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SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

RIN 3245–AG60

Small Business Size Standards: Inflation Adjustment to Monetary Based Size Standards

AGENCY: U.S. Small Business Administration.

ACTION: Interim Final Rule with request for comments.

SUMMARY: The U.S. Small Business Administration (SBA or Agency) is adjusting the monetary based industry size standards (*i.e.,* receipts, assets, net worth, and net income) for inflation that has occurred since the last adjustment in 2008. These adjustments are in addition to the recent revisions to size standards as part of the current comprehensive size standards review, as mandated by the Small Business Jobs Act of 2010 (Jobs Act). Also adjusted for inflation are program based size standards, with the exception of the new alternative size standard for SBA's 7(a) and 504 loan programs that was established under the Jobs Act. The new alternative size standard will remain in effect until SBA establishes a permanent alternative size standard for the 7(a) and 504 loan programs. SBA is also deleting references to Surety Bond Guarantee size standards for contracts awarded in 2005 in the Presidentially declared disaster areas following Hurricanes Katrina, Rita, and Wilma. In addition, SBA is deleting the determination date for eligibility under the Agency's Economic Injury Disaster Loan (EIDL) Program in connection with the same 2005 hurricanes. Finally, SBA is clarifying that footnote 9 to its table of size standards is not limited to NAICS 531190, but rather applies to all industries in Industry Group 5311, Lessors of Real Estate.

DATES:

Effective Date: This rule is effective July 14, 2014.

Comment Date: Comments must be received on or before August 11, 2014.

ADDRESSES: You may submit comments, identified by RIN 3245–AG60, by any of the following methods: (1) Federal Rulemaking Portal: *http://www.regulations.gov*, following the specific instructions for submitting comments; or (2) Mail/Hand Delivery/Courier: Khem R. Sharma, Ph.D., Chief, Office of Size Standards, 409 Third Street SW., Mail Code 6530, Washington, DC 20416. SBA will not accept comments submitted by email to this rule.

SBA will post all comments to this interim final rule on *www.regulations.gov*. If you wish to submit confidential business information (CBI) as defined in the User Notice at *www.regulations.gov*, you must submit such information to the U.S. Small Business Administration, Khem R. Sharma, Ph.D., Chief, Office of Size Standards, 409 Third Street SW., Mail Code 6530, Washington, DC 20416, or send an email to *sizestandards@sba.gov*. Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review your information and determine whether it will make the information public.

FOR FURTHER INFORMATION CONTACT: Jorge Laboy-Bruno, Ph.D., Office of Size Standards, (202) 205–6618 or *sizestandards@sba.gov*.

SUPPLEMENTARY INFORMATION: As explained in the SBA's ''Size Standard Methodology'' White paper available at *www.sba.gov/size,* SBA reviews small business size standards and makes necessary adjustments to them for two reasons: (i) Changes in industry structure and Federal market conditions; and (ii) inflation. Recently, SBA reviewed all monetary based industry size standards with respect to industry structure and Federal market conditions. SBA published a series of rules to revise many of them as part of its ongoing comprehensive size standards review. In this rule, SBA is adjusting its monetary based industry size standards for inflation that has occurred since the last inflation adjustment, published in July 2008 (73 FR 41237). These include receipts based size standards for 476 industries and 11 subindustries (*i.e.,* ''exceptions'' in SBA Table of Size Standards) and assets based size standards for five industries. Additionally, SBA is adjusting three program specific receipts based size standards, namely, (1) Sales or Leases of Government Property (other than manufacturing); (2) stockpile purchases; and (3) the alternative size standard for the Small Business Investment Company (SBIC) Program that is based on tangible net worth and net income. As explained elsewhere in this rule, SBA is not adjusting the new tangible net worth and net income based alternative size standard established under the Jobs Act for its 7(a) and 504 Loan Programs. Also not adjusted is the $750,000 receipts based size standard set by statute for agricultural industries.

