proposes to state that all billing disputes must be submitted to the Exchange in writing,[4] and must be accompanied by supporting documentation. The Exchange believes that this requirement, which is also similar to requirements of other exchanges,[5] will further streamline the billing dispute process.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Securities Exchange Act of 1934 (the ''Act''),[6] in general, and with Section 6(b)(5) of the Act,[7] in particular, in that it is designed to promote just and equitable principles of trade, 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. The Exchange believes the requirement that all billing disputes must be submitted in writing, and with supporting documentation, within ninety calendar days from receipt of the invoice is reasonable in the public interest because the Exchange provides ample tools to properly and swiftly monitor and account for various charges incurred in a given month. Moreover, the proposed billing dispute language, which will lower the Exchange's administrative burden, is substantially similar to billing dispute language adopted by other exchanges.[8]

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[9] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As stated above, the proposed rule change, which applies equally to all members, is intended to reduce the Exchange's administrative burden, and is substantially similar to rules adopted by other options exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[10] and Rule 19b–4(f)(6) thereunder.[11] Because the 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 from the date on which it was filed, or such shorter time as the Commission may designate, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6) thereunder.[12]

A proposed rule change filed under Rule 19b–4(f)(6)[13] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[14] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest.

The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative upon filing. The Exchange states that waiver of the operative delay is consistent with the protection of investors and the public interest because it will permit the Exchange to establish an administrative billing practice consistent with current billing practices employed by other options exchanges. The Exchange also notes that the regular 30-day operative period is not necessary as, under the terms of the proposed rule change, members will have ninety calendar days from the receipt of their next invoice to dispute their bills. Based on the Exchange representations above, the Commission waives the 30-day operative delay requirement and designates the proposed rule change as operative upon filing.[15]

[3] *See, e.g.,* Securities Exchange Act Release No. 62661 (August 6, 2010), 75 FR 49544 (August 13, 2010) (SR–Phlx–2010–110).

[4] The Exchange invoice specifies contact information for billing inquiries.

[5] *See supra* note 3.

[6] 15 U.S.C. 78f.

[7] 15 U.S.C. 78f(b)(5).

[8] *See supra* note 3.

[9] 15 U.S.C. 78f(b)(8).

[10] 15 U.S.C. 78s(b)(3)(A)(iii).

[11] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change, along with a brief description and text of 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.

[12] 17 CFR 240.19b–4(f)(6)(iii).

[13] 17 CFR 240.19b–4(f)(6).

[14] 17 CFR 240.19b–4(f)(6)(iii).

[15] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on

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: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [16] of the Act 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–Topaz–2014–02 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–Topaz–2014–02. 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–Topaz–2014–02 and should be submitted on or before February 11, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00985 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[16] 15 U.S.C. 78s(b)(2)(B).

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71293; File No. SR–NYSEArca–2014–02]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Proposed Rule Change Amending Its Rules in Order To Clarify the Applicability and Functionality of Certain Order Types on the Exchange

January 14, 2014.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on January 8, 2014, NYSE Arca, Inc. (the ''Exchange'' or ''NYSE Arca'') 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 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

The Exchange proposes to amend its rules in order to clarify the applicability and functionality of certain order types on the Exchange. The text of the proposed rule change is available on the Exchange's Web site at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

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 self-regulatory organization 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 those 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 amend Rule 6.62 (Certain Types of Orders Defined), by revising the definitions of certain order types. The Exchange is not proposing to change or alter any obligations, rights, policies or practices enumerated within its rules. Rather, this proposal is designed to reduce any potential investor confusion as [sic] the functionality and applicability of certain order types presently available on the NYSE Arca.

Background

In reviewing its rules, the Exchange has determined that certain order type definitions are outdated and need revising, while others do not fully explain the functionality and applicability of the order type they are attempting to define. Accordingly, the Exchange now proposes to amend such definitions so as to reduce any potential investor confusion as to the functionality and applicability of certain option order types available on NYSE Arca.

Proposed Changes to Order Type Definitions

Rule 6.62(a) Market Order. A Market Order is an order to buy or sell a stated number of options contracts and is to be executed at the best price obtainable when the order reaches the Exchange. The order may be executed at the best possible price at the Exchange or by routing the order to another Exchange displaying the best price. In the event the Exchange receives a Market Order in a particular series and there is no National Best Bid (''NBB'') and no National Best Offer (''NBO'') (collectively ''NBBO'') being disseminated by OPRA for that series at the time the order is received, an

execution cannot take place. The lack of an NBBO means that there is no trading interest on the Exchange or any other exchange where that series may be listed which could be indicative of a systems issue, or some other unusual activity. If this occurs during Core Trading Hours,[4] the Exchange believes that it is preferable to reject the order back to the submitting OTP Holder instead of having the order remain unexecuted for an indeterminable amount of time. A Market Order that gets rejected back to a submitting OTP Holder contains a message code explaining the reason for the reject.

Additionally, the Exchange proposes to amend Rule 6.62(a) in order to describe what occurs when the Exchange receives a Market Order to buy (sell) and there is an NBB (NBO) but no NBO (NBB) being disseminated by OPRA. Unlike the lack of an NBBO as described above, the dissemination of just an NBB or just a NBO is not necessarily indicative of unusual activity, therefore the Exchange will not reject orders in these situations. Instead, the order will be processed pursuant to Rule 6.60(a)—Trade Collar Protection. By processing using collar protection, the Market Order is afforded an execution opportunity coupled with price protection.

The Exchange now proposes to codify in Rule 6.62(a) that: (1) If there is no NBBO being disseminated at the time a Market Order is received by the Exchange, the order will be rejected, and (2) if Exchange receives a Market Order to buy (sell) and there is an NBB (NBO) but no NBO (NBB) being disseminated at the time, the order will be processed pursuant to Rule 6.60(a)—Trade Collar Protection.

In addition, the Exchange proposes to clarify that those Market Orders that are entered before the opening of trading will be eligible for trading during the Opening Auction Process.

Rule 6.62(c) Inside Limit Order. An Inside Limit Order is an order type designed to route away to the market participant or participants with the best displayed price. Any unfilled portion of the order will not be routed to the next best price level until all quotes at the current best bid or offer are exhausted.

Due to a lack of demand for Inside Limit Orders, the Exchange plans to decommission the functionality supporting this order type. The Exchange does not intend to re-introduce it at any time in the future. Accordingly, the Exchange proposes to delete Rule 6.62(c) and reserve the rule number for future use.

Rule 6.62(d)(1)–(2) Stop Orders and Stop Limit Orders. A Stop Order is an order that becomes a Market Order when the market for a particular option contract reaches a specified price. A Stop Limit Order is an order that becomes a Limit Order when the market for a particular option contract reaches a specified price (also known as the ''triggering event''). Stop Orders and Stop Limit Orders (collectively ''Stop Orders'') track the price of an option and are generally used to limit losses as prices move up, or down. ''Sell'' Stop Orders may be triggered as the price falls, and ''buy'' Stop Orders may be triggered as the price rises. Accordingly, the specified price for a ''buy'' Stop Order must be above the price the option is trading at the time the order is entered, and the specified priced for a ''sell'' Stop Order must be at a price less than the option is trading at the time the order is entered. Stop Orders entered with a specified price above (below) the price the option is trading for at the time of entry are rejected back to submitting OTP Holder with message code explaining the reason for the reject.

The Exchange now proposes to add clarifying text to Rules 6.62(d)(1) and (2) stating that Stop and Stop Limit Orders entered with a specified price above the bid (below the offer) in the option series at the time the order is entered will be rejected.

Rule 6.62(d)(5) Stock Contingency Order. The execution of a Stock Contingency Order is contingent upon the last sale price of the underlying stock traded at the primary marketplace. Stock Contingency Orders are handled by Floor Brokers and are not supported by the System. The Exchange proposes to amend Rule 6.62(d)(5) to clarify that Stock Contingency Orders are only eligible for open outcry trading.

Rule 6.62(d)(6) Tracking Order. A Tracking Order is an undisplayed Limit Order that is eligible for execution in the Working Order Process against orders equal to or less than the size of the Tracking Order. A Tracking Order is only executable at a price matching the NBBO. If a Tracking Order is executed but not exhausted, the remaining portion of the order shall be cancelled, without routing the order to another market center or market participant. A Tracking Order shall not trade-through the NBBO. Tracking Orders only have standing if contra-side interest in the System would otherwise be routed to another market center at the NBBO.

Due to a lack of demand for Tracking Orders, the Exchange plans to decommission the functionality supporting this order type. The Exchange does not intend to re-introduce it at any time in the future. Accordingly, the Exchange proposes to delete Rule 6.62(d)(6).

Rule 6.62(g) One-cancels-the-other (OCO) Order. A One-cancels-the-other Order consists of two or more orders treated as a unit. The execution of any one of the orders causes the others to be cancelled. ''One cancels the other'' is an instruction given to a Floor Broker when handling multiple orders for a single OTP Holder. The Exchange proposes to amend Rule 6.62(g) to clarify that OCOs are only available for open outcry trading.

Rule 6.62(i) Single Stock Future (''SSF'')/Option Order. An SSF/Option Order is an order to buy or sell a stated number of units of a single stock future or a security convertible into a single stock future (''convertible SSF'') coupled with a purchase or sale of options overlying the same security as the SSF. SSF/Option Orders are handled by Floor Brokers who execute the options portion of the order in open outcry on the floor of the Exchange and routes a SSF order to a third party broker for execution on a futures exchange. The Exchange proposes to amend Rule 6.62(i) to clarify that SSF/Option Orders are only available for open outcry trading.

Rule 6.62(o) Now Order. A Now Order is a Limit Order that is to be executed in whole or in part on the Exchange, and the portion not so executed shall be routed pursuant to Rule 6.76A only to one or more NOW Recipients for immediate execution. NOW Orders that are not marketable when submitted to NYSE Arca are cancelled.

NOW Orders are determined to be marketable if an execution can take place either on NYSE Arca or by routing the order to an away market center that is at the NBBO. The Exchange now proposes to amend Rule 6.62(o) to clarity that a NOW Order that is not marketable against the NBBO (which would be inclusive of the NYSE Arca and other markets) will be rejected.

Rule 6.62(r) Opening Only Order. The Exchange proposes to correct minor typographical errors in the rule text but make no substantive changes to the rule itself.

Rule 6.62(t) Liquidity Adding Order. A Liquidity Adding Order (''LAO'') is a limit order which is to be accepted only if it is not executable at the time of receipt. Orders with the liquidity adding instruction will not be routed if marketable against the NBBO, but will be rejected. LAO will only be accepted if the order is *not* executable at the time of receipt. LAOs are cancelled upon the conclusion of Core Trading, therefore the System does not accept LAOs with

[4] *See* NYSE Arca Rule 6.1A(a)(3).

a time in force of GTC. The Exchange proposes to clarify in the rule text that LAOs may only be entered with a time-in-force of Day. In addition, the Exchange proposes to correct minor typographical errors in the rule text.

The Exchange plans to issue a Trader Update announcing the changes to order types proposed by this rule filing. The Trader Update will be distributed to all OTP Holders and OTP Firms upon the approval date of the rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Section 6(b)(5) of the Act,[6] in particular, in that, deleting obsolete and/or outdated rules, correcting inaccurate language, and enhancing the descriptions as to the functionality of certain order types will add transparency and clarity to the Exchange's rules.

Specifically, the Exchange believes that clarifying the definitions of Market Orders, Stop Orders, NOW Orders and LAOs removes impediments to and perfects the mechanism of a free and open market by helping to ensure that investors better understand the functionality of certain orders types available for trading on the Exchange. Additionally, the Exchange believes that specifying that Stock Contingency Orders, SSF/Option Orders and OCO Orders are only for trading in open outcry will help to protect investors and the public interest by reducing potential confusion when routing orders to NYSE Arca. Lastly, the Exchange believes that deleting definitions applicable to Inside Limit Orders and Tracking Orders provides clarity to Exchange rules by eliminating outdated and obsolete functionality.

The Exchange further believes that the proposal removes impediments to and perfects the mechanism of a free and open market by ensuring that members, regulators and the public can more easily navigate the Exchange's rulebook and better understand the order types available for trading on the Exchange.

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 proposed change is not designed to address any competitive issue but rather revise incomplete or inaccurate rule text or remove language pertaining to unavailable functionality in the Exchange's rulebook, thereby reducing confusion and making the Exchange's rules easier to understand and navigate.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

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 self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove the 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–NYSEArca–2014–02 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–NYSEArca–2014–02. 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–NYSEArca–2014–02 and should be submitted on or before February 11, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00982 Filed 1–17–14; 8:45 am]

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[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71294; File No. SR–NYSEMKT–2014–05]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing of Proposed Rule Change Amending Its Rules in Order To Clarify the Applicability and Functionality of Certain Order Types on the Exchange

January 14, 2014.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on January 8, 2014, NYSE MKT LLC (the ''Exchange'' or ''NYSE MKT'') 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 self-regulatory organization. The Commission is publishing this notice to

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

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 its rules in order to clarify the applicability and functionality of certain order types on the Exchange. The text of the proposed rule change is available on the Exchange's Web site at *www.nyse.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 self-regulatory organization 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 those 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 amend Rule 900.3NY (Orders Defined) by revising the definitions of certain order types. The Exchange is not proposing to change or alter any obligations, rights, policies or practices enumerated within its rules. Rather, this proposal is designed to reduce any potential investor confusion as to the functionality and applicability of certain order types presently available on NYSE Amex Options.

Background

In September 2008, NYSE Euronext acquired the American Stock Exchange LLC (''Amex'').[4] In conjunction with that acquisition, the options business of the Amex was rebranded NYSE Amex Options. NYSE Amex Options operates a hybrid market, with all option classes available for trading both electronically on the NYSE Amex System (''System''), or in open-outcry on the options trading floor. Rule 900.3NY was adopted as part of the new rule set governing NYSE Amex Options[5] and contains the definitions of order options types available on the Exchange.

In reviewing its rules, the Exchange has determined that some of the order type definitions are outdated and need revising, while others do not fully explain the functionality and applicability of the order type they are attempting to define. Accordingly, the Exchange now proposes to amend such definitions so as to reduce any potential investor confusion as to the functionality and applicability of certain order types available on NYSE Amex Options.

Proposed Changes to Order Type Definitions

Rule 900.3NY(a) Market Order. A Market Order is an order to buy or sell a stated number of options contracts and is to be executed at the best price obtainable when the order reaches the Exchange. The order may be executed at the best possible price at the Exchange or by routing the order to another Exchange displaying the best price. If a Market Order is entered in a particular series and there is no National Best Bid (''NBB'') and no National Best Offer (''NBO'') (collectively ''NBBO'') for that series at the time the order is received, an execution cannot take place. The lack of an NBBO means there is no trading interest on any exchange where that series is listed, which could be indicative of a systems issue, or some other unusual activity. If this occurs during Core Trading Hours,[6] the Exchange believes that it is preferable to reject the order back to the submitting ATP Holder instead of having the order remain unexecuted for an indeterminable amount of time. Currently, a Market Order that gets rejected back to a submitting ATP Holder contains a message code explaining the reason for the reject. The rejection of unexecutable Market Orders was implemented in December 2010 and announced to ATP Holders via a Trader Update.[7]

Additionally, the Exchange proposes amending Rule 900.3NY(a) in order to describe what occurs when the Exchange receives a Market Order to buy (sell) and there is an NBB (NBO) but no NBO (NBB) being disseminated by OPRA. Unlike the lack of an NBBO as described above, the dissemination of just an NBB or just a NBO is not necessarily indicative of unusual activity, therefore the Exchange will not reject orders in these situations. Instead, the order will be processed pursuant to Rule 967NY(a)—Trade Collar Protection. By processing using collar protection, the Market Order is afforded an execution opportunity with price protection.

The Exchange now proposes to codify in Rule 900.3NY(a) that: (1) If there is no NBBO (no NBB and no NBO) being disseminated at the time a Market Order is received by the Exchange, the order will be rejected, and (2) if the Exchange receives a Market Order to buy (sell) and there is an NBB (NBO) but no NBO (NBB) being disseminated at the time, the order will be processed pursuant to Rule 967NY(a)—Trade Collar Protection.

In addition, the Exchange proposes to codify that those Market Orders that are entered before the opening of trading will be eligible for trading during the Opening Auction Process.

Rule 900.3NY(c) Inside Limit Order. An Inside Limit Order is an order type designed to route away to the market participant or participants with the best displayed price. Any unfilled portion of the order will not be routed to the next best price level until all quotes at the current best bid or offer are exhausted.

Due to a lack of demand for Inside Limit Orders, the Exchange proposes to discontinue functionality supporting the order type. The Exchange does not intend to re-introduce it at any time in the future. Accordingly, the Exchange proposes to delete Rule 900.3NY(c) and reserve the rule number for future use.

Rule 900.3NY(d)(1)–(2) Stop Orders and Stop Limit Orders. A Stop Order is an order that becomes a Market Order when the market for a particular option contract reaches a specified price. A Stop Limit Order is an order that becomes a Limit Order when the market for a particular option contract reaches a specified price (also known as the ''triggering event''). Stop Orders and Stop Limit Orders (collectively ''Stop Orders'') track the price of an option and are generally used to limit losses as prices move up, or down. ''Sell'' Stop Orders may be triggered as the price falls, and ''buy'' Stop Orders may be triggered as the price rises. Accordingly, the specified price for a ''buy'' Stop Order must be above the price the option is trading at the time the order is entered, and the specified priced for a ''sell'' Stop Order must be at a price less than the option is trading at the time the order is entered. Currently, Stop Orders entered with a specified price above (below) the price the option is trading for at the time of entry are

[4] *See* Securities Exchange Act Release No. 58673 (September 29, 2008), 73 FR 57707 (October 3, 2008) (SR–Amex–2008–62 and SR–NYSE–2008–60).

[5] *See* Securities Exchange Act Release No. 34–59472 (February 27, 2009), 74 FR 9843 (March 6, 2009) (SR–NYSEALTR–2008–14).

[6] *See* NYSE MKT Rule 900.2NY(15).

[7] *See* NYSE Amex Trader Update December 30, 2010. *http://www.nyse.com/pdfs/Market%20Order%20Rejects.pdf.*

rejected back to submitting ATP Holder with message code explaining the reason for the reject.

The Exchange now proposes to add clarifying text to Rules 900.3NY (d)(1) and (2) stating that Stop and Stop Limit Orders with a specified price above the bid (below the offer) in the option series at the time the order is entered will be rejected.

Rule 900.3NY(d)(5) Tracking Order. A Tracking Order is an undisplayed Limit Order that is eligible for execution after the Display Order Process against orders equal to or less than the size of the Tracking Order. A Tracking Order is only executable at a price matching the NBBO. If a Tracking Order is executed but not exhausted, the remaining portion of the order shall be cancelled, without routing the order to another market center or market participant. A Tracking Order shall not trade-through the NBBO. Tracking Orders only have standing if contra-side interest in the System would otherwise be routed to another market center at the NBBO.

Due to a lack of demand for Tracking Orders, the Exchange proposes to discontinue functionality supporting the order type. The Exchange does not intend to re-introduce it at any time in the future. Accordingly, the Exchange proposes to delete Rule 900.3NY(d)(5).

Rule 900.3NY(g) One-cancels-the-other (''OCO'') Order. An OCO consists of two or more orders treated as a unit. The execution of any one of the orders causes the others to be cancelled. Currently, because this order type is not supported by Exchange systems, this instruction is available only for a Floor Broker when handling multiple orders for a single ATP Holder. The Exchange proposes to amend Rule 900.3NY(g) to clarify that OCOs are only available for open outcry trading.

Rule 900.3NY(i) Single Stock Future (''SSF'')/Option Order. An SSF/Option Order is an order to buy or sell a stated number of units of a single stock future or a security convertible into a single stock future (''convertible SSF'') coupled with a purchase or sale of options overlying the same security as the SSF. SSF/Option Orders are handled by Floor Brokers who execute the options portion of the order in open outcry on the floor of the Exchange and routes an SSF order to a third-party broker for execution on a futures exchange. The Exchange proposes to amend Rule 900.3NY(i) to clarify that SSF/Option Orders are only available for open outcry trading.

Rule 900.3NY(o) Now Order. A Now Order is a Limit Order that is to be executed in whole or in part on the Exchange, and the portion not so executed shall be routed pursuant to Rule 964NY(c)(2)(E) only to one or more NOW Recipients for immediate execution. NOW Orders that are not marketable when submitted to NYSE Amex Options, are cancelled.

NOW Orders are determined to be marketable if an execution can take place either on the Exchange or by routing the order to an away market center that is at the NBBO. The Exchange now proposes to amend Rule 900.3NY(o) to clarify that a NOW Order that is not marketable against the NBBO (which would be inclusive of the NYSE Amex Options and other markets) will be rejected.

Rule 900.3NY(q) Opening Only Order. The Exchange proposes to correct minor typographical errors in the rule text but make no substantive changes to the rule itself.

The Exchange plans to issue a Trader Update announcing the changes to order types proposed by this rule filing. The Trader Update will be distributed to all ATP Holders upon the operative date of the rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[8] in general, and furthers the objectives of Section 6(b)(5) of the Act,[9] in particular, in that, deleting obsolete and/or outdated rules, correcting inaccurate language, and enhancing the descriptions as to the functionality of certain order types will add transparency and clarity to the Exchange's rules.

Specifically, the Exchange believes that clarifying the definitions of Market Orders, Stop Orders and NOW Orders removes impediments to and perfects the mechanism of a free and open market by helping to ensure that investors better understand the functionality of certain orders types available for trading on the Exchange. Additionally, the Exchange believes that specifying that SSF/Option Orders and OCO Orders are only for trading in open outcry will help to protect investors and the public interest by reducing potential confusion when routing orders to the Exchange. Lastly, the Exchange believes that deleting definitions applicable to Inside Limit Orders and Tracking Orders provides clarity to Exchange rules by eliminating outdated and obsolete functionality.

The Exchange further believes that the proposal removes impediments to and perfects the mechanism of a free and open market by ensuring that members, regulators and the public can more easily navigate the Exchange's rulebook and better understand the order types available for trading on the Exchange.

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 proposed change is not designed to address any competitive issue but rather revise incomplete or inaccurate rule text or remove language pertaining to unavailable functionality in the Exchange's rulebook, thereby reducing confusion and making the Exchange's rules easier to understand and navigate.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

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 self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove the 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–NYSEMKT–2014–05 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission,

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(5).

100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEMKT–2014–05. 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–NYSEMKT–2014–05 and should be submitted on or before February 11, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00983 Filed 1–17–14; 8:45 am]

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[10] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71299; File No. SR–NASDAQ–2014–002]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to NASDAQ Options Market Fees and Rebates

January 14, 2014.

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 January 2, 2014, The NASDAQ Stock Market LLC (''NASDAQ'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by NASDAQ. 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 the Substance of the Proposed Rule Change

NASDAQ proposes to modify Chapter XV, entitled ''Options Pricing,'' at Section 2 governing pricing for NASDAQ members using the NASDAQ Options Market (''NOM''), NASDAQ's facility for executing and routing standardized equity and index options. Specifically, NOM proposes to: (i) Amend the Customer and Professional Rebates to Add Liquidity in Penny Pilot Options;[3] (ii) increase certain non-Customer Fees for Removing Liquidity in Penny Pilot Options; (iii) increase the Customer and NOM Market Maker[4] Fees for Removing Liquidity and Customer Rebate to Add Liquidity in Non-Penny Pilot Options and surcharge for options overlying the Nasdaq 100 Index traded under the symbol NDX (''NDX'');[5] and (iv) increase Fees for Adding and Removing Liquidity for options overlying the PHLX Semiconductor Sector℠ (SOX℠), PHLX Housing Sector™ (HGX℠) and PHLX Oil Service Sector℠ (OSX℠).

The text of the proposed rule change is available on the Exchange's Web site at *http://www.nasdaq.cchwallstreet.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. 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

NASDAQ proposes to amend certain fees in Chapter XV, Section 2. The Exchange proposes to amend the Customer and Professional Penny Pilot Options Rebates to Add Liquidity to continue to incentivize Participants to direct additional Customer and/or Professional liquidity to NOM. The Exchange proposes to increase non-Customer Fees for Removing Liquidity in Penny Pilot Options to be able to offer greater Customer and Professional Penny Pilot Options Rebates to Add Liquidity. The Exchange proposes to increase the Customer and NOM Market Make Fees for Removing Liquidity and Customer Rebate to Add Liquidity in Non-Penny Pilot Options and NDX surcharge. The Exchange proposes to increase the Fees for Adding and Removing Liquidity in SOX, HGX and OSX.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Penny Pilot was established in March 2008 and in October 2009 was expanded and extended through June 30, 2014. *See* Securities Exchange Act Release Nos. 57579 (March 28, 2008), 73 FR 18587 (April 4, 2008) (SR–NASDAQ–2008–026) (notice of filing and immediate effectiveness establishing Penny Pilot); 60874 (October 23, 2009), 74 FR 56682 (November 2, 2009) (SR–NASDAQ–2009–091) (notice of filing and immediate effectiveness expanding and extending Penny Pilot); 60965 (November 9, 2009), 74 FR 59292 (November 17, 2009) (SR–NASDAQ–2009–097) (notice of filing and immediate effectiveness adding seventy-five classes to Penny Pilot); 61455 (February 1, 2010), 75 FR 6239 (February 8, 2010) (SR–NASDAQ–2010–013) (notice of filing and immediate effectiveness adding seventy-five classes to Penny Pilot); 62029 (May 4, 2010), 75 FR 25895 (May 10, 2010) (SR–NASDAQ–2010–053) (notice of filing and immediate effectiveness adding seventy-five classes to Penny Pilot); 65969 (December 15, 2011), 76 FR 79268 (December 21, 2011) (SR–NASDAQ–2011–169) (notice of filing and immediate effectiveness extension and replacement of Penny Pilot); 67325 (June 29, 2012), 77 FR 40127 (July 6, 2012) (SR–NASDAQ–2012–075) (notice of filing and immediate effectiveness and extension and replacement of Penny Pilot through December 31, 2012); 68519 (December 21, 2012), 78 FR 136 (January 2, 2013) (SR–NASDAQ–2012–143) (notice of filing and immediate effectiveness and extension and replacement of Penny Pilot through June 30, 2013); 69787 (June 18, 2013), 78 FR 37858 (June 24, 2013) (SR–NASDAQ–2013–082) and 71105 (December 17, 2013), 78 FR 77530 (December 23, 2013) (SR–NASDAQ–2013–154). *See also* NOM Rules, Chapter VI, Section 5.

[4] The term ''NOM Market Maker'' means a Participant that has registered as a Market Maker on NOM pursuant to Chapter VII, Section 2, and must also remain in good standing pursuant to Chapter VII, Section 4. In order to receive NOM Market Maker pricing in all securities, the Participant must be registered as a NOM Market Maker in at least one security.

[5] This would include options on Nasdaq-100 Index (''NDX''). Today, for transactions in NDX, the Exchange assesses a surcharge of $0.10 per contract will be added to the Fee for Adding Liquidity and the Fee for Removing Liquidity in Non-Penny Pilot Options, except for a Customer who will not be assessed a surcharge.

Customer and Professional Penny Pilot Option Rebates to Add Liquidity

The Exchange currently pays Customer and Professional Rebates to Add Liquidity based on an eight tier rebate structure as follows:

Monthly	Volume	Rebate to add liquidity
Tier 1	Participant adds Customer and/or Professional liquidity of up to 0.20% of total industry customer equity and ETF option average daily volume (''ADV'') contracts per day in a month.	$0.25
Tier 2	Participant adds Customer and/or Professional liquidity of 0.21% to 0.30% of total industry customer equity and ETF option ADV contracts per day in a month.	0.40
Tier 3	Participant adds Customer and/or Professional liquidity of 0.31% to 0.49% of total industry customer equity and ETF option ADV contracts per day in a month.	0.43
Tier 4	Participant adds Customer and/or Professional liquidity of 0.5% or more of total industry customer equity and ETF option ADV contracts per day in a month.	0.45
Tier 5	Participant adds (1) Customer and/or Professional liquidity of 25,000 or more contracts per day in a month, (2) the Participant has certified for the Investor Support Program set forth in Rule 7014, and (3) the Participant executed at least one order on NASDAQ's equity market.	0.42
Tier 6	Participant has Total Volume of 115,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity.	0.45
Tier 7	Participant has Total Volume of 150,000 or more contracts per day in a month, of which 50,000 or more contracts per day in a month must be Customer and/or Professional liquidity.	0.47
Tier 8	Participant (1) has Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity or (2) adds Customer and/or Professional liquidity of 1.00% or more of national customer volume in multiply-listed equity and ETF options classes in a month.	[sic]

For purposes of qualifying for a Customer and Professional Rebate to Add Liquidity tier, the Exchange determines the applicable percentage of total industry customer equity and ETF option average daily volume by including the Participant's Penny Pilot and Non-Penny Pilot Customer and/or Professional volume that adds liquidity. The Exchange is proposing to make certain amendments to the tiers as noted below.

The Exchange proposes to clarify the Tier 1 Customer and Professional Penny Pilot Options Rebates to Add Liquidity by adding rule text stating that Non-Penny Pilot Options as well as Penny Pilot Options which add liquidity would qualify a Participant for a Tier 1 rebate. This is not an amendment to the tier, but rather a clarification of the rule text. The Exchange would continue to pay a rebate of $0.25 per contract to Participants that add Customer and/or Professional liquidity in Penny Pilot Options and/or Non-Penny Pilot Options of up to 0.20% of total industry customer equity and ETF option average daily volume (''ADV'') contracts per day in a month.

The Exchange proposes to amend the Tier 2 Customer and Professional Penny Pilot Options Rebates to Add Liquidity to increase the current $0.40 per contract rebate to $0.42 per contract. The Exchange proposes to clarify the Tier 2 Customer and Professional Penny Pilot Options Rebate to Add Liquidity by adding rule text stating that Non-Penny Pilot Options as well as Penny Pilot Options which add liquidity would qualify a Participant for a Tier 2 rebate. This is not an amendment to the tier, but rather a clarification of the rule text. Finally, the Exchange proposes to amend the Tier 2 volume threshold by clarifying that the current threshold of 0.21% to 0.30% of total customer equity and ETF options ADV contracts per day in a month would be better worded as *above* 0.20% to 0.30%. The Exchange believes that the use of the word ''above'' brings greater clarity to the rule text. With this amendment, the Exchange would pay a $0.42 per contract rebate to Participants that add Customer and/or Professional liquidity in Penny Pilot Options and/or Non-Penny Pilot Options above 0.20% to 0.30% of total industry customer equity and ETF option ADV contracts per day in a month.

The Exchange proposes to clarify the Tier 3 Customer and Professional Penny Pilot Options Rebates to Add Liquidity by adding rule text stating that Non-Penny Pilot Options as well as Penny Pilot Options which add liquidity would qualify a Participant for a Tier 3 rebate. This is not an amendment to the tier, but rather a clarification of the rule text. Additionally, the Exchange proposes to amend the Tier 3 volume threshold by lowering the 0.31% to 0.49% of total industry customer equity to *above* 0.30% to 0.40% of total customer equity and ETF options ADV contracts per day in a month. The Exchange believes that the use of the word ''above'' brings greater clarity to the rule text. With this amendment, the Exchange would continue to pay a $0.43 per contract rebate to Participants that add Customer and/or Professional liquidity in Penny Pilot Options and/or Non-Penny Pilot Options above 0.30% to 0.40% of total industry customer equity and ETF option ADV contracts per day in a month.

The Exchange proposes to clarify the Tier 4 Customer and Professional Penny Pilot Options Rebates to Add Liquidity by adding rule text stating that Non-Penny Pilot Options as well as Penny Pilot Options which add liquidity would qualify a Participant for a Tier 4 rebate. This is not an amendment to the tier, but rather a clarification of the rule text. Additionally, the Exchange proposes to amend the Tier 4 volume threshold by lowering the current requirement of 0.5% or more of total industry customer equity and ETF options ADV contracts per day in a month to *above* 0.40%. The Exchange believes that the use of the word ''above'' brings greater clarity to the rule text. With this amendment, the Exchange would continue to pay a $0.45 per contract rebate to Participants that add Customer and/or Professional liquidity in Penny Pilot Options and/or Non-Penny Pilot Options above 0.40% or more of total industry customer equity and ETF option ADV contracts per day in a month.

The Exchange proposes to amend the Tier 5 Customer and Professional Penny Pilot Options Rebates to Add Liquidity to include Non-Penny Pilot Options as of January 2, 2014 as Customer and/or Professional liquidity that will count toward achieving the 25,000 or more

contracts per day in a month criteria in Tier 5. Today, the Exchange pays a $0.42 per contract rebate to Participants that add (1) Customer and/or Professional liquidity of 25,000 or more contracts per day in a month, (2) the Participant has certified for the Investor Support Program set forth in Rule 7014, and (3) the Participant executed at least one order on NASDAQ's equity market. The Exchange would permit Non-Penny Pilot Options in addition to Penny Pilot Options to count toward arriving at the 25,000 or more contracts per day in a month threshold for the first criteria of the three requisite criteria to qualify for the Tier 5 rebate. The Exchange proposes to add the words ''in Penny Pilot Options'' to the rule text simply to clarify that those types of contracts count toward the volume threshold today. This would not be a substantive change to the rule text. The Exchange also proposes to increase the rebate from $0.42 to $0.45 per contract to further incentivize Participants to add liquidity, certify for the Investor Support Program and execute orders on NASDAQ's equity market to qualify for this rebate.

The Exchange proposes to clarify that with respect to the Tier 6 Customer and Professional Penny Pilot Options Rebates to Add Liquidity that Penny Pilot Options qualify a participant with respect to this rebate tier. This is not an amendment to the Tier 6 rebate but rather the addition of rule text to clarify that, as is the case today, only Penny Pilot Options apply to this tier. Today, the Exchange pays a $0.45 per contract rebate to Participants that have a Total Volume [6] of 115,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity in Penny Pilot Options. The Exchange proposes to lower the Total Volume Threshold from 115,000 to 100,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity. The Exchange believes that lowering the Total Volume threshold will incentivize Participants to direct liquidity to the Exchange.

The Exchange proposes to clarify that with respect to the Tier 7 Customer and Professional Penny Pilot Options Rebates to Add Liquidity that Penny Pilot Options qualify a participant with respect to this rebate tier. This is not an amendment to the Tier 7 rebate but rather the addition of rule text to clarify that, as is the case today, only Penny Pilot Options apply to this tier. With this amendment, the Exchange would continue to pay a $0.47 per contract rebate to Participants that have a Total Volume of 150,000 or more contracts per day in a month, of which 50,000 or more contracts per day in a month must be Customer and/or Professional liquidity in Penny Pilot Options.

The Exchange proposes to amend the Tier 8 Customer and Professional Penny Pilot Options Rebates to Add Liquidity to eliminate one of the two criteria which today qualifies a Participant to receive the Tier 8 rebate. Today, a Participant that has Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity or (2) [sic] adds Customer and/or Professional liquidity of 1.00% or more of national customer volume in multiply-listed equity and ETF options classes in a month qualifies for the $0.48 per contract rebate. The Exchange will eliminate the Total Volume criteria as a means to qualify for the Tier 8 rebate so that a Participant will no longer qualify for the Tier 8 rebate by transacting Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity. In addition, the Exchange is amending the second criteria, which will be the only criteria with this proposal to qualify for a Tier 8 rebate, by lowering the Customer and/or Professional liquidity volume criteria from 1.00% to 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month. With this proposal, a Participant may qualify for the $0.48 per contract Tier 8 rebate by adding Customer and/or Professional liquidity of 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month. The Exchange believes that despite the fact that the first criteria is being eliminated and Participants will no longer be able to add a certain amount of Total Volume to qualify for the Tier 8 rebate, Participants will continue to be incentivized to add Customer and/or Professional liquidity because the Exchange is lowering the amount of Customer and/or Professional volume necessary to qualify for the Tier 8 rebate. Additionally, the Exchange seeks to clarify the types of transactions which qualify a Participant for this rebate tier. This is not an amendment to the Tier 8 rebate but rather the addition of rule text to clarify what types of transactions are applicable to qualify for the rebate. As noted in the rule text at Chapter XV, Section 2, with respect to the Customer and Professional Rebate to Add Liquidity in Penny Pilot Options, the applicable percentage of total industry customer equity and ETF option average daily volume includes the Participant's Penny Pilot and Non-Penny Pilot Customer and/or Professional volume that adds liquidity. The Exchange proposes to add rule text to clarify that with respect to this second prong, which will be the only prong, the Exchange proposes to state within the rule text that, as is the case today, the Exchange will pay a $0.48 per contract rebate to Participants that adds Customer and/or Professional liquidity in *Penny Pilot Options and/or Non-Penny Pilot Options* of 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month. The addition of this rule text to Tier 8 is not an amendment but rather a clarification of the rule text.

Penny Pilot Options Fees for Removing Liquidity

The Exchange proposes to increase the Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Removing Liquidity in Penny Pilot Options from $0.48 to $0.49 per contract. A Customer would continue to be assessed $0.45 per contract. The Exchange believes that despite these increases the Exchange remains competitive with respect to these fees. Additionally, the Exchange proposes to offer Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month the opportunity to lower the Penny Pilot Option Fee for Removing Liquidity from the proposed $0.49 to $0.48 per contract. The Exchange proposes to add the following language to the fee schedule, ''Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month will be assessed a Professional, Firm, Non-NOM Market Maker or Broker-Dealer Fee for Removing Liquidity in Penny Pilot Options of $0.48 per contract.'' The Exchange believes that this added incentive will attract liquidity to NOM.

Customer and NOM Market Maker Fees for Removing Liquidity in Non-Penny Pilot Options (including NDX) and NDX Surcharge

The Exchange proposes to increase the Customer Fee for Removing Liquidity in Non-Penny Pilot Options (including NDX) from $0.82 to $0.85 per contract. The Exchange also proposes to

[6] ''Total Volume'' is defined as Customer, Professional, Firm, Broker-Dealer, Non-NOM Market Maker and NOM Market Maker volume in Penny Pilot Options and/or Non-Penny Pilot Options which either adds or removes liquidity on NOM.

increase the NOM Market Maker Fee for Removing Liquidity from $0.86 to $0.89 per contract in Non-Penny Pilot Options. Today Professionals, Firms, Non-NOM Market Markets and Broker-Dealers pay an $0.89 per contract Fee for Removing Liquidity in Non-Penny Pilot Options. Despite the increase to the Customer and NOM Market Maker Fees for Removing Liquidity in Non-Penny Pilot Options the Exchange believes that the fees remain competitive.

The Exchange currently assesses fees and pay rebates on NDX as a Non-Penny Pilot Option. The Exchange currently assesses a surcharge to all market participants, except Customers, for transactions in NDX of $0.10 per contract. The surcharge is in addition to the Fees for Adding and Removing Liquidity in Non-Penny Pilot Options. The Exchange proposes to increase the NDX surcharge from $0.10 to $15 [sic] per contract.

Customer Rebate To Add Liquidity in Non-Penny Pilot Options

The Exchange currently pays a Customer an $0.81 per contract Non-Penny Pilot Options Rebate to Add Liquidity. Further the Exchange currently offers Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month an additional $0.01 per contract Non-Penny Pilot Options Customer Rebate to Add Liquidity for each transaction which adds liquidity in Non-Penny Pilot Options in that month (''$0.01 Incentive''). The Exchange is proposing to increase the current Customer Rebate to Add Liquidity in Non-Penny Pilot Options from $0.81 to $0.84 per contract and eliminate the offer of the $0.01 Incentive. The Exchange believes that the increased Customer rebate will attract greater Customer liquidity to the Exchange to the benefit of all market participants.

SOX, HGX and OSX

The Exchange currently assesses Customers a Fee for Adding Liquidity and a Fee for Removing Liquidity in SOX, HGX and OSX of $0.35 per contract. The Exchange proposes to increase the Customer Fees for Adding and Removing Liquidity in SOX, HGX and OSX to $0.40 per contract. The Exchange assesses NOM Market Makers a Fee for Adding Liquidity and a Fee for Removing Liquidity in SOX, HGX and OSX of $0.40 per contract. These fees will remain unchanged. The Exchange assesses Professionals, Firms, Non-NOM Market Makers and Broker-Dealers a Fee for Adding and a Fee for Removing Liquidity in SOX, HGX and OSX of $0.60 per contract. The Exchange is proposing to increase the Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Adding and Removing Liquidity in SOX, HGX and OSX to $0.89 per contract. The Exchange believes that the proposed increased fees remain competitive with other options fees at other exchanges.

2. Statutory Basis

NASDAQ believes that its proposal to amend its Pricing Schedule is consistent with Section 6(b) of the Act [7] in general, and furthers the objectives of Section 6(b)(4) and (b)(5) of the Act [8] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which NASDAQ operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Customer and Professional Penny Pilot Option Rebates To Add Liquidity

The Exchange's proposal to clarify the rule text of the Customer and Professional Rebates to Add Liquidity tiers by adding the phrase ''in Penny Pilot Options and/or Non-Penny Pilot Options'' is reasonable because the Exchange currently determines the applicable percentage of total industry customer equity and ETF option average daily volume by including the Participant's Penny Pilot and Non-Penny Pilot Customer and/or Professional volume that adds liquidity. The Exchange believes that adding this language in Tiers 1, 2, 3, 4 and 8 of the Customer and Professional Penny Pilot Options Rebate to Add Liquidity tiers will clarify the rule text. Similarly, the Exchange's proposal to add the phrase ''in Penny Pilot Options'' in Tiers 5, 6 and 7 is reasonable because this language will also clarify the rule text and make clear which types of transactions qualify a Participant for a rebate. These amendments to the rule text are not substantive but rather serve to add specific terms which apply today.

The Exchange's proposal to clarify the rule text of the Customer and Professional Rebates to Add Liquidity tiers by adding the phrase ''in Penny Pilot Options and/or Non-Penny Pilot Options'' in Tiers 1, 2, 3, 4 and 8 is equitable and not unfairly discriminatory because the Exchange will pay rebates to all Participants that transact the qualifying volume in a uniform manner. Similarly, the Exchange's proposal to add the phrase ''in Penny Pilot Options'' in Tiers 5, 6 and 7 is equitable and not unfairly discriminatory because the Exchange will pay rebates to all Participants that transact the qualifying volume in a uniform manner.

The Exchange's proposal to increase the Tier 2 Customer and Professional Penny Pilot Options Rebate to Add Liquidity from $0.40 to $0.42 per contract is reasonable because the increased rebate will incentivize market participants to transact an even greater number of qualifying Customer and/or Professional volume.

The Exchange's proposal to increase the Tier 2 Customer and Professional Penny Pilot Options Rebate to Add Liquidity from $0.40 to $0.42 per contract is equitable and not unfairly discriminatory because all eligible Participants that qualify for the Tier 2 Customer and Professional Penny Pilot Options Rebate to Add Liquidity will be uniformly paid the rebate.

The Exchange's proposal to clarify the verbiage of the Tier 2 volume threshold by amending 0.21% to 0.30% of total customer equity and ETF options ADV contracts per day in a month to *above* 0.20% to 0.30% is reasonable because the new verbiage clarifies the volume to qualify for the Tier 2 rebate. The Exchange's proposal to amend the Tier 2 volume threshold by amending 0.21% to 0.30% of total customer equity and ETF options ADV contracts per day in a month to *above* 0.20% to 0.30% is equitable and not unfairly discriminatory because all eligible Participants that qualify for the Tier 2 Customer and Professional Penny Pilot Options Rebate to Add Liquidity will continue to be uniformly paid the rebate as they are today.

The Exchange's proposal to amend the Tier 3 volume threshold by lowering the 0.31% to 0.49% of total industry customer equity to above 0.30% to 0.40% of total customer equity and ETF options ADV contracts per day in a month is reasonable because the Exchange is lowering the tier which should permit those Participants that qualify for this rebate today to continue to qualify for this rebate and allow additional Participants to qualify for the Tier 4 rebate. The Exchange's proposal to amend the Tier 3 volume threshold by lowering the 0.31% to 0.49% of total industry customer equity to above 0.30% to 0.40% of total customer equity and ETF options ADV contracts per day in a month is equitable and not unfairly discriminatory because all eligible Participants that qualify for the Tier 3 Customer and Professional Penny Pilot

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(4), (5).

Options Rebate to Add Liquidity will be uniformly paid the rebate.