SBA is required to assess the impact of inflation on its monetary based size standards at least once every five years (*see* SBA Interim Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards (67 FR 3041 (January 23, 2002)) and 13 CFR 121.102). Although the provision does not mandate that SBA actually adjust size standards for inflation every five years, it does provide assurances to the public that the Agency is monitoring inflation and is making a decision on whether or not to adjust size standards within a reasonable period of time since its last inflation adjustment. Previous inflation adjustments to size standards were in SBA Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards July 2008 (73 FR 41237 (July 18, 2008)); SBA Interim Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards; Business Loan Program; Disaster Assistance Loan Program (70 FR 72577 (December 6, 2005)); SBA Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards (67 FR 65285 (October 24, 2002)); SBA Interim Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards (67 FR 3041 (January 23, 2002)); SBA Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards (59 FR 616513 (April 7, 1994)); SBA Final Rule: Small Business Size Standards; Inflation Adjustment to Size Standards (49 FR 5025 (February 9, 1984)); and SBA Final Rule: Small Business Size Standards (39 FR 44423 (December 24, 1974)).

Many businesses may have lost small business eligibility for Federal assistance under SBA's monetary based size standards simply because of inflation that has occurred since the 2008 adjustment. This rule aims to reinstate those firms' eligibility for Federal assistance.

As mentioned above, the adjustment for inflation in this rule applies to all monetary based industry size standards, except for the $750,000 receipts based size standard for agricultural industries (which is set by the statute). Adjustments in this rule are in addition to revisions that were part of SBA's ongoing comprehensive size standards review, as mandated by the Jobs Act. SBA's comprehensive size standards review primarily focused on industry structure (*i.e.,* average firm size, startup costs and entry barriers, industry concentration, and distribution of firms by business size) and Federal contracting trends. It did not consider the impacts of inflation on size standards.

Rather than reviewing all size standards at one time, for the comprehensive review, SBA reviewed size standards on a Sector by Sector basis over a period of several years. The objective of the comprehensive size standards review is to review all size standards and make necessary adjustments so that they are consistent with current industry structure and Federal market conditions. Including inflation as an additional factor in the analysis would have meant applying different inflation rates to different sectors at different times. For example, the applicable inflation would be lower for sectors reviewed earlier in the cycle and higher for those reviewed later, resulting in inconsistent size standards across sectors and industries. To avoid this, SBA decided to evaluate all monetary based size standards for inflation separately at one time upon completion of the comprehensive review. As mentioned above, SBA recently completed reviewing all monetary based industry size standards.

Updating size standards based on inflation, in addition to latest industry and Federal contracting data under the comprehensive review, not only satisfies the Jobs Act's mandate that SBA review all size standards, but also is consistent with Executive Order 13563 on improving regulation and regulatory review.

SBA's Inflation Adjustment Methodology

For this interim final rule, SBA has used the same methodology it has described in its ''Size Standards Methodology'' White Paper, available at *www.sba.gov/size*. SBA had also applied the same methodology in its previous inflation adjustments, including the last adjustment in 2008. This methodology involves the following steps.

1. Selecting an inflation measure.
2. Selecting a base period.
3. Selecting an end period.
4. Calculating the inflation rate.
5. Adjusting the monetary based size standards.

Selecting an Inflation Measure

SBA establishes small business size standards to determine eligibility of businesses for a wide variety of SBA's and other Federal programs. The majority of businesses participating in those programs are engaged in multiple industries producing a wide range of goods and services. Therefore, it is important that the Agency use a broad measure of inflation to adjust its size standards. In the past, SBA's preferred measure of inflation had been the chain-type price index for the U.S. Gross Domestic Product (GDP price index), published by the U.S. Department of Commerce, Bureau of Economic Analysis (BEA) on a quarterly basis as part of its National Income and Product Accounts (NIPA), available at *http://www.bea.gov/iTable*.