The Exchange's proposal to amend the Tier 4 volume threshold by lowering the current requirement of 0.5% or more of total industry customer equity and ETF options ADV contracts per day in a month to *above* 0.40% is reasonable because the Exchange is lowering the tier which may permit additional Participants to qualify for the Tier 4 rebate. Participants that currently qualify for the rebate should continue to qualify. The Exchange's proposal to amend the Tier 4 volume threshold by lowering the current requirement of 0.5% or more of total industry customer equity and ETF options ADV contracts per day in a month to *above* 0.40% is equitable and not unfairly discriminatory because all eligible Participants that qualify for the Tier 4 Customer and Professional Penny Pilot Options Rebate to Add Liquidity will be uniformly paid the rebate.

The Exchange believes that the use of the word ''above'' in the amended rebate tiers is reasonable, equitable and not unfairly discriminatory because it adds greater clarity to the rule text.

The Exchange's proposal to amend Tier 5 to include Non-Penny Pilot Options as of January 2, 2014 as Customer and/or Professional liquidity that will count toward achieving the 25,000 or more contracts per day in a month criteria in Tier 5 is reasonable because the Exchange believes that by adding Non-Penny Pilot Options volume additional Participants may qualify for a Tier 5 rebate. Today, only Penny Pilot Options count toward arriving at the 25,000 or more contracts per day in month threshold for the first of three criteria [9] toward qualifying for the Tier 5 rebate.[10] The Exchange's proposal to increase the rebate from $0.42 to $0.45 per contract is reasonable because offering a greater rebate will further incentivize Participants to add liquidity, certify for the Investor Support Program [11] and execute orders on NASDAQ's equity market to qualify for this rebate. The Exchange's proposal to amend the Tier 5 to include Non-Penny Pilot Options toward achieving the 25,000 or more contracts per day in a month criteria in Tier 5 is equitable and not unfairly discriminatory because all Participants that add either Penny Pilot or Non-Penny Pilot volume will be able to qualify for the rebate. Additionally, the Exchange's proposal to increase the rebate from $0.42 to $0.45 per contract is equitable and not unfairly discriminatory because all eligible Participants that qualify for the Tier 5 Customer and Professional Penny Pilot Options Rebate to Add Liquidity will be uniformly paid the increased rebate.

The Exchange's proposal to lower the Total Volume Threshold in Tier 6 from 115,000 to 100,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity is reasonable because the Exchange believes that by lowering the volume threshold, additional Participants may qualify for a Tier 6 rebate.[12] The Exchange's proposal to lower the Total Volume Threshold in Tier 6 from 115,000 to 100,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity is equitable and not unfairly discriminatory because all Participants that transact 100,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity will be eligible for the Tier 6 rebate. The Exchange will apply the rebate in a uniform manner.

The Exchange's proposal to amend the Tier 8 Customer and Professional Penny Pilot Options Rebate to Add Liquidity to eliminate one of the two criteria [13] which today qualifies a Participant to receive the Tier 8 rebate is reasonable because the Exchange believes that the remaining criteria will encourage Participants to add more Customer and Professional liquidity versus Total Volume [14] and Participants benefit from Customer and Professional liquidity.[15] Customer volume is important because it continues to attract liquidity to the Exchange, which benefits all market participants. Further, with respect to Professional liquidity, the Exchange initially established Professional pricing in order to ''. . . bring additional revenue to the Exchange.'' [16] The Exchange noted in the Professional Filing that it believes ''. . . that the increased revenue from the proposal would assist the Exchange to recoup fixed costs.'' [17] Further, the Exchange noted in that filing that it believes that establishing separate pricing for a Professional, which ranges between that of a Customer and market maker, accomplishes this objective.[18] In addition, the Exchange's proposal amends the second criteria, which would be the only criteria with this proposal to qualify for a Tier 8 rebate, by lowering the Customer and/or Professional liquidity volume criteria from 1.00% to 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month.[19] The Exchange believes that lowering this volume threshold from 1.00% to 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month is reasonable because it will permit additional Participants to qualify for the Tier 8 rebate. The Exchange's

[9] As noted above, the Exchange is adding the words ''in Penny Pilot Options'' to clarify that today Penny Pilot Options to reflect that today only those types of transactions count toward arriving at the 25,000 or more threshold.

[10] With respect to Tier 5, the Exchange pays a $0.42 per contract rebate to Participants that add (1) Customer and/or Professional liquidity of 25,000 or more contracts per day in a month, (2) the Participant has certified for the Investor Support Program set forth in Rule 7014, and (3) the Participant executed at least one order on NASDAQ's equity market.

[11] The Investor Support Program is set forth in NASDAQ Rule 7014.

[12] Today, the Exchange pays a $0.45 per contract rebate to Participants that have a Total Volume of 115,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity in Penny Pilot Options. Total Volume is defined as Customer, Professional, Firm, Broker-Dealer, Non-NOM Market Maker and NOM Market Maker volume in Penny Pilot Options and/or Non-Penny Pilot Options which either adds or removes liquidity on NOM.

[13] A Participant will no longer qualify for the Tier 8 rebate by transacting Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity.

[14] Total Volume is defined as Customer, Professional, Firm, Broker-Dealer, Non-NOM Market Maker and NOM Market Maker volume in Penny Pilot Options and/or Non-Penny Pilot Options which either adds or removes liquidity on NOM.

[15] Today, a Participant that has Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity or (2) [sic] adds Customer and/or Professional liquidity of 1.00% or more of national customer volume in multiply-listed equity and ETF options classes in a month qualifies for the $0.48 per contract rebate.

[16] *See* Securities Exchange Act Release No. 64494 (May 13, 2011), 76 FR 29014 (May 19, 2011) (SR–NASDAQ–2011–066) (''Professional Filing''). In this filing, the Exchange addressed the perceived favorable pricing of Professionals who were assessed fees and paid rebates like a Customer prior to the filing. The Exchange noted in that filing that a Professional, unlike a retail Customer, has access to sophisticated trading systems that contain functionality not available to retail Customers.

[17] *See* Securities Exchange Act Release No. 64494 (May 13, 2011), 76 FR 29014 (May 19, 2011) (SR–NASDAQ–2011–066).

[18] *See* Securities Exchange Act Release No. 64494 (May 13, 2011), 76 FR 29014 (May 19, 2011) (SR–NASDAQ–2011–066) The Exchange also in the Professional Filing that it believes the role of the retail Customer in the marketplace is distinct from that of the Professional and the Exchange's fee proposal at that time accounted for this distinction by pricing each market participant according to their roles and obligations.

[19] With this proposal, a Participant may qualify for the $0.48 per contract Tier 8 rebate by adding Customer and/or Professional liquidity of 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month.

proposal to amend the Tier 8 Customer and Professional Penny Pilot Options Rebate to Add Liquidity to eliminate one of the two criteria [20] which today qualifies a Participant to receive the Tier 8 rebate is equitable and not unfairly discriminatory because the Exchange will apply the criteria in a uniform manner. The Exchange believes that lowering this volume threshold from 1.00% to 0.75% or more of national customer volume in multiply-listed equity and ETF options classes in a month is equitable and not unfairly discriminatory because the amended remaining criteria will be applied to all Participants in a uniform manner.

Penny Pilot Options Fees for Removing Liquidity

The Exchange's proposal to increase the Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Removing Liquidity in Penny Pilot Options from $0.48 to $0.49 per contract is reasonable because the Exchange is seeking to increase certain Penny Pilot Options Rebates to Add Liquidity to attract additional order flow to NOM. The Exchange's ability to offer increased Customer and Professional Penny Pilot Options rebates is possible with a corresponding increase to the Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Removing Liquidity in Penny Pilot Options. The Exchange believes that this fees remain within the range of fees assessed by other options exchanges.[21]

The Exchange's proposal to increase the Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Removing Liquidity in Penny Pilot Options from $0.48 to $0.49 per contract is equitable and not unfairly discriminatory because the Exchange is uniformly increased non-Customer Fees for Removing Liquidity in Penny Pilot Options. Customers will continue to be assessed the lowest Fees for Removing Liquidity in Penny Pilot Options. In this case, a Customer would continue to be assessed $0.45 per contract. Customer liquidity is unique because the liquidity it attracts benefits all market participants. Customer liquidity benefits all market participants by providing more trading opportunities, which attract Specialists and Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

The Exchange's proposal to offer non-Customer Participants the ability to lower the Fees for Removing Liquidity in Penny Pilot Options from $0.49 to $0.48 per contract by qualifying for Customer or Professional Rebate To Add Liquidity Tiers 7 or 8 in a given month [22] is reasonable because the Exchange is seeking to offer these non-Customer Participants to lower the increased Fees for Removing Liquidity in Penny Pilot Options by adding liquidity to the Exchange.[23]

The Exchange's proposal to offer non-Customer Participants the ability to lower the Fees for Removing Liquidity in Penny Pilot Options from $0.49 to $0.48 per contract by qualifying for Customer or Professional Rebate To Add Liquidity Tiers 7 or 8 in a given month [24] is equitable and not unfairly discriminatory because all non-Customer Participants would be provided the opportunity to lower Fees for Removing Liquidity in Penny Pilot Options. Customers are assessed a lower Fee for Removing Liquidity in Penny Pilot Options, $0.45 per contract, and therefore the Exchange believes that offering all Participants that incur a higher Fee for Removing Liquidity in Penny Pilot Options, $0.89 per contract, is equitable and not unfairly discriminatory.

Customer and NOM Market Maker Fees for Removing Liquidity in Non-Penny Pilot Options (including NDX) and NDX Surcharge

The Exchange's proposal to increase the Customer Fee for Removing Liquidity from $0.82 to $0.85 per contract in Non-Penny Pilot Options is reasonable because the Exchange is seeking to increase certain Penny Pilot Options Rebates to Add Liquidity to attract additional order flow to NOM. The Exchange is permitting both Penny Pilot and Non-Penny Pilot Options to count toward qualifying for various Customer and Professional Penny Pilot Options Rebates to Add Liquidity. Today, Customers are assessed the lowest Fee for Removing Liquidity in Non-Penny Pilot Options of $0.82 per contract. Other market participants, Professionals, Firms, Non-NOM Market Makers, NOM Market Makers (as proposed herein) and Broker-Dealers, are assessed $0.89 per contract. Customers would continue to be assessed the lowest fees.

The Exchange's proposal to increase the Customer Fee for Removing Liquidity from $0.82 to $0.85 per contract in Non-Penny Pilot Options is equitable and not unfairly discriminatory because the Exchange would continue to assess Customers the lowest Fee for Removing Liquidity in Non-Penny Pilot Options because Customer liquidity brings unique benefits to the market. Customer liquidity benefits all market participants by providing more trading opportunities, which attract Specialists and Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

The Exchange's proposal to increase the NOM Market Maker Fee for Removing Liquidity from $0.86 to $0.89 per contract in Non-Penny Pilot Options is reasonable because the Exchange is seeking to increase certain Penny Pilot Options Rebates to Add Liquidity to attract additional order flow to NOM. The Exchange is permitting both Penny Pilot and Non-Penny Pilot Options to count toward qualifying for various Customer and Professional Penny Pilot Options Rebates to Add Liquidity.

The Exchange's proposal to increase the NOM Market Maker Fee for Removing Liquidity from $0.86 to $0.89 per contract in Non-Penny Pilot Options is equitable and not unfairly discriminatory because the Exchange would uniformly assess all non-Customers a Non-Penny Pilot Options Fee for Removing Liquidity of $0.89 per contract. Customers would be assessed the lowest Non-Penny Pilot Options Fee for Removing Liquidity of $0.85 per contract with this proposal. Customer order flow is unique because it attracts liquidity which in turn benefits all market participants.

The Exchange's proposal to increase the NDX surcharge applicable to all market participants, except Customers, is reasonable because the Exchange

[20] A Participant will no longer qualify for the Tier 8 rebate by transacting Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity.

[21] BATS Exchange, Inc., Topaz Exchange, LLC or ''Gemini'' and NYSE Arca, Inc. has comparable fees.

[22] The Exchange proposes to add the following language to the fee schedule, ''Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month will be assessed a Professional, Firm, Non-NOM Market Maker or Broker-Dealer Fee for Removing Liquidity in Penny Pilot Options of $0.48 per contract.''

[23] For purposes of Tier 7, Participants may add Customer, Professional, Firm, Broker-Dealer, Non-NOM Market Maker and NOM Market Maker volume in Penny Pilot Options and/or Non-Penny Pilot Options and for purposes of Tier 8, Participants may add Customer or Professional liquidity in Penny Pilot or Non-Penny Pilot Options.

[24] The Exchange proposes to add the following language to the fee schedule, ''Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month will be assessed a Professional, Firm, Non-NOM Market Maker or Broker-Dealer Fee for Removing Liquidity in Penny Pilot Options of $0.48 per contract.''

currently pays a license fee [25] to list NDX on NOM and is seeking to recoup a larger portion of that fee.[26]

The Exchange's proposal to increase the NDX surcharge applicable to all market participants, except Customers, is equitable and not unfairly discriminatory because all market participants, except Customers, will uniformly be assessed the NDX surcharge in addition to the Non-Penny Pilot Options Fees for Adding and Removing Liquidity. Customers are typically not assessed surcharge fees related to licenses. The Exchange has not assessed such fees to Customers because Customer liquidity brings unique benefits to the market in terms of liquidity which in turn benefits other market participants.

Customer Rebate To Add Liquidity in Non-Penny Pilot Options

The Exchange's proposal to increase the Customer Non-Penny Pilot Options Rebate to Add Liquidity from $0.81 to $0.84 per contract and eliminate the offer of the $0.01 Incentive [27] is reasonable because the Exchange believes that offering Customers the opportunity to earn the higher rebate will attract more liquidity to the Exchange. Further, even assuming Customers received the $0.01 Incentive, the increased rebate would be higher going forward and thereby providing a greater incentive to these Participants.

The Exchange's proposal to increase the Customer Non-Penny Pilot Options Rebate to Add Liquidity from $0.81 to $0.84 per contract and eliminate the offer of the $0.01 Incentive [28] is equitable and not unfairly discriminatory because the Exchange will offer all Customers the opportunity to receive the higher rebate. Customers are the only market participants eligible to receive a Rebate to Add Liquidity in Non-Penny Pilot Options. The Exchange believes that offering this rebate only to Customers is equitable and not unfairly discriminatory because unlike other market participants, Customer liquidity brings unique benefits to the market in terms of liquidity which in turn benefits other market participants.

SOX, HGX and OSX

The Exchange's proposal to increase the Customer Fees for Adding and Removing Liquidity in SOX, HGX and OSX from $0.35 to $0.40 per contract is reasonable because although the fee is being increased, Customers will continue to be assessed lower fees as compared to other market participants, except NOM Market Makers, which should continue to incentivize Customers to transact options in SOX, HGX and OSX. The Exchange's proposal to increase Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Adding and Removing Liquidity in SOX, HGX and OSX from $0.60 to $0.89 per contract is reasonable because the Exchange will assess these market participants, other than Customers and NOM Market Makers, fees similar to those assessed for Non-Penny Pilot Fees for Removing Liquidity. The Exchange believes that the proposed increased fees remain competitive with other options fees at other exchanges.

The Exchange's proposal to increase the Customer Fees for Adding and Removing Liquidity in SOX, HGX and OSX from $0.35 to $0.40 per contract is equitable and not unfairly discriminatory because Customers and NOM Market Makers each bring benefits to the market. The Exchange believes that Customer order flow brings unique benefits to the market which benefits all market participants through increased liquidity. NOM Market Makers have obligations to the market and regulatory requirements,[29] which normally do not apply to other market participants. A NOM Market Maker has the obligation to make continuous markets, engage in a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and not make bids or offers or enter into transactions that are inconsistent with a course of dealings. The proposed differentiation as between Customers and NOM Market Makers and other market participants recognizes the differing contributions made to the liquidity and trading environment on the Exchange by Customers and NOM Market Makers, as well as the differing mix of orders entered.

The Exchange's proposal to increase Professional, Firm, Non-NOM Market Maker and Broker-Dealer Fees for Adding and Removing Liquidity in SOX, HGX and OSX from $0.60 to $0.89 per contract is equitable and not unfairly discriminatory because the Exchange is proposing to uniformly assess all market participants, other than Customers and NOM Market Makers, uniform Fees for Adding and Removing Liquidity in SOX, HGX and OSX.

B. Self-Regulatory Organization's Statement on Burden on Competition

NASDAQ 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. The Exchange believes that increasing the Tier 2 Customer and Professional Rebates to Add Liquidity in Penny Pilot Options will incentivize market participants to send additional Customer and/or Professional order flow to the Exchange. The Exchange also believes that lowering certain volume thresholds in Tiers 3, 4, 6 and 8 will also incentivize market participants to send additional Customer and/or Professional order flow to the Exchange. The Exchange's increase of the Tiers 2 and 5 rebates should also attract additional order flow to the Exchange and in turn promote competition. Finally, the Exchange's elimination of certain criteria to the Tier 8 rebate should encourage additional Customer and/or Professional order flow to the Exchange. Customer liquidity offers unique benefits to the market which benefits all market participants. Customer liquidity benefits all market participants by providing more trading opportunities, which attract Specialists and Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants. The Exchange believes that encouraging Participants to add Professional liquidity creates competition among options exchanges because the Exchange believes that the rebates may cause market participants to select NOM as a venue to send Professional order flow. The Exchange is offering to pay increased rebates in exchange for additional Professional order flow being executed at the

[25] NOM is assessed a license fee of $0.22 per contract to list NDX.

[26] Non-Penny Pilot Options, other than NDX, are not subject to a license fee.

[27] The Exchange currently offers Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month an additional $0.01 per contract Non-Penny Pilot Options Customer Rebate to Add Liquidity for each transaction which adds liquidity in Non-Penny Pilot Options in that month.

[28] The Exchange currently offers Participants that qualify for Customer or Professional Rebate to Add Liquidity Tiers 7 or 8 in a given month an additional $0.01 per contract Non-Penny Pilot Options Customer Rebate to Add Liquidity for each transaction which adds liquidity in Non-Penny Pilot Options in that month.

[29] Pursuant to Chapter VII (Market Participants), Section 5 (Obligations of Market Makers), in registering as a market maker, an Options Participant commits himself to various obligations. Transactions of a Market Maker in its market making capacity must constitute a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and Market Makers should not make bids or offers or enter into transactions that are inconsistent with such course of dealings. Further, all Market Makers are designated as specialists on NOM for all purposes under the Act or rules thereunder. *See* Chapter VII, Section 5.

Exchange, which additional order flow should benefit other market participants.

The Exchange believes that the increases to the non-Customer Penny Pilot Options Fees for Removing Liquidity do not create an undue burden on competition as the Exchange will uniformly assess non-Customers the same Fees for Removing Liquidity in Penny Pilot Options and offer these Participants the opportunity to reduce these fees by adding liquidity to the Exchange and qualifying for certain Customer and/or Professional rebates.

The increases to the Customer and NOM Market Maker Non-Penny Pilot Fees for Removing Liquidity should not create an undue burden on competition. Non-Customer Participants will be assessed a uniform fee and Customers will continue to earn a lower fee because Customer liquidity offers unique benefits to the market which benefits all market participants. Also, the increased NDX surcharge applicable to all non-Customer market participants will be applied in a uniform manner. Customers will continue to not pay the surcharge.

The increase to the Customer Rebate to Add Liquidity in Non-Penny Pilot Options and elimination of the $0.01 Incentive does not create an undue burden on competition because market participants will be offered a higher Customer rebate with the increase as compared to the $0.81 per contract rebate plus the $0.01 Incentive.

Finally, the Exchange's proposal to increase the Fees for Adding and Removing Liquidity in SOX, HGX and OSX for all market participants, except NOM Market Makers, does not create an undue burden on competition. The Exchange is assessing the lowest fees to Customers and NOM Market Makers because Customer order flow brings unique benefits to the market which benefits all market participants through increased liquidity and NOM Market Makers have obligations to the market and regulatory requirements,[30] which normally do not apply to other market participants. The proposed amendments do not misalign the current rebate structure because Customers and NOM Market Makers will continue to be assessed lower fees as compared to Professionals, Firms, Non-NOM Market Makers and Broker-Dealers who will be assessed a uniform fee.

The Exchange operates in a highly competitive market comprised of twelve U.S. options exchanges in which many sophisticated and knowledgeable market participants can readily and do send order flow to competing exchanges if they deem fee levels or rebate incentives at a particular exchange to be excessive or inadequate. These market forces support the Exchange belief that the proposed rebate structure and tiers proposed herein are competitive with rebates and tiers in place on other exchanges. The Exchange believes that this competitive marketplace continues to impact the rebates present on the Exchange today and substantially influences the proposals set forth above.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[31] 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–2014–002 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.

All submissions should refer to File Number SR–NASDAQ–2014–002. 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 NASDAQ. 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–2014–002 and should be submitted on or before February 11, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–01031 Filed 1–17–14; 8:45 am]

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[30] Pursuant to Chapter VII (Market Participants), Section 5 (Obligations of Market Makers), in registering as a market maker, an Options Participant commits himself to various obligations. Transactions of a Market Maker in its market making capacity must constitute a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and Market Makers should not make bids or offers or enter into transactions that are inconsistent with such course of dealings. Further, all Market Makers are designated as specialists on NOM for all purposes under the Act or rules thereunder. *See* Chapter VII, Section 5.

[31] 15 U.S.C. 78s(b)(3)(A)(ii).

[32] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71297; File No. SR–ISE–2014–02]

Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Establish a Billing Dispute Practice

January 14, 2014.

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 January 8, 2014, the International Securities Exchange, LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II 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

The ISE proposes to amend its Schedule of Fees to establish a billing practice with respect to billing disputes. The text of the proposed rule change is available on the Exchange's Web site (*http://www.ise.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 self-regulatory organization 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 self-regulatory organization 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 its Schedule of Fees to establish a billing practice to prevent members from contesting their bills long after they have been sent an invoice. In accordance with the proposed rule change, members must submit all disputes no later than ninety calendar days after receipt of an Exchange invoice. After ninety calendar days, all fees assessed by the Exchange will be considered final. The Exchange provides members with both daily and monthly fee reports and thus believes members should be aware of any potential billing errors within ninety calendar days of receiving an invoice. Requiring that members dispute an invoice within this time period will encourage them to promptly review their invoices so that any disputed charges can be addressed in a timely manner while the information and data underlying those charges (*e.g.,* applicable fees and order information) is still easily and readily available. This practice will avoid issues that may arise when members do not dispute an invoice in a timely manner, and will conserve Exchange resources that would have to be expended to resolve untimely billing disputes. The Exchange notes that this type of provision is common among many other exchanges, which require that members dispute invoices within as few as sixty days.[3] In addition, the Exchange proposes to state that all billing disputes must be submitted to the Exchange in writing,[4] and must be accompanied by supporting documentation. The Exchange believes that this requirement, which is also similar to requirements of other exchanges,[5] will further streamline the billing dispute process.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Securities Exchange Act of 1934 (the ''Act''),[6] in general, and with Section 6(b)(5) of the Act,[7] in particular, in that it is designed to promote just and equitable principles of trade, 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. The Exchange believes the requirement that all billing disputes must be submitted in writing, and with supporting documentation, within ninety calendar days from receipt of the invoice is reasonable in the public interest because the Exchange provides ample tools to properly and swiftly monitor and account for various charges incurred in a given month. Moreover, the proposed billing dispute language, which will lower the Exchange's administrative burden, is substantially similar to billing dispute language adopted by other exchanges.[8]

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[9] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As stated above, the proposed rule change, which applies equally to all members, is intended to reduce the Exchange's administrative burden, and is substantially similar to rules adopted by other options exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[10] and Rule 19b–4(f)(6) thereunder.[11] Because the 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 from the date on which it was filed, or such shorter time as the Commission may designate, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6) thereunder.[12]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See, e.g.,* Securities Exchange Act Release No. 62661 (August 6, 2010), 75 FR 49544 (August 13, 2010) (SR–Phlx–2010–110).

[4] The Exchange invoice specifies contact information for billing inquiries.

[5] *See supra* note 3.

[6] 15 U.S.C. 78f.

[7] 15 U.S.C. 78f(b)(5).

[8] *See* supra note 3.

[9] 15 U.S.C. 78f(b)(8).

[10] 15 U.S.C. 78s(b)(3)(A)(iii).

[11] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change, along with a brief description and text of 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.

[12] 17 CFR 240.19b–4(f)(6)(iii).

A proposed rule change filed under Rule 19b–4(f)(6) [13] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[14] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest.

The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative upon filing. The Exchange states that waiver of the operative delay is consistent with the protection of investors and the public interest because it will permit the Exchange to establish an administrative billing practice consistent with current billing practices employed by other options exchanges. The Exchange also notes that the regular 30-day operative period is not necessary as, under the terms of the proposed rule change, members will have ninety calendar days from the receipt of their next invoice to dispute their bills. Based on the Exchange representations above, the Commission waives the 30-day operative delay requirement and designates the proposed rule change as operative upon filing.[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: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [16] of the Act 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–ISE–2014–02 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–ISE–2014–02. 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–ISE–2014–02 and should be submitted on or before February 11, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00986 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

[13] 17 CFR 240.19b–4(f)(6).

[14] 17 CFR 240.19b–4(f)(6)(iii).

[15] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[16] 15 U.S.C. 78s(b)(2)(B).

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71295; File No. SR–CBOE–2013–129]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fees Schedule

January 14, 2014.

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 December 31, 2013, Chicago Board Options Exchange, Incorporated (the ''Exchange'' or ''CBOE'') 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 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 the Substance of the Proposed Rule Change

The Exchange proposes to amend its Fees Schedule. The text of the proposed rule change is available on the Exchange's Web site (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, 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 proposes to make a number of changes to its Fees Schedule,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

all to be effective January 1, 2014. First, the Exchange proposes to increase the fee for electronic Clearing Trading Permit Holder Proprietary executions in equity, ETF, ETN, and index options classes (except SPX, SPXW, SPXpm, SRO, OEX, XEO, VIX and VOLATILITY INDEXES (the ''Special Classes'')) from $0.25 per contract to $0.35 per contract.[3] The reason for the proposed increase is to cover the increasing costs associated with electronic executions (including the upkeep and institution of new systems) as well as to better align with market rates for Clearing Permit Holder Proprietary executions (CBOE fees will still be lower than comparable fees offered by some other exchanges).[4]

Next, the Exchange proposes to amend the statement in Footnote 11 of its Fees Schedule that reads ''For facilitation orders (other than SPX, SPXpm, SRO, VIX or other volatility indexes, OEX or XEO) (''facilitation orders'' for this purpose to be defined as any paired order in which a Clearing Trading Permit Holder (F) origin code is contra to any other origin code, provided the same executing broker and clearing firm are on both sides of the order) executed electronically (including in AIM), open outcry, or as a QCC or FLEX transaction, CBOE will assess no Clearing Trading Permit Holder Proprietary transaction fees'' to add orders of a Non-Trading Permit Holder Affiliate (''L'' origin code) into this definition of ''facilitation orders''.[5] This would mean that such ''L'' orders would be assessed no fees for facilitation orders (except as otherwise stated). The purpose for this proposed change is to attract and encourage the Non-Trading Permit Holder Affiliates of Clearing Trading Permit Holders. Permitting them free facilitations encourages them to concentrate more business on CBOE while putting the Exchange on a similar competitive position as other exchanges, including those that offer free Broker-Dealer facilitations that are contra to a Customer.[6]

The Exchange also proposes to assess no fee on Clearing Trading Permit Holder Proprietary facilitation transactions in Mini options. As Mini options are merely 1/10 the size of regular options contracts, and such transactions in regular options contracts are assessed no fee, it makes sense to also assess no fee for these transactions in Mini options.

The Exchange proposes to make some reorganization of its Specified Proprietary Index Options Rate Table—SPX, SPXW, SPXpm, SRO, OEX, XEO, VIX and VOLATILITY INDEXES (the ''Proprietary Options Rate Table''). First, the Exchange proposes to re-order alphabetically the Customer fees for the different products listed in the table. This means that OEX and XEO fees will be at the top, followed by OEX Weeklys and XEO Weeklys, then SPX (incl SPXW), then SPXpm, then VIX (and VOLATILITY INDEXES, as the Exchange will also propose herein to assess the same Customer fees for VOLATIILITY INDEXES as are assessed to VIX options transactions). The amounts of these fees will not change (unless otherwise described herein). The second step in the re-organization of this table is to separate fees based on the option's premium price. The amounts of such fees will not change (unless otherwise described herein). The purpose of these proposed changes is to make the Proprietary Options Rate Table easier for market participants to read and ascertain which fees apply.

The Exchange also proposes to amend Customer fees for VIX options transactions. Currently, when the premium is greater than or equal to $1, the fee is $0.45 per contract, and when the premium is less than $1, the fee is $0.25 per contract. The Exchange proposes to amend VIX options Customer fees such that when the premium is (a) $1.00 or greater, the fee will be $0.48 per contract, (b) $0.11–$0.99, the fee will be $0.27, and (c) $0.00–$0.10, the fee will be $0.10. The purpose of these proposed changes is to provide greater incentives for Customers to trade VIX options. By providing for more granular fee tiers based on the premium, the Exchange can more closely assess fees commensurate with the premiums for such options. The Exchange is attempting to reduce costs on low-priced VIX options to encourage Customers to close and roll over positions close to expiration at low premium levels. Currently, such Customers are less likely to do this because the transaction fee is closer to the premium level. The Exchange believes that the lowered fees for VIX options trading with a premium of $0.00–$0.10 will encourage the trading of such options. The slight increases of the fees for Customer transactions in VIX options whose premium is greater than or equal to $1.00 as well as those whose premium is $0.11–$0.99 are being utilized in order to achieve some level of revenue balance in connection with the lowered fee for customer transactions in VIX options whose premium is $0.00–$0.10.

The Exchange proposes to amend the Customer fees for all other VOLATILITY INDEXES so that such fees are the same as VIX options fees. VIX is itself a Volatility Index, so it makes sense to assess the same Customer fees to all other VOLATILITY INDEXES as are assessed to the Exchange's most heavily-traded Volatility Index (VIX). The VIX and VOLATILITY INDEXES fees that apply to each other market participant are already the same. CBOE seeks to have a unified strategy for its volatility complex, and since most CBOE volatility products have an underlying value that is generally in the same range, the fees structure that has been designed for VIX options also makes sense for applicability for all other VOLATILITY INDEXES.

The Exchange also proposes to separate out the fees for VIX and VOLATILITY INDEXES for CBOE Market-Makers/DPMs/E–DPMs/LMMs (''Market-Makers'') from those assessed to SPX, SPXW, SPXpm, OEX and XEO. Currently, Market-Maker transactions in all those products are assessed a fee of $0.20 per contract. The Exchange proposes to assess a fee for Market-Maker transactions in VIX and VOLATILITY INDEXES of $0.05 per contract when the premium is $0.00–$0.10 and $0.23 per contract when the premium is $0.11 or greater. The Exchange believes that the lowered fees for VIX and VOLATILITY INDEXES options trading with a premium of $0.00–0.10 will encourage the trading of such options. The slight increases of the fees for Market-Maker transactions in VIX options and VOLATILITY INDEXES whose premium is greater than or equal to $0.11 is being utilized in order to achieve some level of revenue balance in connection with the lowered fee for Market-Maker transactions in VIX options and VOLATILITY INDEXES whose premium is $0.00–0.10. The

[3] Corresponding to this change, the Exchange proposes to amend the listing of the Electronic (non-AIM) fee from $0.25 per contract to $0.35 per contract on its ''Clearing Trading Permit Holder Fee Cap'' table.

[4] For example, NASDAQ OMX PHLX LLC (''PHLX'') assesses firm electronic fees of $0.45 or $0.60 per contract for multiply-listed options (*see* PHLX Pricing, Section II).

[5] As proposed, the statement would read: ''For facilitation orders (other than SPX, SPXpm, SRO, VIX or other volatility indexes, OEX or XEO) (''facilitation orders'' for this purpose to be defined as any paired order in which a Clearing Trading Permit Holder (F) origin code or Non-Trading Permit Holder Affiliate (''L'' origin code) is contra to any other origin code, provided the same executing broker and clearing firm are on both sides of the order) executed electronically (including in AIM), open outcry, or as a QCC or FLEX transaction, CBOE will assess no Clearing Trading Permit Holder Proprietary transaction fees.'' The Exchange would also add the origin code ''L'' into the ''Facilitation'' line on the Equity Options, ETF and ETN Options, and Index Options Products Excluding the Special Classes Rate Tables.

[6] *See* PHLX Pricing, Section II, bullet point discussing facilitation orders executions.

Exchange institutes these new fees in order to encourage Market-Makers to provide liquidity to Customer orders in VIX options and VOLATILITY INDEXES.

The Exchange assesses a Hybrid 3.0 Execution Fee of $0.18 per contract for all electronic executions in Hybrid 3.0 classes (with some exceptions).[7] The Exchange hereby proposes to increase this fee to $0.20 per contract. The purpose of this change is because at the time that the Hybrid 3.0 Execution Fee was adopted, most orders executed via Hybrid 3.0 were simple orders. Now, with the growing prevalence of complex orders, the Exchange desires to increase the Hybrid 3.0 Execution Fee to cover the increased system complexity (and use of resources necessary) due to the trading of complex orders. The Exchange also proposes to amend the listing of the origin codes on the Proprietary Options Rate Chart. When the Proprietary Options Rate Chart was created, the Exchange erroneously listed only the ''C'' and ''W'' origin codes as applicable to the Hybrid 3.0 Execution Fee, which contradicts Footnote 21 (which describes the Hybrid 3.0 Execution Fee, and does not except out other origin codes). As such, the Exchange proposes to add the ''F'', ''J'', ''L'', ''B'', and ''N'' origin codes to the table. The Exchange also proposes to amend Footnote 21 to remove the listing of the Hybrid 3.0 Execution Fee as being $0.18 per contract, and simply state that the Hybrid 3.0 Execution Fee will be assessed to relevant executions in Hybrid 3.0 classes.

The Exchange proposes to adopt two Customer Priority Surcharges, which are assessed on customer (C) contracts. The first is the SPXW (electronic only) Customer Priority Surcharge of $0.05 per contract. The SPXW Customer Priority Surcharge applies to all SPXW customer contracts executed electronically, except those contracts traded on a PAR terminal. The second Customer Priority Surcharge is to be assessed on Customer VIX contracts executed electronically that are Maker and not Market Turner. This $0.05 per contract fee will only be assessed on such contracts that have a premium of $0.11 or greater.

The purpose of the Customer Priority Surcharges is to ensure that there is reasonable cost equivalence between the primary execution channels for the products involved. Manual executions are achieved using floor brokers (the only market participants who can trade contracts using a PAR terminal), who assess a commission for Customer executions. Electronic executions are not assessed a commission, but more heavily rely on the Exchange's systems. The proposed Customer Priority Surcharges will minimize the cost differentials between manual and electronic executions, which is in the interest of the Exchange as it must both maintain robust electronic systems as well as provide for economic opportunity for floor brokers to continue to conduct business, as they serve an important function in achieving price discovery and Customer executions. Floor brokers ensure that the difficult-to-execute orders (such as large and complex orders) are able to be executed manually by accessing the CBOE's in-person market maker crowds, while also helping to achieve price improvement. SPX, SPXW and VIX are the only products that execute a significant share of their total volume on the trading floor, and the Hybrid 3.0 Execution Fee (which essentially acts as a customer priority surcharge) already applies to SPX. SPXW often has a lower premium (as it is a weekly option with a lower timeframe, as the options have less time value than the regular SPX options), so it makes sense to assess a lower SPXW Customer Priority Surcharge than the Hybrid 3.0 Execution Fee. VIX options trade at a lower underlying value than SPX and so also have a lower premium value, so it also makes sense for the VIX Customer Priority Surcharge to be lower than the Hybrid 3.0 Execution Fee. As described above, the Exchange wants to encourage the execution of VIX options Customer orders for options with a premium of $0.00–$0.10, and therefore is not proposing to assess the Customer Priority Surcharge on such options.

The Exchange proposes to change the different tier thresholds in its Liquidity Provider Sliding Scale (which provides for reduced fees for a CBOE Market-Maker based on the Market-Maker executing a certain number of contracts per month) from nominal contracts per month thresholds (i.e. contracts 100,001–2,000,000) to a relative contracts per month threshold (i.e. above 0.05%–0.70%). These volume thresholds are based on the Market-Maker's percentage of total national Market-Maker multiply-listed options volume (where previously they had merely been based on the total number of multiply-list contracts executed by the Market-Maker). Below is a table demonstrating the proposed changes.

Tier	Old volume threshold	New volume thresholds	Fee (per contract)
1	1–100,000	0.00%–0.05%	[8] $0.23
2	100,001–2,000,000	Above 0.05%–0.70%	0.17
3	2,000,001–4,000,000	Above 0.70%–1.40%	0.10
4	4,000,001–6,000,000	Above 1.40%–2.00%	0.05
5	6,000,000 +	Above 2.00%	0.03

The purpose of this change is to control and account for changes in national industry-wide multiply-listed options volume. The new percentage thresholds generally correspond to the old nominal thresholds (based on current total national Market-Maker multiply-listed options volume). The Exchange also proposes to amend the ''Notes'' section of this table to capitalize the term ''VOLATILITY INDEXES'' as this term is capitalized elsewhere in the Fees Schedule, and the Exchange desires consistency.

Due to the proposed change to a relative percentage-based tier system for the Liquidity Provider Sliding Scale, the Exchange also must propose amendments to Footnote 10 of the Fees Schedule, which discusses the prepayment necessary in order to be eligible for the fees applicable to tiers 3–5 of the Liquidity Provider Sliding Scale. Currently, a Liquidity Provider is required to pre-pay the fees for the first two tiers of the Liquidity Provider Sliding Scale in order to be eligible for the lower fees applicable to tiers 3–5. This works out to $348,000 per month (based on the current nominal volume thresholds in the Liquidity Provider Sliding Scale). However, with the proposed change to make the tiers in the

[7] *See* CBOE Fees Schedule, Footnote 21 for such exceptions.

[8] Currently, the fee at this tier is $0.25 per contract. However, the Exchange proposes to lower this fee to $0.23 per contract, as described below.

Liquidity Provider Sliding Scale based on relative percentage-based volume thresholds, it will be impossible to know beforehand what amount per month will be required to pay for the first two tiers. As such, the Exchange simply proposes to require a pre-payment of $200,000 per month, or $2,400,000 for the year (significantly lower than the current prepay amounts). Along with that change, the Exchange proposes to make some other amendments to Footnote 10, which describes the prepayment, to (1) give those desiring to prepay for the full year until January 10 of the applicable year to prepay, (2) add an example regarding prepayment, (3) make clear that prepay arrangements for less than the full year must be paid before the calendar month in which they are to begin, and (4) make the Footnote easier to read and understand.[9]

The Exchange also proposes to lower from $0.25 per contract to $0.23 per contract the transaction fee in Tier 1 of the Liquidity Provider Sliding Scale. The purpose of this change is to incentivize Market-Makers at this first tier to quote more and execute more orders on the Exchange, as well as to more effectively compete with pricing on other exchanges.[10]

The Exchange proposes to amend its CBOE Proprietary Products Sliding Scale, under which Clearing Trading Permit Holder Proprietary transaction fees and transaction fees for Non-Clearing Trading Permit Holder Affiliates in OEX, XEO, SPX, SPXpm and volatility indexes are reduced provided a Clearing Trading Permit Holder reaches certain volume thresholds in multiply-listed options on the Exchange in a month. The Exchange does not propose substantive changes to the fee or structure of the CBOE Proprietary Products Sliding Scale. Instead, as with the Liquidity Provider Sliding Scale, the Exchange proposes to change the different tier thresholds from nominal contracts per month thresholds to relative contracts per month thresholds (for the same reasons as the Liquidity Provider Sliding Scale). The new thresholds will be based on a Clearing Trading Permit Holder (Proprietary) executing different percentages of total CBOE Clearing Trading Permit Holder Proprietary volume in OEX, XEO, SPX, SPXpm, VIX and VOLATILITY INDEXES.[11] The new percentage thresholds generally correspond to the old nominal thresholds (based on current total CBOE Clearing Trading Permit Holder Proprietary volume in OEX, XEO, SPX, SPXpm, VIX and VOLATILITY INDEXES). Similarly (and correspondingly), the Exchange proposes to amend the different multiply-listed options tiers from being based on total monthly volume to an Average Daily Volume (''ADV'') threshold system (calculated monthly). The new thresholds ADV thresholds generally correspond with the old monthly thresholds (depending on how many trading days are in a given month). The purpose of these changes is to control and account for changes in national industry-wide multiply-listed options volume as well as the number of trading days in a month. The Exchange also proposes a number of cosmetic changes to the CBOE Proprietary Products Sliding Scale, including (1) to renumber the tiers in the CBOE Proprietary Products Sliding Scale, (2) to fix an error that listed ''SPXpm'' as ''SPXPm'' in the Notes, (3) clarify that VIX is included in the CBOE Proprietary Products Sliding Scale (previously, it had just said ''volatility indexes'', and while VIX is a volatility index, it can't hurt to be more clear), (4) capitalize the term ''volatility indexes'' in the ''Notes'' in order to achieve consistency, (5) delete the term ''volume'' and replace it with ''ADV'' in the ''Notes'' due to the change described above, and (6) change the title of a column from ''Proprietary Products Contracts Per Month'' to ''Proprietary Products Volume Thresholds'' due to the changes described above. Once again, no fees are being changed in the CBOE Proprietary Products Sliding Scale. The proposed changes are detailed below.

Current		Proposed	
Tier	Proprietary product contracts per month	Tier	Proprietary product volume thresholds
≥ 375,000 < 1,500,000 contracts in multi list products		≥ 18,000 ADV ≤ 71,999 ADV in multi list products	
1	First 750,000	B3	0.00%–6.50%
2	Next 250,000	B2	6.51%–8.50%
3	Above 1,000,000	B1	Above 8.50%
≥1,500,000 contracts in multi list products		≥ 72,000 ADV in multi list products	
1	First 750,000	A2	0.00%–6.50%
2	Above 750,000	A1	Above 6.50%

The Exchange proposes to delete its Clearing Trading Permit Holder VIX Options Sliding Scale (the ''VIX Options Sliding Scale'') and any references in the Fees Schedule to the VIX Options Sliding Scale, as well as language that

[9] As proposed, Footnote 10 will read: ''The Liquidity Provider Sliding Scale applies to Liquidity Provider (CBOE Market-Maker, DPM, e-DPM and LMM) transaction fees in all products except mini-options, SPX, SPXpm, SRO, VIX or other volatility indexes, OEX or XEO. A Liquidity Provider's standard per contract transaction fee shall be reduced to the fees shown on the sliding scale as the Liquidity Provider reaches the volume thresholds shown on the sliding scale in a month. The Exchange will aggregate the trading activity of separate Liquidity Provider firms for purposes of the sliding scale if there is at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A. A Liquidity Provider shall be required to prepay, by January 10th, $2,400,000 in order to be eligible for the fees applicable to tiers 3–5 of the sliding scale for the entire year. A Liquidity Provider can elect to prepay $200,000 per month to be eligible for the fees applicable to tiers 3–5 of the sliding scale for the remainder of the year at any time during the year, but such prepayment (and eligibility) will only be applied prospectively for the remainder of the year. A TPH that chooses, for example, in June 2014 to prepay for the remainder of the year would pay $1,200,000 for the months of July–December. All prepay arrangements must be paid before the first calendar month in which they are to begin. Contract volume resulting from any of the strategies defined in Footnote 13 will apply towards reaching the sliding scale volume thresholds.''

[10] *See* PHLX Pricing, Section II.

[11] To make this clear, the Exchange also proposes adding to the ''Notes'' section of the table the following statement: ''Transaction fees in OEX, XEO, SPX, SPXpm, VIX and VOLATILITY INDEXES will be reduced based on reaching the percentage thresholds in OEX, XEO, SPX, SPXpm, VIX and VOLATILITY INDEXES listed in the table.''

[sic] regarding the calculation of a Clearing Trading Permit Holder's total proprietary transaction fees that will be made irrelevant by the deletion of the VIX Options Sliding Scale.[12] The Exchange instituted the VIX Options Sliding Scale in an attempt to encourage greater Clearing Trading Permit Holder proprietary trading of VIX options.[13] The Exchange now proposes to delete the VIX Options Sliding Scale because it is no longer competitively necessary. The vast majority of CTPHs who qualify do not avail themselves of it and therefore it adds unnecessary complexity to the Exchange's already-complex fees structure.

The Exchange proposes to amend its Fees Schedule with regard to PULSe Workstation routing (specifically, with regard to routing from one PULSe Workstation to another). By way of background, the PULSe workstation is a front-end order entry system designed for use with respect to orders that may be sent to the trading systems of CBOE. In addition, the PULSe workstation provides a user with the capability to send options orders to other U.S. options exchanges and/or stock orders to other U.S. stock exchanges and trading centers[14] (''away-market routing'').[15] PULSe Workstation users also have the capability to send orders between PULSe workstations. For example, a user is able to send an order from a PULSe workstation located in New York to a PULSe workstation located in Chicago. The ability to send orders ''PULSe-to-PULSe'' is available for use within a TPH (and any Non-TPHs to whom the TPH makes the PULSe workstation available) and between TPHs that use the PULSe workstation. A TPH may establish a PULSe-to-PULSe connection with another TPH by contacting CBOE, who will permission [sic] the connection. Before setting up the connection, both TPHs need to acknowledge in writing (e.g., including via email) their agreement to establish the mutual connection.

The Exchange hereby proposes to impose a monthly PULSe-to-PULSe Routing fee of $50 for each receiving TPH. This means that each TPH with a PULSe Workstation that elects to receive orders from another PULSe Workstation will be assessed this fee. The Exchange proposes to assess the fee to cover costs associated with the development of PULSe-to-PULSe routing, as well as the upkeep of such systems. The Exchange proposes to assess the fee to the receiving TPH because, by electing to receive PULSe-to-PULSe orders, the receiving TPH then gets the ability to execute those orders on the Exchange. The Exchange also proposes a non-substantive change to the Fees Schedule regarding PULSe Workstation fees. Currently, there is a line under the ''Trading Floor Terminal Rentals'' section of the ''Facility Fees'' table that lists PULSe On-Floor Workstation fees as being $350 per login ID, and the note for that fee is that ''this fee is waived for the first month of a new user of a TPH''. However, there are more PULSe Workstation fees (including that fee) listed in the ''PULSe Workstation'' fees section of the ''Facility Fees'' table. To avoid any potential confusion, the Exchange proposes to delete the listing of the $350 per login ID fee amount, as well as the note, from the PULSe On-Floor Workstation line of the ''Trading Floor Terminal Rentals'' section of the ''Facility Fees'' table and replace it with the statement ''See PULSe Workstation fees below''.

The Exchange proposes to lower its Hybrid Agency Liaison (''HAL'') Step-Up Rebate from $0.10 per contract to $0.05 per contract, and also to delete obsolete language in the ''Notes'' description of the HAL Step-Up Rebate.[16] The purpose of this proposed change is because, as routing practices have changed over the years, CBOE's competitive strategy is no longer based on processing a notable amount of Linkage traffic passing through the Exchange. Therefore it no longer makes economic sense to offer as strong an incentive for Market-Makers to ''step up'' and attract orders coming through the Linkage.

[12] Specifically, the Exchange proposes to delete language in Footnote 11 that states: ''For calculating a Clearing Trading Permit Holder's total proprietary product transaction fees, CBOE will use the following methodology: If using the VIX Options Sliding Scale plus the Sliding Scale (minus VIX volume) results in lower total Clearing Trading Permit Holder proprietary transaction fees than just using the Sliding Scale, CBOE will apply the new VIX Options Sliding Scale plus the Sliding Scale, and deduct the VIX options volume from the Sliding Scale. If using the VIX Options Sliding Scale plus the Sliding Scale (minus VIX options volume) results in higher total Clearing Trading Permit Holder proprietary transaction fees than just using the Sliding Scale, CBOE will apply only the Sliding Scale.''

As amended, Footnote 11, in its entirety, will read: The Clearing Trading Permit Holder Fee Cap in all products except SPX, SPXpm, SRO, VIX or other volatility indexes, OEX or XEO (the ''Fee Cap'') and the CBOE Proprietary Products Sliding Scale for Clearing Trading Permit Holder Proprietary Orders (the ''Sliding Scaleapply [sic] to (i) Clearing Trading Permit Holder proprietary orders (''F'' origin code), and (ii) orders of Non-Trading Permit Holder Affiliates of a Clearing Trading Permit Holder. A ''Non-Trading Permit Holder Affiliate'' for this purpose is a 100% wholly-owned affiliate or subsidiary of a Clearing Trading Permit Holder that is registered as a United States or foreign broker-dealer and that is not a CBOE Trading Permit Holder. Only proprietary orders of the Non-Trading Permit Holder Affiliate (''L '' origin code) effected for purposes of hedging the proprietary over-the-counter trading of the Clearing Trading Permit Holder or its affiliates will be included in calculating the Fee Cap and Sliding Scale. Such orders must be marked with a code approved by the Exchange identifying the orders as eligible for the Fee Cap and Sliding Scale. Each Clearing Trading Permit Holder is responsible for notifying the TPH Department of all of its affiliations so that fees and contracts of the Clearing Trading Permit Holder and its affiliates may be aggregated for purposes of the Fee Cap and Sliding Scale. A Clearing Trading Permit Holder is required to certify the affiliate status of any Non-Trading Permit Holder Affiliate whose trading activity it seeks to aggregate. In addition, each Clearing Trading Permit Holder is required to inform the Exchange immediately of any event that causes an entity to cease to be an affiliate. The Exchange will aggregate the fees and trading activity of separate Clearing Trading Permit Holders for the purposes of the Fee Cap and Sliding Scale if there is at least 75% common ownership between the Clearing Trading Permit Holders as reflected on each Clearing Trading Permit Holder's Form BD, Schedule A. A Clearing Trading Permit Holder's fees and contracts executed pursuant to a CMTA agreement (i.e., executed by another clearing firm and then transferred to the Clearing Trading Permit Holder's account at the OCC) are aggregated with the Clearing Trading Permit Holder's non-CMTA fees and contracts for purposes of the Fee Cap and Sliding Scale. Transaction fees resulting from any of the strategies defined in Footnote 13 will apply towards reaching the Fee Cap. For facilitation orders (other than SPX, SPXpm, SRO, VIX or other volatility indexes, OEX or XEO) (''facilitation orders'' for this purpose to be defined as any paired order in which a Clearing Trading Permit Holder (F) origin code or Non-Trading Permit Holder Affiliate (''L '' origin code) is contra to any other origin code, provided the same executing broker and clearing firm are on both sides of the order) executed electronically (including in AIM), open outcry, or as a QCC or FLEX transaction, CBOE will assess no Clearing Trading Permit Holder Proprietary transaction fees.

[13] For more description regarding the VIX Options Sliding Scale, *see* Securities Exchange Act Release No. 68699 (January 18, 2013), 78 FR 5538 (January 18, 2013) (SR–CBOE–2013–003).

[14] A ''trading center,'' as provided under Rule 600(b)(78) of Regulation NMS, 17 CFR 242.600(b)(78), means a national securities exchange or national securities association that operates an SRO trading facility, an alternative trading system, an exchange market maker, an OTC market maker, or any other broker or dealer that executes orders internally by trading as principal or crossing orders as agent.

[15] For a more detailed description of the PULSe workstation and its other functionalities, *see, e.g.,* Securities Exchange Act Release Nos. 62286 (June 11, 2010), 75 FR 34799 (June 18, 2010) (SR–CBOE–2010–051), 63244 (November 4, 2010), 75 FR 69148 (November 10, 2010) (SR–CBOE–2010–100), 63721 (January 14, 2011), 76 FR 3929 (January 21, 2011) (SR–CBOE–2011–001), 65280 (September 7, 2011), 76 FR 56838 (September 14, 2011) (SR–CBOE–2011–083), 65491 (October 6, 2011), 76 FR 63680 (October 13, 2011) (SR–CBOE–2011–092), and 69990 (July 16, 2013), 78 FR 43953 (July 22, 2013) (SR–CBOE–2013–062).

[16] Following the proposed changes, the ''Notes'' section would read: The Exchange shall rebate to a market-maker against transaction fees generated from a transaction on the HAL system in a penny pilot class, provided that at least 70% of the market-maker's quotes in that class (excluding mini-options and quotes in LEAPS series) in the prior calendar month were on one side of the NBBO.

The Exchange proposes to amend its Linkage fees for Customers. Currently, a different fees structure applies to customer orders of 100 or more contracts that is routed to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 6.80 (the ''Linkage'') than applies to customer orders of 99 contracts or less that are routed to one or more exchange via Linkage. Those customer orders of 100 or more contracts are assessed the actual transaction fee assessed by the exchange(s) to which the order was routed, while customer orders of 99 contracts or less are assessed the actual transaction fee assessed by the exchange(s) to which the order was routed, minus $0.05 per contract. The Exchange hereby proposes to eliminate this distinction, and assess to all customer orders sent through Linkage the actual transaction fee assessed by the exchange(s) to which the order was routed. It has ceased to be economically viable for the Exchange to ''eat'' $0.05 per contract on every customer order of 99 contracts or less that are routed away via Linkage.[17]

The Exchange also proposes to increase by $0.05, to $0.55, the per-contract routing fee assessed to non-customer orders routed through the Linkage. The purpose of this proposed change is to cover costs associated with routing orders through Linkage and paying the transaction fees for such executions at other exchanges. The amount of this fee is lower than corresponding non-customer Linkage fees assessed by other exchanges.[18]

The Exchange also proposes to amend its Footnote 25. Currently, any Floor Broker Trading Permit Holder that executes an average of 15,000 customer open-outcry contracts per day over the course of a calendar month in multiply-listed options classes receives a rebate of $7,500 on that Floor Broker Trading Permit Holder's Floor Broker Trading Permit fees (the ''Floor Broker Access Rebate''). The Exchange proposes to add a second tier to this rebate, and add that ''Any Floor Broker Trading Permit Holder that executes an average of 25,000 customer open-outcry contracts per day over the course of a calendar month in multiply-listed options classes will receive a rebate of $15,000 on that Floor Broker Trading Permit Holder's Floor Broker Trading Permit fees.'' The purpose of the proposed change is to encourage Floor Brokers to execute open-outcry customer trades in multiply-listed options, and the Exchange believes that giving Floor Brokers a further break in their Floor Broker Trading Permit fees will provide such an incentive. The Exchange recognizes the competitive nature of maintaining a Floor Broker operation at CBOE and wants to provide a credit to Floor Brokers that engage in a significant amount of Floor Broker open outcry trading at CBOE. For purposes of determining the rebate, the qualifying volume of all Floor Broker Trading Permit Holders affiliated with a single TPH organization will be aggregated, and, if such total meets or exceeds the customer open-outcry contracts per day thresholds in multiply-listed options classes, that TPH organization will receive a single rebate, regardless of the number of Floor Broker Trading Permits affiliated with that TPH organization.

Finally, the Exchange proposes to amend its Footnote 26, which applies to the Exchange's Trading Permit and Tier Appointment Fees, to state that Affiliated TPHs (TPHs with at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A) may share their allotted bandwidth amongst each other. The purpose is to allow for more efficient use of bandwidth. If a TPH is not using all of its bandwidth and an affiliated TPH could use more, this will allow them to share amongst each other (instead of having to purchase more).

The proposed changes are to take effect on January 1, 2014.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[19] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] 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 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 Section 6(b)(4) of the Act,[21] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Trading Permit Holders and other persons using its facilities.

The Exchange believes that the proposal to increase the fee for electronic Clearing Trading Permit Holder Proprietary executions in equity, ETF, ETN, and index options classes (except the Special Classes) from $0.25 per contract to $0.35 per contract is reasonable, equitable and not unfairly discriminatory because, while the per-contract price is increasing, this new fee amount is still within the range of fees paid by other market participants for such transactions.[22] The Exchange further believes this proposed change is equitable and not unfairly discriminatory because the proposed new fee amount is still lower than the fee assessed to Broker-Dealers and Non-Trading Permit Holder Market-Makers for such transactions, and Clearing Trading Permit Holders have some obligations (such as clearing trades) that such market participants do not have. Further, this fee is still lower than is assessed for comparable executions on other exchanges.[23] Finally, this fee will be assessed to all Clearing Trading Permit Holder Proprietary transactions in the relevant products.

The Exchange believes that the proposal to add ''L'' orders to the definition of ''facilitation orders'' (thereby making L facilitation orders free (except as otherwise stated)) is reasonable because such orders will no longer be assessed a fee that they otherwise would be assessed. The Exchange believes this is equitable and not unfairly discriminatory because Non-Trading Permit Holder Affiliates of Clearing Trading Permit Holders are a functional subset of Clearing Trading Permit Holders, and they domicile customer accounts, so it makes sense to put them in the same position as

[17] As proposed, the ''note'' regarding Customer Linkage Fees will read as follows: In addition to the customary CBOE execution charges, for each customer order that is routed, in whole or in part, to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 6.80, CBOE shall pass through the actual transaction fee assessed by the exchange(s) to which the order was routed. Multiple orders from the same executing firm for itself or for a CMTA or correspondent firm in the same series on the same side of the market that are received within 500 milliseconds will be aggregated for purposes of determining the order quantity.

[18] *See* NASDAQ OMX PHLX LLC (''PHLX'') Pricing, Non-Customer Routing Fee of $0.95 per contract.

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

[21] 15 U.S.C. 78f(b)(4).

[22] For example, Broker-Dealers and Non-Trading Permit Holder Market-Makers pay either $0.45 per contract or $0.60 per contract for such transactions (*See* CBOE Fees Schedule, page 1).

[23] For example, PHLX assesses firm electronic fees of $0.45 or $0.60 per contract for multiply-listed options (*see* PHLX Pricing, Section II).

Clearing Trading Permit Holders. Non-Trading Permit Holder Affiliates of Clearing Trading Permit Holders cannot be proprietary trading firms (whereas broker-dealers, for example, can). The Exchange believes that the proposal to assess no fees for Clearing Trading Permit Holder Proprietary facilitation transactions in Mini options is reasonable because such transactions that would otherwise be assessed a fee will now be free. The Exchange believes that this is equitable and not unfairly discriminatory because Mini options are merely 1/10 the size of regular options contracts, and such transactions in regular options contracts are assessed no fee, so it makes sense to also assess no fee for these transactions in Mini options.

The Exchange believes that the reorganization of the Proprietary Options Rate Table will help avoid any potential confusion on the part of market participants regarding which fees apply in different circumstances, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system.

The Exchange believes that the proposed changes to the customer VIX options transaction fees are reasonable because the amounts of the new fees are near the range of fees assessed for customer transactions in other CBOE proprietary products. Indeed, the fee for customer transactions in SPX options whose premium is less than $1.00 is $0.35 per contract, and the fee for customer transactions in SPX options whose premium is greater than or equal to $1.00 is $0.44 per contract. The proposed changes to the customer VIX options transaction fees are equitable and not unfairly discriminatory because they are designed to attract greater customer order flow to the Exchange, which will benefit all market participants. Assessing different fees for customer transactions in VIX options depending on the premium is equitable and not unfairly discriminatory because the Exchange believes that the lowered fees for VIX options trading with a premium of $0.00–$0.10 will encourage the trading of such options. The slight increases of the fees for Customer transactions in VIX options whose premium is greater than or equal to $1.00 as well as those whose premium is $0.11–$0.99 is being utilized in order to achieve some level of revenue balance in connection with the lowered fee for customer transactions in VIX options whose premium is $0.00–$0.10. Further, the Exchange currently offers different fees depending on the premium for customer transactions in SPX options (as described in the previous paragraph). Finally, these fees will be assessed to all Customer VIX options transactions. The Exchange has expended significant resources to develop proprietary products such as VIX options and must recoup such costs.

The Exchange believes that assessing the same Customer fees to other VOLATILITY INDEXES as are assessed to VIX options is reasonable, equitable and not unfairly discriminatory because VIX is itself a Volatility Index, and therefore it makes sense to assess the same Customer fees to all other VOLATILITY INDEXES as are assessed to the Exchange's most heavily-traded Volatility Index (VIX). The VIX and VOLATILITY INDEXES fees that apply to each other market participant are already the same. This proposed change will be applied equally to all Customer VOLATILITY INDEX transactions.

The Exchange believes that the proposed fees for CBOE Market-Maker transactions in VIX and VOLATILITY INDEXES are reasonable because they are within the range of those assessed for transactions in VIX and VOLATILITY INDEXES by other market participants, as well as those assessed to CBOE Market-Makers for other products.[24] Indeed, while the proposed change is a slight increase when the premium is $0.11 or greater, the proposed change is also a sizable decrease when the premium is $0.00–$0.10. The Exchange believes this proposed change is equitable and not unfairly discriminatory because it is designed to attract greater customer order flow to the Exchange, which will benefit all market participants. Further, while these fees are still lower than assessed to other market participants for transactions in VIX and other VOLATILITY INDEXES, CBOE Market-Makers/DPMs/E–DPMs/LMMs take on obligations, such as quoting obligations, that other market participants do not. There are different economic potentials for market participants based on the premium of a trade, and therefore it can make sense to offer different fees for different premiums in some products (depending on the economics of trading in such products).

The Exchange believes that the proposed increase in the Hybrid 3.0 Execution Fee is reasonable because it is merely an increase of $0.02 per contract, and the Exchange uses this fee to cover the costs of operating the Hybrid 3.0 system. The Exchange believes that this proposed increase is equitable and not unfairly discriminatory because it applies to all Hybrid 3.0 executions[25], and because the increased fee will cover the costs of operating the Hybrid 3.0 system. At the time that the Hybrid 3.0 Execution Fee was adopted, most orders executed via Hybrid 3.0 were simple orders. Now, with the growing prevalence of complex orders, the Exchange desires to increase the Hybrid 3.0 Execution Fee to cover the increased system complexity (and use of resources necessary) due to the trading of complex orders. The Exchange believes that adding the correct origin codes as applicable to the Hybrid 3.0 Execution Fee, and amending Footnote 21 to remove the reference to the Hybrid 3.0 Execution Fee as being $0.18 per contract, will help alleviate any potential confusion regarding the amount of the Hybrid 3.0 Execution Fee and to whom it applies. This alleviation of potential confusion serves to remove impediments to and perfect the mechanism of a free and open market and a national market system.

The Exchange believes that the proposed Customer Priority Surcharges are reasonable, equitable and not unfairly discriminatory. The purpose of the Customer Priority Surcharges is to ensure that there is reasonable cost equivalence between the primary execution channels for the products involved. Manual executions are achieved using floor brokers (the only market participants who can trade contracts using a PAR terminal), who assess a commission for Customer executions. Electronic executions are not assessed a commission, but more heavily rely on the Exchange's systems. The proposed Customer Priority Surcharges will minimize the cost differentials between manual and electronic executions, which is in the interest of the Exchange as it must both maintain robust electronic systems as well as provide for economic opportunity for floor brokers to continue to conduct business, as they serve an important function in achieving price discovery and Customer executions. Floor brokers ensure that the difficult-to-execute orders (such as large and complex orders) are able to be executed manually by accessing the CBOE's in-person market maker crowds, while also helping to achieve price improvement. SPX, SPXW and VIX are the only products that execute a significant share of their total volume on the trading floor, and the Hybrid 3.0 Execution Fee (which essentially acts as a customer

[24] *See* CBOE Fees Schedule, Proprietary Options Rate Table.

[25] With the exception of those listed in Footnote 21 of the Fees Schedule; the Exchange does not herein propose to amend such exceptions.

priority surcharge) already applies to SPX. SPXW often has a lower premium (as it is a weekly option with a lower timeframe, as the options have less time value than the regular SPX options), so it makes sense to assess a lower SPXW Customer Priority Surcharge than the Hybrid 3.0 Execution Fee. VIX options trade at a lower underlying value than SPX and so also have a lower premium value, so it also makes sense for the VIX Customer Priority Surcharge to be lower than the Hybrid 3.0 Execution Fee. As described above, the Exchange wants to encourage the execution of VIX options Customer orders for options with a premium of $0.00–$0.10, and therefore is not proposing to assess the Customer Priority Surcharge on such options. The Exchange believes that it is equitable and not unfairly discriminatory to only assess this surcharge to Maker Non-Turners because VIX options is such a unique product that we want to continue to encourage market participation and price improvement with a low underlying (unlike SPX or SPXW, which has a higher underlying). Someone improving the market (''turning'') has a much greater proportional impact in a product with a lower underlying, and the Exchange wants to encourage such market improvement.

The Exchange believes that converting the qualification for the different fee tiers in the Liquidity Provider Sliding Scale from measuring by a nominal contracts per month to measuring by the relative contracts per month (based on the percentage of national Market-Maker volume in multiply-listed options) is reasonable because it allows the Exchange to control and account for changes in national industry-wide multiply-listed options volume. Further, it will still allow Market-Makers to pay lower fees for executing more orders in multiply-listed options, just as prior to this change. The Exchange believes that the change is equitable and not unfairly discriminatory because it will be applied to all Market-Makers. The change merely switches out the measuring stick to use one that accounts for changes in industry-wide volume. Finally, Market-Makers must take on certain obligations, such as quoting obligations, that other market participants do not have.

The Exchange believes that the changes to the prepayment for the Liquidity Provider Sliding Scale are reasonable because they correspond with the adoption of relative, percentage-based tiers, and also because the new prepayment amount will be lower than previously (making it easier to prepay). The Exchange believes that these changes are equitable and not unfairly discriminatory because they will apply to all market participants to whom the Liquidity Provider Sliding Scale applies.

Similar to the changes to the Liquidity Provider Sliding Scale, the Exchange believes that the changes to the CBOE Proprietary Products Sliding Scale are reasonable because they allow the Exchange to control and account for changes in national industry-wide multiply-listed options volume, as well as the differing number of days in a month. The Exchange believes that these changes are equitable and not unfairly discriminatory because, first and foremost, there are no substantive changes to the fees in the CBOE Proprietary Products Sliding Scale. Indeed, these changes merely serve to better standardize the CBOE Proprietary Products Sliding Scale (as well as make it easier to read). The changes merely switch out the measuring stick to use one that accounts for changes in industry-wide volume. Further, the changes will apply to all market participants who qualify for the CBOE Proprietary Products Sliding Scale. Finally, Clearing Trading Permit Holders must take on certain obligations, such as clearing, that other market participants do not have. The Exchange believes that the cosmetic changes to the CBOE Proprietary Products Sliding Scale will prevent any possible potential investor confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest.

The Exchange believes that lowering the fee in Tier 1 of the Liquidity Provider Sliding Scale is reasonable because it will allow Market-Makers in that tier to pay a lower fee for transactions. The Exchange believes that this is equitable and not unfairly discriminatory because the lower fee is designed to encourage Market-Makers to execute more transactions, and the resulting increased volume and trading opportunities will benefit all market participants (including Market-Makers at the other tiers of the Liquidity Provider Sliding Scale). Further, Market-Makers take on obligations, such as quoting obligations, that other market participants do not have.

The Exchange believes that the deletion of the VIX Options Sliding Scale is reasonable, equitable and not unfairly discriminatory because it will merely result in Clearing Trading Permit Holders being assessed the standard Clearing Trading Permit Holder Proprietary transaction fee for VIX options transactions (instead of having the fee amount for such transactions change based on the number of VIX options transactions the Clearing Trading Permit Holder executes in a month). As such, all Clearing Trading Permit Holder Proprietary VIX options transactions will be assessed the same fee amount. As always, Clearing Trading Permit Holders must take on certain obligations, such as clearing, that other market participants do not have.

The Exchange believes the imposition of the PULSe-to-PULSe Routing Fee is reasonable because it is intended to cover the costs associated with the development of PULSe-to-PULSe routing, as well as the upkeep of such systems. The Exchange believes that it is equitable and not unfairly discriminatory because it will be assessed to all receiving TPHs that elect to receive PULSe-to-PULSe orders. The Exchange proposes to assess the fee to the receiving TPH because, by electing to receive PULSe-to-PULSe orders, the receiving TPH then gets the ability to execute those orders on the Exchange. The Exchange believes that the proposal to amend the listing of the fee and note for the PULSe On-Floor Workstation in the ''Trading Floor Terminal Rentals'' section of the ''Facility Fees'' table will alleviate any potential confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest.

The Exchange believes that lowering the HAL Step-Up Rebate is reasonable because it will still allow Market-Makers to receive a rebate for trading activity that they would not otherwise receive (just a smaller rebate). The Exchange believes that this proposed change is equitable and not unfairly discriminatory because it applies to all Market-Makers who qualify for the HAL Step-Up Rebate (only Market-Makers can quote and therefore ''step up''). Moreover, the proposed change does not affect who may qualify for the HAL Step-Up Rebate. Further, Market-Makers have certain obligations, such as quoting obligations, that other market participants do not have.

The Exchange believes that its proposal to charge all customer orders routed via Linkage the actual transaction costs assessed by the exchange(s) to which the orders are routed is reasonable, equitable and not unfairly discriminatory because the Exchange will merely be passing through these execution costs to the customer. Further, this pass-through will be applied equally to all customer orders, regardless of size.

The Exchange believes that its proposal to increase the non-customer Linkage fee by $0.05, to $0.55 per contract, is reasonable, equitable and not unfairly discriminatory because such increase will help offset the costs associated with routing orders through Linkage and paying the transaction fees for such executions at other exchanges. The amount of this fee is lower than corresponding non-customer Linkage fees assessed by other exchanges.[26] This fee amount will be assessed to all non-customer orders routed via Linkage. The Exchange notes that there exists in the options industry a historical practice of preferential pricing for customers, whose orders are more attractive for trading partners and who also often do not have as sophisticated trading systems as other market participants.

The Exchange believes that offering a second tier of the Floor Broker Access Rebate is reasonable because it allows the qualifying Floor Brokers to pay lower Floor Broker Trading Permit fees than they otherwise would have. The Exchange believes that it is equitable and not unfairly discriminatory to offer the second tier of the rebate to Floor Brokers only, and only those who execute 25,000 contracts per day (of customer, open-outcry trading in multiply-listed options classes) because Floor Brokers serve an important function in facilitating the execution of orders via open outcry, which as a price-improvement mechanism, the Exchange wishes to encourage and support. Further, the proposed change is designed to encourage the execution of orders via open outcry, which should increase volume, which would benefit all market participants (including Floor Brokers who do not hit the 25,000 contracts-per-day threshold) trading via open outcry (and indeed, this increased volume could make it possible for some Floor Brokers to hit the 25,000 contracts-per-day threshold). Also, only Floor Brokers are assessed Floor Broker Trading Permit fees. The Exchange proposes limiting the rebate qualification to open outcry trading because Floor Brokers only engage in open outcry trading (at least in their capacities as Floor Brokers), and because, as previously stated, the Exchange wishes to support and encourage open-outcry trading, which allows for price improvement and has a number of positive impacts on the market system. The Exchange proposes limiting the rebate qualification to customer orders because market participants generally prefer to trade against customer trades, and encouraging customer trading in this manner should provide such market participants with more customer orders with which to trade. Further, the options industry has a long history of promoting customer orders through rebates and other preferential fee structures. The Exchange proposes limiting the rebate qualification to multiply-listed options classes because the Exchange expended considerable resources developing its proprietary, singly-listed products and therefore does not desire to offer this rebate associated with such products.

The Exchange believes that the proposed change to permit the sharing of bandwidth between affiliated TPHs is reasonable because it will allow such TPHs more efficient use of bandwidth without having to purchase more (if they can share with each other). The Exchange believes that this proposed change is equitable and not unfairly discriminatory because it will apply to all groupings of affiliated TPHs.

B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE 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. CBOE does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because, while different fees are assessed to different market participants in some circumstances, these different market participants have different obligations and different circumstances (as described in the ''Statutory Basis'' section above). For example, Clearing Trading Permit Holders have clearing obligations that other market participants do not have. Market-Makers have quoting obligations that other market participants do not have. There is a history in the options markets of providing preferential treatment to Customers, as they often do not have as sophisticated trading operations and systems as other market participants, which often makes other market participants prefer to trade with Customers. Further, the Exchange fees, both current and those proposed to be changed, are intended to encourage market participants to bring increased volume to the Exchange (which benefits all market participants), while still covering Exchange costs (including those associated with the upgrading and maintenance of Exchange systems).

CBOE does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed changes are intended to improve the Exchange's competitive position and make CBOE a more attractive marketplace in order to encourage market participants to bring increased volume to the Exchange (while still covering costs as necessary). Further, the proposed changes only affect trading on CBOE. To the extent that the proposed changes make CBOE a more attractive marketplace for market participants at other exchanges, such market participants are welcome to become CBOE market participants.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received 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[27] and paragraph (f) of Rule 19b–4[28] 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 will institute proceedings to determine whether the proposed rule change 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–CBOE–2013–129 on the subject line.

[26] *See* PHLX Pricing, Non-Customer Routing Fee of $0.95 per contract.

[27] 15 U.S.C. 78s(b)(3)(A).

[28] 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–CBOE–2013–129. 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–CBOE–2013–129, and should be submitted on or before February 11, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[29]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–00984 Filed 1–17–14; 8:45 am]

BILLING CODE 8011–01–P

[29] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: Notice of 30-day reporting requirements submitted for OMB review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice complies with that requirement and provides an additional 30 days for the public to comment on the information collection.

DATES: Submit comments on or before February 20, 2014. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

Copies: Request for clearance (OMB 83–1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

ADDRESSES: Address all comments concerning this notice to: *Agency Clearance Officer,* Curtis Rich, Small Business Administration, 409 3rd Street SW., 5th Floor, Washington, DC 20416; and *OMB Reviewer,* Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Curtis Rich, Agency Clearance Officer, (202) 205–7030, *curtis.rich@sba.gov.*

Abstract: Small businesses seeking financing from specialized small business investment companies (SSBICs) are required to provide the requested information to the SSBIC in support of their eligibility for such financing based on their ownership by individuals who are either socially or economically disadvantaged, as defined in 13 CFR 124.103. Written certification of eligibility is required by section 308(h) of the Small Business Investment Act of 1958, as amended. The information is retained by the SSBIC but is reviewed periodically by an SBA examiner as part of his/her on-site examination of the SSBIC, which is required by statute to occur at least biennially (15 U.S.C. Section 687b(c)).

SUPPLEMENTARY INFORMATION:

Title: Financing Eligibility Statement—Social Disadvantage/Economic: Disadvantage.

Frequency: On Occasion.

SBA Form Numbers: 1941 A, B, C.

Description of Respondents: Small Business Investment Companies and Small Businesses.

Responses: 50.

Annual Burden: 100.

Yvonne K. Wilson,

Chief, Records Management Division.

[FR Doc. 2014–01064 Filed 1–17–14; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 8599]

Application for Employment; Correction

AGENCY: Department of State.

ACTION: Notice; Correction.

SUMMARY: The Department of State published a document in the **Federal Register** of January 13, 2014 concerning the Information Collection ''Application for Employment''. The address for the public to make comments via the web was omitted.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Diana M. Ossa, Bureau of Human Resources, Recruitment Division, Student Programs, U.S. Department of State, Washington, DC 20522, who may be reached on (202) 261–8931 or at *ossadm@state.gov.*

Correction

In the **Federal Register** of January 13, 2014, in FR Volume number 79, page number 2239, in the first paragraph correct the title ''60-Day Notice of Proposed Information Collection: Form DS–1950, Department of State Application for Employment, OMB Control Number 1405–0139'' to read: ''60-Day Notice of Proposed Information Collection: Application for Employment.''

On page 2240, third paragraph, under the header **ADDRESSES:**, insert a bullet point above the ''Email:'' bullet point with the following text:

• *Web:* Persons with access to the Internet may use the Federal Docket Management System (FDMS) to comment on this notice by going to *www.Regulations.gov.* You can search for the document by entering ''Public Notice 8591'' in the Search bar. If necessary, use the Narrow by Agency filter option on the Results page.

Dated: January 13, 2014.

Janet Freer,

Director, Office of Directives Management.

[FR Doc. 2014–00919 Filed 1–17–14; 8:45 am]

BILLING CODE 4710–15–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Noise Exposure Map; Bradley International Airport, Windsor Locks, Connecticut

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps for Bradley International Airport, Windsor Locks, Connecticut, as submitted by the Connecticut Airport Authority under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96–193) and 14 CFR Part 150, are in compliance with applicable requirements.

DATES: *Effective Date:* The effective date of the FAA's determination on the noise exposure maps is December 31, 2013.

ADDRESSES: Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Connecticut Airport Authority, Bradley International Airport, Windsor Locks, Connecticut 06096.

Federal Aviation Administration, New England Region, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT: Richard Doucette, Federal Aviation Administration, New England Region, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Bradley International Airport are in compliance with applicable requirements of Part 150, effective December 31, 2013.

Under Section 103 of Title I of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as ''the Act'') (49 U.S.C. 47503), an airport operator may submit to the FAA noise exposure maps that meet applicable regulations and that depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted such noise exposure maps that are found by FAA to be in compliance with the requirements of Part 150 of FAA's regulations (14 CFR Part 150), promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval that sets forth the measures the operator has taken, or proposes, for the introduction of additional non-compatible uses.

The FAA has completed its review of the noise exposure map and related descriptions submitted by the Connecticut Airport Authority. The specific maps under consideration were Exhibit NEM–1, Existing (2013) Noise Exposure Map and Exhibit NEM–2, Future (2018) Noise Exposure Map in the submission. The FAA has determined that these maps for Bradley International Airport are in compliance with applicable requirements. This determination is effective on December 31, 2013.

FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under Section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 107 of the Act (49 U.S.C. 47506). These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of a noise exposure map. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted the map or with those public agencies and planning agencies with which consultation is required under Section 103 of the Act. The FAA has relied on the certification by the airport operator, under Section 150.21 of Part 150, that the statutorily required consultation has been accomplished.

Authority: 49 U.S.C. 47501–47510; 14 CFR Part 150.

Issued in Burlington, Massachusetts, January 9, 2014.

Bryon H. Rakoff,

Acting Manager, New England Region Airports Division.

[FR Doc. 2014–00942 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2014–04]

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 14 CFR. 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 January 31, 2014.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–0769 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: Katherine L. Haley, ARM–203, Federal Aviation Administration, Office of Rulemaking, 800 Independence Ave. SW., Washington, DC 20591; email *Katherine.L.Haley@faa.gov;* (202) 493–5708.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 15, 2014.

Lirio Liu,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–0769.

Petitioner: Purdue University's Department of Aviation Technology.

Section of 14 CFR Affected: § 61.160(b)(3)(i) and (ii).

Description of Relief Sought:

The petitioner is requesting relief to allow current students who expect to graduate in the year 2014, 2015, or 2016 and those who have graduated in 2009, 2010, 2011, 2012, and 2013, who have completed the integrated commercial and instrument courses under 14 CFR part 61 and otherwise have met all requirements to apply for the restricted-airline transport pilot privileges (R–ATP) based on the academic coursework completed through a Bachelor's degree program with an aviation major.

[FR Doc. 2014–01019 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2014–05]

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 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the 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 involved and must be received on or before February 10, 2014.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–1043 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: Katherine L. Haley, ARM–203, Federal Aviation Administration, Office of Rulemaking, 800 Independence Ave SW., Washington, DC 20591; email *Katherine.L.Haley@faa.gov;* (202) 493–5708.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 15, 2014.

Lirio Liu,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–1043.

Petitioner: Mr. John P. Lee.

Section of 14 CFR Affected: 14 CFR 61.58(a)(2).

Description of Relief Sought: Petitioner seeks relief from the pilot-in-command proficiency check requirements of § 61.58(a)(2).

[FR Doc. 2014–01018 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2013–65]

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 14 CFR. 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 February 10, 2014.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–1048 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: Alphonso Pendergrass (202) 493–5260.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 14, 2014.

Lirio Liu,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–1048.

Petitioner: Horizon Air.

Section of 14 CFR Affected: §§ 121.346(d)(3)(i) and 121.346(d)(4).

Description of Relief Sought: The petitioner is seeking relief from part §§ 121.346(d)(3)(i) and 121.366(d)(4) to operate its airplanes with filtered flight data. They are seeking this relief due to a lack of parts availability, caused by manufacturer constraints.

[FR Doc. 2014–00977 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2013–62]

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 14 CFR. 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 February 10, 2014.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–0839 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.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 15, 2014.

Lirio Liu,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–0839.

Petitioner: Mente, LLC.

Section of 14 CFR Affected: 14 CFR part 91, SFAR 87.

Description of Relief Sought: Mentee requests relief to regularly operate flights within the airspace of Ethiopia that is prohibited by part 91, SFAR 87.

[FR Doc. 2014–01017 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2013–64]

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 14 CFR. 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 February 10, 2014.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–1047 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: Alphonso Pendergrass (202) 493–5260.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 14, 2014.

Lirio Liu,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–1047.

Petitioner: TWC Aviation Inc.

Section of 14 CFR Affected: §§ 135.156(f)(1)(iii) and 135.156(f)(2)(iii).

Description of Relief Sought: The petitioner is seeking relief from §§ 135.156(f)(1)(iii) and 135.156(f)(2)(iii) to operate its airplanes with filtered flight data. They are seeking this relief due to a lack of parts availability, caused by manufacturer constraints.

[FR Doc. 2014–00978 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Release Airport Property for Non-Aeronautical Use; Hyannis, Massachusetts

AGENCY: Federal Aviation Administration, DOT.

ACTION: Request for comments on proposal to use airport land for non-aeronautical use.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to change 53.55 acres of airport land from aeronautical use to non-aeronautical use and to authorize the lease of the land for non-aeronautical purposes at the Barnstable Municipal Airport-Boardman/Polando Field, Hyannis, Massachusetts. The land would be leased to the Cape and Vineyard Electrical Company (CVEC), Massachusetts, to permit installation of solar photovoltaic (PV) arrays for the collection of energy. The lease will generate additional airport revenue. In accordance with section 47107(h) of Title 49, United States Code the FAA invites public comment on this notice.

DATES: Comments must be received on or before February 20, 2014.

ADDRESSES: You may send comments using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*, and follow the instructions on providing comments.
- *Fax:* 202–493–2251
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W 12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.*

FOR FURTHER INFORMATION CONTACT: Lisa J. Lesperance, Community Planner, 12 New England Executive Park, Burlington, Massachusetts 01803. Telephone: (781) 238–7616; Fax (781) 238–7608.

SUPPLEMENTARY INFORMATION: In accordance with the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), Public Law 106–181 (Apr. 5, 2000; 114 Stat. 61), this notice must be published in the **Federal Register** not less than 30 days before the Secretary may waive any condition imposed on a federally obligated airport by grant agreements. The FAA invites public comment on the proposal to release property at the Barnstable Municipal/Polando Field Airport under the provisions of AIR 21.

The airport operator has proposed to change 53.55 acres of airport land from aeronautical use to non-aeronautical use. The airport proposes to then lease the property to Cape and Vineyard Electrical Company (CVEC), Massachusetts, to permit the installation of solar photovoltaic (PV) arrays for the collection of energy. The lease will generate additional airport revenue. On September 4, 2013, (Site A) and December 20, 2013 (Site B), the FAA determined that the request to lease airport property for non-aeronautical purpose at the Barnstable Municipal Airport-Boardman/Polando Field Airport (HYA), Massachusetts, submitted by the Barnstable Municipal Airport met all procedural requirements.

This parcel of land was acquired with Federal participation. It is undeveloped property located on the airfield north of Runway 15–33 (Site A, approximately 17.6 acres), on the perimeter of the airport land and abutting conservation land, as well as, property location north of Runway 6–24 (Site B, approximately 35.95 acres). These parcels are accessible only by driveways on airport property and not from public or private ways outside of the airport. The proposed lease to CVEC will permit CVEC to install solar photovoltaic (PV) arrays. The lease of the property will be at fair market value for non-aeronautical uses in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenue (64 FR 7696). All proceeds from the lease are considered airport revenue and subject to the conditions and requirement set forth in 49 U.S.C. Section 47107(b).

While the parcel was originally purchased using Federal grant money, the airport operator does not have current plans to use the land for airport development. This proposed use will still serve an aeronautical benefit by preventing further development that could interfere with normal airport operations. The proposed solar PV array was analyzed by the FAA under its Part 77 Airspace Review process (14 CFR Part 77), and the FAA concluded that the proposed array will not interfere with normal airport operations. In addition to the revenue generation for the airport, the airport sponsor will also receive state environmental credits with the installation of the solar PV arrays.

Interested persons may inspect the request and supporting documents by contacting the FAA at the address listed under **FOR FURTHER INFORMATION CONTACT**. All comments will be considered by the FAA to the extent practicable.

Authority: 49 U.S.C. 47107(h).

Issued in Burlington, Massachusetts, January 10, 2014.

Bryon H. Rakoff,

Acting Manager, New England Region Airports Division.

[FR Doc. 2014–00948 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2013–0050]

Designation of the Primary Freight Network

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of extension of deadline and comment period.

SUMMARY: The FHWA is extending the deadline and comment period for the Designation of the highway Primary Freight Network (PFN) notice, which was published on November 19, 2013, at 78 FR 69520. On December 11, 2013, the FHWA published a notice to extend the comment period at 78 FR 75442. The revised comment period is set to close on January 17, 2014. The extension is based on input received from DOT stakeholders that the January 17 closing date does not provide sufficient time for submission of comments to the docket. The FHWA agrees that the deadline and the comment period should be extended. Therefore, the closing date for submission of comments is extended to February 15, 2014, which will provide others interested in commenting additional time to submit comments to the docket.

DATES: Comments must be received on or before February 15, 2014.

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 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 questions about this program, contact Ed Strocko, FHWA Office of Freight Management and Operations, (202) 366–2997, or by email at *Ed.Strocko@dot.gov.* For legal questions, please contact Janet Myers, FHWA Office of the Chief Counsel, (202) 366–2019, or by email at *Janet.Myers@dot.gov.* Business hours for the FHWA are from 8:00 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

On November 19, 2013, at 78 FR 69520, the FHWA published in the **Federal Register** a notice on the designation of the highway PFN.

The purpose of the notice was to publish the draft initial designation of the highway PFN as required by 23 U.S.C. 167(d), provide information regarding State designation of Critical Rural Freight Corridors (CRFCs) and the establishment of the complete National Freight Network (NFN), and to solicit comments on aspects of the NFN. The five areas for comment are: (1) Specific route deletions, additions, or modifications to the draft initial designation of the highway PFN contained in this notice; (2) the methodology for achieving a 27,000-mile final designation; (3) how the NFN and its components could be used by freight stakeholders in the future; (4) how the NFN may fit into a multimodal National Freight System; and (5) suggestions for an urban-area route designation process.

On December 11, 2013, the FHWA published a notice to extend the comment period at 78 FR 75442. The revised comment period for the notice closes on January 17, 2014. However, DOT stakeholders have expressed concern that this closing date does not provide sufficient time for submission of comments to the docket. To allow time for interested parties to submit comments, the closing date is changed from January 17, 2014 to February 15, 2014.

Authority: 23 U.S.C. 167; Section 1115 of Pub. L. 112–141.

Issued on: January 14, 2014.

Gregory G. Nadeau,

Deputy Administrator, Federal Highway Administration.

[FR Doc. 2014–01124 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2014–0001]

Establishment of an Emergency Relief Docket for Calendar Year 2014

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of establishment of public docket.

SUMMARY: This Notice announces the establishment of FRA's emergency relief docket (ERD) for calendar year 2014. The designated ERD for calendar year 2014 is Docket Number FRA–2014–0001.

ADDRESSES: See Supplementary Information for further information regarding submitting petitions or comments to Docket Number FRA–2014–0001.

SUPPLEMENTARY INFORMATION: On May 19, 2009, FRA published a direct final rule addressing the establishment of ERDs and the procedures for handling petitions for emergency waivers of safety rules, regulations, or standards during an emergency situation or event. 74 FR 23329. That direct final rule became effective on July 20, 2009, and made minor modifications to Title 49 Code of Federal Regulations (CFR) 211.45 in FRA's Rules of Practice published at 49 CFR part 211. Paragraph (b) of Section 211.45 provides that each calendar year, FRA will establish an ERD in the publicly accessible DOT docket system (available at *http://www.regulations.gov).* Paragraph (b) of Section 211.45 further provides that FRA will publish a notice in the **Federal Register** identifying by docket number the ERD for that year. As noted in the rule, FRA's purpose for establishing the ERD and emergency waiver procedures is to provide an expedited process for FRA to address the needs of the public and the railroad industry during emergency situations or events. This Notice announces that the designated ERD for calendar year 2014 is Docket Number FRA–2014–0001.

As detailed in Section 211.45, if the FRA Administrator determines that an emergency event as defined in 49 CFR 211.45(a) has occurred, or that an imminent threat of such an emergency occurring exists, and public safety would benefit from providing the railroad industry with operational relief, the emergency waiver procedures of 49 CFR 211.45 will go into effect. In such an event, the FRA Administrator will issue a statement in the ERD indicating

that the emergency waiver procedures are in effect and FRA will make every effort to post the statement on its Web site at *http://www.fra.dot.gov.* Any party desiring relief from FRA's regulatory requirements as a result of the emergency situation should submit a petition for emergency waiver in accordance with 49 CFR 211.45(e) and (f). Specific instructions for filing petitions for emergency waivers in accordance with 49 CFR 211.45 are found at 49 CFR 211.45(f). Specific instructions for filing comments in response to petitions for emergency waivers are found at 49 CFR 211.45(h).

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00957 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0119]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated January 17, 2013, Railserve, Inc. (RASX) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2013–0119.

RASX of Atlanta, GA, petitioned for a permanent waiver of compliance for 10 locomotives from the requirements of 49 CFR 223.11, *Requirements for existing locomotives,* which require certified glazing in all windows. The reporting marks on these locomotives are RASX 103, RASX 356, RASX 1077, RASX 1810, RASX 2524, RASX 4487, RASX 4489, RASX 8049, RASX 8959, and RASX 8999.

These locomotives are used in switching operations inside the DOW A and B Chemical Plants in Freeport, TX. The switching operations involved interchange with the Union Pacific Railroad for inbound and outbound cars on general system railroad trackage that is less than one-quarter of a mile long. RASX stated that there is no history of vandalism at the DOW A and B Chemical Plants in Freeport, TX, and that all of the locomotives are parked inside the plants when not in use. The top speed of operations is 5 mph. RASX also stated that to install glass that meets FRA specifications would be cost prohibitive.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00952 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0122]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated January 17, 2013, Railserve, Inc. (RASX) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2013–0122.

RASX of Atlanta, GA, petitioned for a waiver of compliance for two locomotives from the requirements of 49 CFR 223.11, *Requirements for existing locomotives,* which requires certified glazing in all windows. The reporting marks on these locomotives are RASX 5524 and RASX 702. These locomotives are used in switching operations inside the SC Johnson Wax Plant in Sturtevant, WI. The switching operations involved interchange with the Union Pacific Railroad and the Canadian Pacific Railway for inbound and outbound cars on general system railroad trackage that is less than 1 mile long. RASX stated that there is no history of vandalism at the SC Johnson Wax Chemical Plant in Sturtevant, WI, and that the locomotives are parked inside the plant when not in use. The top speed of operations is 5 mph. RASX also stated that to install glass that meets FRA specifications would be cost prohibitive.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New

Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov*. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00955 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2003–15011]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated September 17, 2013, the Eastern Maine Railway (EMRY) has petitioned the Federal Railroad Administration (FRA) for an extension of its waiver of compliance from certain provisions of 49 CFR part 241, United States Locational Requirements for Dispatching of United States Rail Operations. FRA assigned the petition Docket Number FRA–2003–15011.

In its petition, EMRY requests an extension of its existing waiver of compliance, pursuant to 49 CFR 241.7(c), to allow the continuation of Canadian dispatching of that part of the Mattawamkeag Subdivision located in the United States, extending between Vanceboro and Brownville Junction, Maine, approximately 99 miles, as defined in Appendix A to part 241. This request was submitted in accordance with 49 CFR 241.7(c)(3), which permits waiver of the requirements found in part 241, specifically that all dispatching of U.S. rail operations be conducted in the U.S. This territory was previously grandfathered in the exceptions to extraterritorial dispatching contained in FRA's interim final rule (*see* 66 FR 63942, December 11, 2001).

In this regard, the track segment identified in the interim final rule remains the same as identified above. This segment consists of a single main track dispatched from a single desk at EMRY's rail traffic control office in St. John, New Brunswick, Canada, under Canadian Rail Operating Rules and EMRY's Timetable and Special Instructions. The trackage is nonsignaled and operated under occupancy control system rules. All dispatching is conducted in English. All units of measure are the same as those used in the U.S. EMRY operates approximately two trains a day over this segment.

The train dispatchers who perform the dispatching function for EMRY are employed by the New Brunswick Southern Railway (NBSR) and are therefore covered under their company drug and alcohol policies, and their dispatching office is under 24-hour security. The Department of Transportation of the Province of New Brunswick, Canada, is the regulatory authority that exercises safety jurisdiction over NBSR.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov*. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and 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.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00950 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0121]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated January 17, 2013, Railserve. Inc. (RASX) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2013–0121.

RASX of Atlanta, GA, petitioned for a waiver of compliance for two locomotives from the requirements of 49 CFR 223.11, *Requirements for existing locomotives,* which require certified glazing in all windows. The reporting marks on these locomotives are RASX 4124 and RASX 4544. These locomotives are used in switching operations inside the Proctor and Gamble Plant in Cincinnati, OH. The switching operations involved interchange with CSX Transportation for inbound and outbound cars on general system railroad trackage that is less than three-quarters of a mile long. RASX stated that there is no history of vandalism at the Proctor and Gamble Plant in Cincinnati, OH, and that the locomotives are parked inside the plant when not in use. The top speed of operations is 5 mph. RASX also stated that to install glass that meets FRA specifications would be cost prohibitive.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov*. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00954 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0124]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated October 24, 2013, the Cuyahoga Valley Scenic Railroad (CVSX) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2013–0124. CVSX, an Ohio non-profit 501(c)(3) organization, petitioned for a waiver of compliance from certain provisions of the safety glazing standards as prescribed by 49 CFR 223.15, *Requirements for existing passenger cars,* for 10 coach cars used in tourist/excursion service. Specifically, the car numbers are: CVSX 1, 89, 105, 110, 727, 2914, 3052, 3126, 6217, and 8700. These cars were built by various car builders in the late 1940s and early 1950s. The cars were acquired by CVSX between 1993 and 2009 from multiple sources. The trains are locomotive-hauled and operate in rural areas at speeds up to 29 mph. Since the cars were purchased and delivered to CVSX, there have been no acts of vandalism against the glazing. The primary use of the cars is for excursion trips on 25 miles of single track through the Cuyahoga Valley National Park. These cars typically operate up to12 months a year.

The cars are equipped with laminated safety glass and have windows marked for emergency egress on the interior as well as the exterior. The cars have emergency tools to break the marked egress windows. As these windows are not manufactured emergency egress windows, they will be marked as to where to break for emergency use. First responders within the park will attend periodic training seminars on how to remove these windows.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.

• *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00956 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0120]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated January 17, 2013, Railserve, Inc. (RASX) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2013–0120.

RASX of Atlanta, GA, petitioned for a waiver of compliance for one locomotive from the requirements of 49 CFR 223.11, *Requirements for existing locomotives,* which require certified glazing in all windows. The reporting mark on this locomotive is RASX 169. This locomotive is used in switching operations inside the Chevron Plant in Port Arthur, TX. The switching operations involved interchange with the Norfolk Southern Railway for inbound and outbound cars on general system railroad trackage that is less than one-half of a mile long. RASX stated that there is no history of vandalism at the Chevron Port Arthur, TX, plant and that the locomotive is parked inside the plant when not in use. The top speed of operations is 5 mph. RASX also stated that to install glass that meets FRA specifications would be cost prohibitive.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

• *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.

• *Fax:* 202–493–2251.

• *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.

• *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00953 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0118]

Petition for Waiver of Compliance

In accordance with 49 CFR part 211 this document provides the public notice that by a document dated January 17, 2013, Railserve, Inc. (RASX) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA–2013–0118.

RASX of Atlanta, GA, petitioned for a waiver of compliance for one locomotive from the requirements of 49 CFR 223.11, *Requirements for existing locomotives,* which requires certified glazing in all windows. The reporting mark on this locomotive is RASX 2580. This locomotive is used in switching operations inside the Cargill Plant in Memphis, TN. The switching operations involved interchange with Norfolk Southern Railway for inbound and outbound cars on railroad general system trackage that is less than one-quarter of a mile long. RASX stated that there is no history of vandalism at the Cargill Plant in Memphis, TN. The top speed of operations is 5 mph. RASX also stated that installing glass that meets FRA specifications would be cost prohibitive.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a

hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received by March 7, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2014–00951 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0009]

Request for Comments of a Previously Approved Information Collection

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on October 30, 2013 and comments were due by December 30, 2013. No comments were received.

DATES: Comments must be submitted on or before February 20, 2014.

FOR FURTHER INFORMATION CONTACT: Michael Yarrington, Chief, Office of Marine Insurance, Room W23–312, MAR–712, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC, 20590, (202) 366–1915. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title: Approval of Underwriters for Marine Hull Insurance.

OMB Control Number: 2133–0517.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: This collection of information involves the approval of marine hull underwriters to insure MARAD program vessels. Applicants will be required to submit financial data upon which MARAD approval would be based. This information is needed in order that MARAD officials can evaluate the underwriters and determine their suitability for providing marine hull insurance on MARAD vessels.

Affected Public: Marine insurance brokers and underwriters of marine insurance.

Estimated Number of Respondents: 62.

Estimated Number of Responses: 62.

Annual Estimated Total Annual Burden Hours: 46.

Frequency of Collection: Annually.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1:93.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01037 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0001]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel EYEHUNTER II; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0001. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel EYEHUNTER II is:

Intended Commercial Use of Vessel: 6 pack charter boat/sport fishing.

Geographic Region: Ohio, Michigan, Pennsylvania, New York. The complete application is given in DOT docket MARAD–2014–0001 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01039 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2013–0007]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SOJOURN; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2013–0007. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SOJOURN is:

Intended Commercial Use of Vessel: ''Luxurious canal cruises upon NY State waterways by professional United States crew personnel.'' *Geographic Region:* ''New York State'' The complete application is given in DOT docket MARAD–2013–0007 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01048 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2013–0005]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SUNBABY; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2013–0005. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents

entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SUNBABY is: *Intended Commercial Use of Vessel:* ''Passenger charter'' *Geographic Region:* California The complete application is given in DOT docket MARAD–2013–0005 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01047 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2013–0004]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel KATHLEEN ANNE; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2013–0004. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel KATHLEEN ANNE is: *Intended Commercial Use of Vessel:* ''Vessel is to be used for charter fishing'' *Geographic Region:* ''New York'' The complete application is given in DOT docket MARAD–2013–0004 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01045 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0002]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel HOPE SAN; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0002. Written comments may be submitted by hand or by mail to the Docket Clerk,

U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel HOPE SAN is: *Intended Commercial Use of Vessel:* ''Hourly and day charter in and around Newport RI''. *Geographic Region:* Rhode Island, Connecticut, Massachusetts, New Hampshire, and Maine. The complete application is given in DOT docket MARAD–2014–0002 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01040 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2013–0008]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SPIRIT; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2013–0008. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SPIRIT is: *Intended Commercial Use Of Vessel:* ''Private Vessel Charters, Passengers Only'' *Geographic Region:* ''Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, California, Oregon, Washington, and Alaska (excluding waters in Southeastern Alaska and waters north of a line between Gore Point to Cape Suckling [including the North Gulf Coast and Prince William Sound]).''

The complete application is given in DOT docket MARAD–2013–0008 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: January 14, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01049 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0003]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel HALCYON; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0003. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web *at http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel HALCYON is: *Intended Commercial Use of Vessel:* ''Carry passengers for hire on eco tours'' *Geographic Region:* ''Delaware, Maryland, Washington, DC, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, California, Puerto Rico''

The complete application is given in DOT docket MARAD–2014–0003 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

Dated: January 14, 2014.

By Order of the Maritime Administrator.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01044 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2013–0006]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ZOAR; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before February 20, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2013–0006. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ZOAR is: *Intended Commercial Use of Vessel:* ''Short cruises—sunset, lunch, or similar'' *Geographic Region:* ''New York, Pennsylvania, Ohio, North Carolina, South Carolina, Georgia, Florida'' The complete application is given in DOT docket MARAD–2013–0006 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

Dated: January 14, 2014.

By Order of the Maritime Administrator.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–01046 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket Number NHTSA–2013–0147; Notice 1]

Reports, Forms, and Recordkeeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of proposed extension, without change, of a currently approved collection of information.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes one collection of information for which NHTSA intends to seek extension of OMB approval.

DATES: Comments must be received on or before March 24, 2014.

ADDRESSES: You may submit comments identified by DOT Docket No. NHTSA–2013–0147 by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays. Telephone: 1–800–647–5527.
- *Fax:* 202–493–2251.

Instructions: All submissions must include the agency name and docket number for this proposed collection of information. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov.* or the street address listed above. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT: George Stevens, NHTSA, 1200 New Jersey Avenue SE., Room W43–490, Washington, DC 20590. Mr. Steven's telephone number is (202) 366–5308. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5CFR 1320.8(d), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) 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;

(iii) how to enhance the quality, utility, and clarity of the information to be collected;

(iv) how 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, e.g. permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collections of information:

Type of Request: Extension of clearance.

OMB Control Number: 2127–0045.

Form Number: This collection of information uses no form.

Title: 49 CFR Part 556, Petitions for Inconsequentiality.

Affected Public: Businesses or other for profit entities.

Abstract: If a motor vehicle or item of replacement motor vehicle equipment is determined to contain a defect related to motor vehicle safety or not to comply with an applicable Federal motor vehicle safety standard (FMVSS), the manufacturer is required under 49 U.S.C. 30118 to furnish NHTSA and owners, purchasers, and dealers of the motor vehicle or equipment with notification of the defect or noncompliance. The manufacturer must also remedy the defect or noncompliance without charge under 49 U.S.C. 30120.

A manufacturer may be exempted from these requirements under 49 U.S.C. 30118(d) if the agency decides, upon application of the manufacturer, that the defect or noncompliance is inconsequential as it relates to motor vehicle safety. That section provides that the agency may only take such action after publishing notice in the **Federal Register** and providing an opportunity for any interested person to present information, views, and arguments.

Regulations implementing this provision are found in 49 CFR part 556 *Exemption for Inconsequential Defect or Noncompliance.* The regulations provide that ''the effect of a grant of a petition is to relieve the manufacturer from any further responsibility to provide notice and remedy of the defect or noncompliance.'' See 49 CFR 556.7.

The regulations further provide that each petition submitted under part 556 must:

(1) Be written in the English language;

(2) Be submitted in three copies to NHTSA;

(3) State the full name and address of the applicant, the nature of its organization (e.g., individual, partnership, or corporation) and the name of the State or county under the laws of which it is organized;

(4) Describe the motor vehicle or item of replacement equipment, including the number involved and the period of production, and the defect or noncompliance concerning which an exemption is sought, and

(5) Set forth all data, views, and arguments of the petitioner supporting the petition.

See 49 CFR 556.4(b).

The regulations also provide that the petition must be accompanied by three copies of the report of the defect or noncompliance that the manufacturer has compiled for submission to NHTSA under 49 CFR part 573 *Defect and Noncompliance Responsibility and*

Reports, and be submitted no later than 30 days after the manufacturer determines the existence of the defect or noncompliance or is notified that NHTSA has determined the existence of the defect or noncompliance. See 49 CFR 556.4(b)(6) and (c).

The agency receives, on average, 30 petitions per year seeking exemptions under part 556 for an inconsequential defect or noncompliance. The agency estimates that it would take, on average, five hours for a manufacturer to compile, organize, and submit the information needed to support each petition.

Estimated Annual Burden: 150 hours.

Number of Respondents: 30.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Claude H. Harris,

Acting Associate Administrator for Enforcement.

[FR Doc. 2014–00921 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA–2013–0141]

Reports, Forms, and Recordkeeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Request for public comment on proposed collection of information.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections.

This document describes the collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before March 24, 2014.

ADDRESSES: You may submit comments identified by DOT Docket ID Number NHTSA–2013–0141 using any of the following methods:

Electronic submissions: Go to *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

Mail: Docket Management Facility, M–30, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.

Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: 1–202–493–2251.

Instructions: Each submission must include the Agency name and the Docket number for this Notice. Note that all comments received will be posted without change to *http://www.regulations.gov* including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Dr. Dereece Smither, Contracting Officer's Technical Representative, Office of Behavioral Safety Research (NTI–131), National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., W46–489, Washington, DC 20590. Dr. Smither's phone number is 202–366–9794 and her email address is *dereece.smither@dot.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) 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;

(iii) how to enhance the quality, utility, and clarity of the information to be collected; and

(iv) how 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, e.g., permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

Title—Evaluation of the Advanced Roadside Impaired Driving Enforcement (ARIDE) Curriculum

Type of Request—New information collection requirement.

OMB Clearance Number—None.

Form Number—NHTSA Forms 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, and 1239.

Requested Expiration Date of Approval—3 years from date of approval.

Summary of the Collection of Information—NHTSA proposes to conduct an evaluation of the Advanced Roadside Impaired Driving Enforcement (ARIDE) Curriculum. The National Highway Traffic Safety Administration (NHTSA) and the International Association of Chiefs of Police (IACP) currently offers a 16-hour instructor-led course entitled Advanced Roadside Impaired Driving Enforcement (ARIDE) to law enforcement officers. This training, currently in use in many States, is an effort to train officers to recognize the signs and symptoms of persons who may be under the influence of drugs, including alcohol. The ARIDE program has been described by law enforcement leaders as a valuable tool for officers in the identification of impaired drivers.

This evaluation will assess the ways in which the ARIDE course is implemented and will examine learner performance. Key study measures include:

- Similarities and differences in course delivery among various ARIDE courses;
- Course participants' short- and long-term retention of information learned during the training; and,
- The overall effect of the training on the student's performance of their enforcement duties.

These measures will be captured using videotaped observations, interviews with participants, instructors, and fellow officers, and examining course assessments. Law enforcement officers who have not attended the course will serve as a control group. Data from four different groups of participants will be a collected during the course of this project:

- Law Enforcement Officers taking the ARIDE Training will be given a

course survey, pre and post-course tests, and a follow-up observational survey,

- Law Enforcement Officials will be interviewed about their respective officers and about the ARIDE program in general,
- Course Administrators and Instructors will be surveyed about course implementation,
- Colleagues of the ARIDE-Trained Officers, including DRE (Drug Recognition Experts) Officers, will be surveyed about their interactions with ARIDE-Trained and non-ARIDE-Trained Officers.

Participation by all respondents is voluntary. The personally identifiable information used to contact respondents would be held separately from the information provided by all participants so that no connection can be made between the two. All results will be reported in aggregate.

Description of the Need for the Information and Proposed Use of the Information—NHTSA was established to reduce the number of deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways. As part of this statutory mandate, NHTSA is authorized to conduct research as a foundation for the development of motor vehicle standards and traffic safety programs.

NHTSA has received several directives regarding training law enforcement officers to identify DUID (the most recent, the Office of National Drug Control Policy's strategy [1] for preventing drugged driving). Therefore, it is important that NHTSA provide the most up-to-date, informative, applicable, and effective (in terms of cost, time, and resources) curriculum possible to a broad audience of law enforcement officers.

For many types of courses, NHTSA will hear that the training was a ''success'' because hundreds of students were trained, or because a certain number of students passed the test with a ''high'' score. However, neither of these explanations is sufficient to inform us as to what the students learned, whether, and for how long, they will retain the knowledge, and how they will use that information. NHTSA is interested in implementing strong and pertinent curricula, and conducting solid evaluations of those courses that can help teach individuals (in this case, law enforcement officers, prosecutors, and other traffic safety professionals) in a cost-effective manner, about recognition of drug and alcohol impairment. Therefore, the purpose of this project is to evaluate the ARIDE curriculum, as it is currently delivered, and assess the overall effectiveness of linking the objectives to the course materials, and how the objectives contribute to enhancing the officers' skill at making informed arrest decisions at the roadside. Overall, the information gained as a result of this project will be instrumental in guiding potential improvements to the training of officers in the detection, apprehension, and prosecution of impaired drivers.

Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)—The primary data collection populations for this research design include:

- Law enforcement officers, specifically ARIDE Training Participants (learner group) and individuals that intend to take the ARIDE training in the near future (control group);
- Partners/colleagues of law enforcement officers, specifically the peers of the individuals in the learner and control groups, including DREs;
- First-line supervisors and Leaders of law enforcement officers in both the learner and control groups; and
- ARIDE Course Administrators/Instructors.

The IACP and NHTSA offer approximately 150 classes annually, which provide training to approximately 2400 officers each year. Based on our research of the design effects of similar studies and prior experiences evaluating other training programs, as well as the accommodation of current project fiscal parameters, we propose a two stage sampling plan of selecting a total of 1200 participants across states (N=1200). First, we will select six states nationwide that plan to have ARIDE courses in 2014/2015 to obtain a sample population of 1200 potential participants that satisfy the inclusion criterion above. The states will be selected to represent different regions of the country, and, if relevant, different policies in the implementation of ARIDE. To secure the control group, states that mandate 100 percent ARIDE course participation will not be selected, nor will states with so few participants that the intended sample size cannot be obtained. Our sampling plan assumes an average of 20 participants per course administration, and five course administrations per state.

NHTSA expects the ARIDE Training Participants to complete course assessment and survey materials and post-course follow up materials which will be made available in online and paper versions. NHTSA estimates that the ARIDE Training Participants will take an average of 7 hours to complete the course assessment materials and post-course assessment and survey information. The Control Group study participants will require only 1 hour to complete the knowledge assessment and survey information. NHTSA estimates partners and colleagues of the law enforcement officers who have completed the ARIDE course will need approximately 20 minutes to complete a survey about ARIDE-trained and non-ARIDE-trained officer's activities. NHTSA estimates that the Supervisors and Organizational Leaders of ARIDE and non-ARIDE trained officers will need approximately 1 hour to complete interview and survey information about their respective officers and about the ARIDE program in general. The survey of ARIDE Course Administrators and Instructors gauging their opinions about course administration and implementation will require about 30 minutes to complete.

Estimate of the Total Annual Reporting and Recordkeeping Burden Resulting From the Collection of Information—NHTSA estimates that the ARIDE Training Participants will take an average of 7 hours to complete the course assessment materials and post-course assessment and survey information, for a total of 4200 hours for the assessments/surveys (600 ARIDE Training Participants × 7 hours). The Control Group study participants will require 1 hour to complete the knowledge assessment and survey information, which would produce a total of 600 hours burden (600 non-ARIDE-Trained officers × 1 hour). NHTSA estimates Partners and Colleagues of the law enforcement officers who have completed the ARIDE course will need approximately 20 minutes to complete a survey about ARIDE-trained and non-ARIDE-trained officer's activities, which would result in a burden of 34 hours (100 colleagues × 20 minutes). NHTSA estimates that the Supervisors and Organizational Leaders of ARIDE and non-ARIDE trained officers will need approximately 1 hour to complete interview and survey information about their respective officers and about the ARIDE program in general, which would result in a burden of 50 hours (50 Law Enforcement Supervisors/Leaders). The survey of ARIDE Course Administrators and Instructors gauging their opinions about course administration and

[1] Office of National Drug Control Policy (2010). The Presidents' national drug control strategy—2010 (pp. 23–24). Washington, DC: Author. Retrieved from *http://www.whitehousedrugpolicy.gov/publications/policy/ndcs10/index.html.*

implementation will require about 30 minutes to finish, which will produce a burden of 20 hours (40 Course Administrators/Instructors × 30 minutes). NHTSA expects that the study period will cover a single calendar year. Thus the annual reporting burden would be 4,904 hours. The respondents would not incur any reporting cost from the information collection. The respondents also would not incur any record keeping burden or record keeping cost from the information collection.

Authority: 44 U.S.C. Section 3506(c)(2)(A).

Issued on: January 15, 2014.

Jeff Michael,

Associate Administrator, Research and Program Development.

[FR Doc. 2014–01014 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0063; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming 2001 PT Gemala Saranaupaya 1600 Double Axle Trailers Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 2001 PT Gemala Saranaupaya 1600 double axle trailers that were not originally manufactured to comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS) are eligible for importation into the United States because they have safety features that comply with, or are capable of being altered to comply with, all such standards.

DATES: The closing date for comments on the petition is February 20, 2014.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* 202–493–2251.

Instructions: Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *http://www.regulations.gov*, including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered.

How to Read Comments submitted to the Docket: You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at *http://www.regulations.gov.*

Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(B), a motor vehicle, including a trailer, that was not originally manufactured to conform to all applicable FMVSS, and has no substantially similar U.S.-certified counterpart, shall be refused admission into the United States unless NHTSA has decided that the motor vehicle has safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence as NHTSA decides to be adequate.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Wallace Environmental Testing Laboratories, Inc. (WETL), of Houston, Texas (Registered Importer R–09–005) has petitioned NHTSA to decide whether nonconforming 2001 PT Gemala Saranaupaya 1600 double axle trailers are eligible for importation into the United States. WETL believes these vehicles are capable of being modified to meet all applicable FMVSS.

WETL submitted information with its petition intended to demonstrate that 2001 PT Gemala Saranaupaya 1600 double axle trailers are capable of being altered to comply with all standards to which they were not originally manufactured to conform.

The petitioner contends that the nonconforming 2001 PT Gemala Saranaupaya 1600 double axle trailers meet or are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 106—*Brake Hoses:* Installation of conforming brake hoses.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment:* The trailer will require the following modifications to comply with the requirements. On the rear, 3 lamps will be installed as close as practical to the top of the vehicle at the same height and as close as practical to the center line with lamp centers spaced not less than 6 inches or more than 12 inches. The two red lamps on the rear and two amber lamps on the front must be replaced with lamps conforming to the requirements. The brake and turn signal lamps must be replaced as well.

Standard No. 119 *New Pneumatic Tires for Vehicles Other than Passenger Cars:* Installation of tires conforming to the requirements of the standard.

Standard No. 120 *Tire Selection and Rims for Motor Vehicles Other than Passenger Cars:* Installation of a tire and rim information placard in order to meet the requirements of the standard.

Standard No. 121 *Air Brake Systems:* Installation of a brake system designed specifically for the vehicle in order to meet the requirements of FMVSS No. 121. Test reports intended to validate that the system conforms to the requirements of the standard were submitted as part of this petition.

Standard No. 224 *Rear Impact Protection:* Installation of a rear impact guard that conforms to the equipment requirements of FMVSS No. 223 *Rear Impact Guards* in a manner consistent with the manufacturer's installation instructions.

49 CFR part 565 *Vehicle Identification Number Requirements:* Installation of a vehicle identification number (VIN) label to conform to the requirements of this standard.

Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.7; delegations of authority at 49 CFR 1.95 and 501.8.

Claude H. Harris,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2014–00924 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0133; Notice 1]

General Motors, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: General Motors, LLC (GM) has determined that certain model year (MY) 2011, 2012 and 2013 Chevrolet Volt passenger cars sold with windshield sunshades as a ''Limited Personalization Option,'' do not fully comply with paragraph S4.3 of Federal Motor Vehicle Safety Standard (FMVSS) No. FMVSS 302, *Flammability of Interior Materials.* GM has filed an appropriate report dated August 27, 2013, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.*

DATES: The closing date for comments on the petition is February 20, 2014.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Deliver:* Deliver comments by hand to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by: logging onto the Federal Docket Management System (FDMS) Web site at *http://www.regulations.gov/.* Follow the online instructions for submitting comments. Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *http://www.regulations.gov* by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477–78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

SUPPLEMENTARY INFORMATION:

I. GM's Petition

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), GM submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved

Affected are approximately 3,426 MY 2011, 2012 and 2013 Chevrolet Volt passenger cars that were manufactured from 12/14/2010 to 06/26/2013 and sold to retail customers with windshield sunshades as a ''Limited Personalization Option.''

III. Noncompliance

GM explains that the noncompliance is that the subject vehicles were delivered as new vehicles to retail customers with windshield sunshades that do not meet the maximum burn rate requirement of paragraph S4.3 of FMVSS No. 302.

IV. Rule Text

Refer to the entire text of Paragraph S4 of FMVSS No. 302 for contextual restrictions as well as the specific requirements of subparagraph S4.3.

V. Summary of GM's Analyses

GM stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

a. When tested as a finished part (i.e., with the inner and outer layers tested as though they form a composite), the sunshade's burn rate of 35mm/minute is significantly less than the FMVSS No. 302 maximum burn rate of 102 mm/minute. The outer layer is composed of self-extinguishing material that meets all of the requirements of FMVSS No. 302. While the layers of the assembly are not bonded at every point of contact, they are held together and encased with FMVSS No. 302 compliant self-extinguishing trim and stitching around the entire perimeter of the sunshade. Additional double rows of stitching create vertical accordion fold lines in the sunshade. The stitching segments the inner layer into smaller pieces that

are separated by double layers of the FMVSS No. 302 compliant self-extinguishing outer layer material.

b. Only the inner layer, by itself, does not meet the FMVSS No. 302 burn rate, and at 110 mm/minute, it is only marginally above the 102 mm/minute requirement.

c. The sunshade has a storage bag which is made of FMVSS No. 302 compliant material. When the sunshade is stored in the provided bag while the vehicle is in use, the external surface that is presented to the occupant compartment is well within the FMVSS requirement, and two layers of FMVSS No. 302 compliant material would have to be penetrated to reach the marginally noncompliant inner layer.

d. Even if the sunshade was not placed in its storage bag when not in use, the external surface that is presented to the occupant compartment is still FMVSS compliant, and this layer would still need to be penetrated to reach the marginally noncompliant inner layer. In addition, folding it alone reduces the sunshade's surface area to approximately one eighth of the unfolded surface area, further reducing the exposure to any potential ignition source.

e. GM stated its belief that the purpose of FMVSS No. 302 is ''to reduce the deaths and injuries to motor vehicle occupants caused by vehicle fires, especially those originating in the interior of the vehicle from sources such as matches or cigarettes.'' FMVSS No. 302, paragraph S.2. The sunshade is designed to be used only when the vehicle is parked, and it is extremely unlikely that the inner layer would ever come in contact with an ignition source. As such, it is extremely unlikely that a vehicle occupant would ever be exposed to a risk of injury as a result of the noncompliance.

f. Because the sunshade is intended to help reduce sun load during hot weather conditions, it may be removed from the vehicle entirely during colder months, further reducing the exposure of the sunshade to the interior of the vehicle.

g. GM stated its belief that NHTSA has previously granted several inconsequential noncompliance petitions that GM believes can be applied to a decision on its petition. See GM's petition for a complete discussion of its reasoning.

h. There are no known field events involving ignition of sunshades. GM is not aware of any crashes, injuries or customer complaints involving this windshield sunshade.

GM has additionally informed NHTSA that it has corrected the noncompliance so that all future production vehicles delivered with windshield sunshades will comply with FMVSS No. 302

In summation, GM believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that GM no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve motor vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant motor vehicles under their control after GM notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120: Delegations of authority at 49 CFR parts 1.95 and 501.8.

Claude H. Harris,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2014–00923 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0040; Notice 2]

General Motors, LLC, Grant of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: General Motors, LLC (GM) has determined that certain model year (MY) 2013 Chevrolet Cruze, Chevrolet Volt, and Buick Verano passenger cars manufactured between November 15, 2012 and January 11, 2013, do not fully comply with paragraph S4.2.6 of Federal Motor Vehicle Safety Standard (FMVSS) No. 202a, *Head Restraints; Mandatory Applicability Begins on September 1, 2009.* GM has filed an appropriate report dated February 15, 2013, pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports.*

ADDRESSES: For further information on this decision contact Mr. Ed Chan, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 493–0335.

SUPPLEMENTARY INFORMATION:

I. GM's Petition

Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR Part 556, GM has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the petition was published, with a 30-day public comment period, on October 28, 2013 in the **Federal Register** (78 FR 64289). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: *http://www.regulations.gov/.* Then follow the online search instructions to locate docket number ''NHTSA–2013–0040.''

II. Vehicles Involved

Affected are approximately 32,838 MY 2013 Chevrolet Cruze, Chevrolet Volt, and Buick Verano passenger cars manufactured between November 15, 2012 and January 11, 2013.

III. Summary of GM's Analyses

GM explains that the noncompliance is that between 8 and 12 percent of the affected vehicles have rear outboard head restraints that do not meet the height retention requirements specified in paragraph S4.2.6 of FMVSS No. 202a.

GM further explained that the noncompliance is the result of a notch in one of the two head restraint rods not being machined to specifications. This notch corresponds to the rear head restraint's highest adjustment position. This condition does not affect the ability to lock the head restraint in the middle or lowest positions. Nor does it make the head restraint capable of being more easily removed.

GM stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

The root cause of the condition was determined to be a change made by a machine operator which reduced the clamping force in the operation that cuts the notches in the head restraint rod, slightly altering the shape of the notch. Restraints with the altered notch have a lower retention force than design intent.

The retention force for the head restraints with the improperly machined notch was measured as approximately 150 N.

GM recognizes that one of NHTSA's concerns was improper positioning of head restraints due to the head restraint moving out of position either during normal vehicle use or in a crash, as stated in the FMVSS No. 202a NPRM (January 4, 2001, 66 FR 979).

For everyday use, with the adjustment button depressed, these head restraints are designed to move down with a force of 40±20N. The measured retention force for the improperly machined notch is nearly 4 times the nominal adjustment force and 2.5 times the maximum. Without the button depressed, these head restraints will not ''slip'' or easily move down from the top adjustment position. For most, it would take a deliberate two-handed action to cause the restraint to move from the top to the mid position without activating the release button. The tactile feedback from such forced movement would be clear indication that it is not the correct method for adjusting the restraint. The opportunity for inadvertent misadjustment of the restraint is also diminished due to the fact that these are rear seat head restraints with no seating positions behind them. They are not at risk for misadjustment as a result of someone bumping or grabbing the restraint for assistance during vehicle ingress and egress.

FMVSS No. 202a provides two compliance options for head restraints. They are Paragraph S4.2 (Dimensional and Static Performance) or paragraph S4.3 (Dynamic Performance and Width). As with most of its vehicles, GM chose to certify the rear seat head restraints for the 2013 Cruze, Verano and Volt, to S4.2 (the ''static option'') and the front head restraints to S4.3 (the ''dynamic option'').

In order to evaluate the efficacy of the rear head restraints with the improperly machined notches, GM conducted a series of 6 sled tests at MGA Research. Two tests each were run for the Cruze, Volt and Verano. For each vehicle, one test was run according to the procedure specified by FMVSS No. 202a paragraph S4.3 which places the head restraint in the mid-position, and a second test was run in the same manner as the first test, but with the head restraint placed in the top position. The top position is that used in the height retention test of the static option, and that position is the one with the improperly machined notch. Improperly machined head restraints and corresponding rod guides were used for each test.

Significantly, in the three sled tests with the head restraint in the uppermost position, the head restraint did not move down. For all tests, the head restraint remained in its pretest height adjustment throughout the test. Also, in all sled tests (upper and mid position) the dummy met the injury criteria specified in the requirements for the dynamic option (<12 degree of neck rotation, <500 HIC) and head restraint width >170 mm.

GM's Arguments

GM believes that the subject noncompliance is inconsequential to motor vehicle safety because for the following reasons occupant protection is not compromised:

1. The noncompliant test vehicles meet the requirements specified under the dynamic compliance option 1 in all six sled tests. Therefore, GM believes that the improperly machined head restraint rod notches do not expose occupants to a significantly greater risk than those with properly machined notches.

2. The head restraints remained in their adjusted positions throughout the tests.

3. The occupant performance criteria specified for the dynamic compliance option was met in both the mid and upper head restraint adjustment positions.

4. These head restraints will maintain their adjusted positions during everyday use of the vehicle.

5. Paragraph S4.2.6 of FMVSS No. 202a allows 13 mm of permanent displacement of the head restraint. By design, the distance between the top and mid adjustment positions of the subject head restraints is 19 mm. Thus, the potential head restraint displacement due to the improperly machined notch is limited to 19 mm.

6. The owner's manual instructions continue to meet all the requirements of FMVSS No. 202a. Even though the head restraint could be forced down to the mid-position, it still requires substantially more effort than it does when the adjustment button at the base of the head restraint is depressed. The owner's manual instructions continue to be the recommended manner of adjustment.

7. GM is not aware of any injuries or customer complaints associated with this condition.

GM has additionally informed NHTSA that it has corrected the noncompliance so that all future production vehicles will comply with FMVSS No. 202a.

In summation, GM believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

IV. NHTSA Decision

NHTSA has reviewed and accepts GM's analyses that the subject noncompliance is inconsequential to motor vehicle safety. Specifically, the stated noncompliance poses little if any risk to motor vehicle safety because although the vehicles do not meet the static requirements of paragraph S4.2 of FMVSS No. 202a as certified by GM, they do meet the optional dynamic requirements of paragraph S4.3 of FMVSS No. 202a. Consequently, the subject vehicles are no less compliant than vehicles certified to the dynamic option.

Also, while GM's basis of certification for the subject vehicles was the static method, the certification labels on the subject vehicles do not identify the method of certification. Therefore, no associated labeling corrections are necessary.

In consideration of the foregoing, NHTSA has decided that GM has met its burden of persuasion that the FMVSS No. 202a noncompliance is inconsequential to motor vehicle safety. Accordingly, GM's petition is hereby granted and GM is exempted from the obligation of providing notification of, and a remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision only applies to the vehicles that GM no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of

the noncompliant vehicles under their control after GM notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120: Delegations of authority at 49 CFR 1.95 and 501.8.

Claude H. Harris,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2014–00922 Filed 1–17–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on the Readjustment of Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92–463 (Federal Advisory Committee Act) that a meeting of the Advisory Committee on the Readjustment of Veterans will be held Thursday, February 6 through Friday, February 7, 2014. The meeting will be conducted at the Department of Veterans Affairs Central Office, 810 Vermont Avenue NW., Washington, DC 20420. The agenda for both days will begin at 8 a.m. and end at 4:30 p.m. The meeting on both days is open to the public.

The purpose of the Committee is to review the post-war readjustment needs of combat Veterans and to evaluate the availability and effectiveness of VA programs to meet these needs.

On February 6, the Committee will be briefed by the Secretary of Veterans Affairs on current directions and priorities for serving the Nation's war Veterans. The Committee will also hear from the Principle Deputy Under Secretary for Health on new directions of care in Veterans Health Administration (VHA) and the coordination of VA healthcare with readjustment counseling.

Also on this date the Committee will receive briefings from key program officials in VHA and Veterans Benefits Administration (VBA) regarding programs of specific value to the psychological, social and economic readjustment of combat Veterans.

On February 7, the Committee will receive updates on the current activities of the Readjustment Counseling Service Vet Center program to include the full scope of outreach and readjustment counseling services provided to combat Veterans. The briefing will also focus on the coordination of Vet Center services with VHA healthcare and mental health and VBA benefits programs. The Committee will also receive briefings on new legislative authorities extending Vet Center readjustment services to new eligible Veteran populations. The agenda will conclude with a Committee strategic planning session for developing the annual Committee Report.

No time will be allocated at this meeting for receiving oral presentations from the public. However, members of the public may direct written questions or submit prepared statements for review by the Committee in advance of the meeting to Mr. Charles M. Flora, M.S.W., Designated Federal Officer, Readjustment Counseling Service (15), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420. Because the meeting will be in a Government building, anyone attending must be prepared to show a valid photo ID for checking in. Please allow 15 minutes before the meeting begins for this process. Those who plan to attend or have questions concerning the meeting may contact Mr. Flora at (202) 461–6525 or *charles.flora@va.gov.*

Dated: January 14, 2014.

William F. Russo,

Deputy Director, Office of Regulation Policy & Management, Office of the General Counsel.

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FEDERAL REGISTER

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Part II

The President

Proclamation 9076—Religious Freedom Day, 2014

Proclamation 9077—Reserving Certain Submerged Lands in the Commonwealth of the Northern Mariana Islands

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Presidential Documents

Title3—

The President

Proclamation 9076 of January 15, 2014

Religious Freedom Day, 2014

By the President of the United States of America

A Proclamation

In 1786, the Virginia General Assembly affirmed an ideal that has long been central to the American journey. The Virginia Statute for Religious Freedom, penned by Thomas Jefferson, declared religious liberty a natural right and any attempt to subvert it ''a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either.'' The Statute inspired religious liberty protections in the First Amendment, which has stood for almost two and a quarter centuries.

Today, America embraces people of all faiths and of no faith. We are Christians and Jews, Muslims and Hindus, Buddhists and Sikhs, atheists and agnostics. Our religious diversity enriches our cultural fabric and reminds us that what binds us as one is not the tenets of our faiths, the colors of our skin, or the origins of our names. What makes us American is our adherence to shared ideals—freedom, equality, justice, and our right as a people to set our own course.

America proudly stands with people of every nation who seek to think, believe, and practice their faiths as they choose. In the years to come, my Administration will remain committed to promoting religious freedom, both at home and across the globe. We urge every country to recognize religious freedom as both a universal right and a key to a stable, prosperous, and peaceful future.

As we observe this day, let us celebrate America's legacy of religious liberty, embrace diversity in our own communities, and resolve once more to advance religious freedom in our time.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 16, 2014, as Religious Freedom Day. I call on all Americans to commemorate this day with events and activities that teach us about this critical foundation of our Nation's liberty, and show us how we can protect it for future generations at home and around the world.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

[FR Doc. 2014–01260
Filed 1–17–14; 11:15 am]
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Presidential Documents

Proclamation 9077 of January 15, 2014

Reserving Certain Submerged Lands in the Commonwealth of the Northern Mariana Islands

By the President of the United States of America

A Proclamation

The submerged lands surrounding the islands of Farallon de Pajaros (Uracas), Maug, and Asuncion in the Commonwealth of the Northern Mariana Islands are among the most biologically diverse in the Western Pacific, with relatively pristine coral reef ecosystems that have been proclaimed objects of scientific interest and reserved for their protection as the Islands Unit of the Marianas Trench Marine National Monument (marine national monument) by Proclamation 8335 of January 6, 2009. Certain submerged lands adjacent to the land leased by the United States of America on the islands of Tinian and Farallon de Medinilla under the Lease Agreement Made Pursuant to the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, dated January 6, 1983, as amended (Lease) are essential for ensuring that United States forces forward deployed to the Western Pacific are adequately trained and ready to respond immediately and effectively to orders from the National Command Authority, and for ensuring the safety of citizens of the Commonwealth of the Northern Mariana Islands.

Certain of these submerged lands will be conveyed by the United States to the Government of the Commonwealth of the Northern Mariana Islands on January 16, 2014, pursuant to section 1(a) of Public Law 93–435, as amended by section 1 of Public Law 113–34 (the ''Act''), unless the President designates otherwise pursuant to section 1(b)(vii) of the Act.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of authority vested in me by section 1(b)(vii) of the Act, do hereby proclaim that the lands hereinafter described are excepted from transfer to the Government of the Commonwealth of the Northern Mariana Islands under section 1(a) of the Act:

the submerged lands adjacent to the islands of Farallon de Pajaros (Uracas), Maug, and Asuncion permanently covered by tidal waters up to the mean low water line and extending three geographical miles seaward from the mean high tide line; and

the submerged lands adjacent to the islands of Tinian and Farallon de Medinilla permanently or periodically covered by tidal waters up to the line of mean high tide and extending seaward to a line three geographical miles distant from those areas of the coastline that are adjacent to the leased lands described in the Lease.

Nothing in this proclamation is intended to affect the authority of the Secretary of the Interior (Secretary) under section 1(b) of the Act to subsequently convey the submerged lands adjacent to the islands of Farallon de Pajaros (Uracas), Maug, and Asuncion when the Secretary, the Secretary of Commerce, and the Government of the Commonwealth of the Northern Mariana Islands have entered into an agreement for coordination of management that ensures the protection of the marine national monument within the excepted area described above. Furthermore, nothing in this proclamation is intended to affect the authority of the Secretary under section 1(b) of the Act to subsequently convey the submerged lands adjacent to the land

leased by the United States on the islands of Tinian or Farallon de Medinilla when the Secretary of the Navy and the Government of the Commonwealth of the Northern Mariana Islands have entered into an agreement that ensures protection of military training within the excepted area.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

[FR Doc. 2014–01261
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S. 1614 / Public Law 113-74

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H.J. Res. 106 / Public Law 113-73

Making further continuing appropriations for fiscal year 2014, and for other purposes. (Jan. 15, 2014; 128 Stat. 3; 1page)

H.R. 667 / Public Law 113-75

To redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range. (Jan. 16, 2014; 128 Stat. 4; 1 page)

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