There are a number of other price indexes that the Federal Government produces to measure inflation. In its ''Size Standards Methodology,'' SBA has stated that, besides the GDP price index used in the previous adjustments, it may also consider using alternative inflation measures to adjust size standards in future inflation adjustments, including industry specific inflation indices that will better capture the variation in inflation levels across industries. Accordingly, for the current inflation adjustment, SBA reviewed some possible industry specific inflation measures. These included chain-type GDP price indices by industry from BEA and consumer and producer prices by industry from the U.S. Bureau of Labor Statistics (BLS). Additionally, in recent years, SBA received comments from the public suggesting that the Agency should consider using alternative measures of price indexes to adjust size standards for inflation (*see* SBA Final Rule: Small Business Size Standards; Business Loan Program and Disaster Assistance Loan Program 73 FR 41237 (July 18, 2008)). The commenters argued that the GDP price index underestimates inflation and that it does not account for cost increases that are unique to certain industries that may have experienced a higher rate of inflation than the one suggested by GDP price index. In response, besides the GDP price index, in this rule, SBA also reviewed data on several alternative inflation measures published by the Federal Government, namely the consumer price index (CPI), the personal consumption expenditures price index (PCEPI), the producer price index (PPI), and the employment cost index (ECI). The Agency compared the performance of these indexes with the performance of the GDP price index to determine the appropriateness of using the GDP price index to adjust size standards for inflation. Below are brief descriptions of each of these indexes.

GDP chain-type price index (GDP price index): The GDP price index measures the prices of final goods and services produced by the U.S. economy. BEA produces this index on a quarterly basis. It is derived from the prices of personal consumption expenditures, gross private domestic investment, net exports, and government consumption expenditures, and gross investment. Therefore, it is a very broad measure of inflation in the economy. It is used to adjust for inflation the gross value of the output of the U.S. economy in NIPA during a period considered. For more information, refer to the BEA Web site at *http://www.bea.gov/national/Index.htm*.

Consumer price index (CPI): The CPI, produced monthly by the BLS, is a measure of the average change in the prices paid by urban consumers for a market basket of goods and services, including imports. The federal government, Federal Reserve Bank, and the private sector use this index as an economic indicator to assess inflationary pressures in the economy. The CPI and its components are also used to adjust other economic series (including various components of NIPA by the BEA) for price change and to convert these series to inflation-free or constant dollars. Finally, the CPI is used to adjust social security and other Government payments. For a detailed explanation, refer to the BLS Web site at *http://stats.bls.gov/cpi*.

Personal consumption expenditures price index (PCEPI): Similar to the CPI, the PCEPI measures the change in prices paid for goods and services purchased by consumers, and is produced by the BEA on a quarterly basis. The two indexes are similar, but they differ in terms of coverage, weighting, and calculation procedures (*see http://www.bea.gov/iTable*). Given its low volatility, comprehensive coverage of goods and services, and historical revision of the data, the Federal Reserve Bank uses the PCEPI to measure inflation for policy considerations.

Producers' price index (PPI): Also published by the BLS on a monthly basis, the PPI is a family of indexes that measure the average change over time in the prices domestic producers receive for their goods and services. Like the CPI, the PPIs data are used to adjust other economic time series for price changes and to translate those series into inflation-free or constant dollars. For example, constant-dollar GDP series are derived using deflators based on PPI data. The PPIs capture price movements of goods and services prior to the retail level. Therefore, they may not account for subsequent price changes experienced by businesses and final consumers. The U.S. government and the Federal Reserve Bank use PPI data in formulating fiscal and monetary policies. Finally, PPI data are also commonly used in escalating purchase and sales contracts. For more information, refer to the BLS Web site at *http://www.bls.gov/ppil*.

Employment cost index (ECI): Produced by the BLS, ECI provides a quarterly measure of changes in labor costs (*i.e.* wages and salaries and other benefit costs), as well as changes in total compensation. It is one of the principal indicators used by the Federal Reserve Bank in assessing inflationary conditions in the economy. The ECI is also widely used by both Government and private sector. Some examples of its uses are to formulate and assess public policy, to aid collective bargaining negotiations, to evaluate benefit packages, to index Medicare payments, and to adjust wages in long-term contracts. For more information, refer to the BLS Web site at *http://www.blsgov/new.released/eci.toc.htm*.

Industry specific inflation measures: Additionally, SBA evaluated if the differences between inflation for individual industries and the overall measure of inflation, as measured by the GDP price index, are significant. For this, SBA examined the value added price indexes (VAPI) and Gross Output price indexes (GOPI) by industry contained in BEA's GDP-by-industry accounts tables (*see http://www.bea.gov/iTable*). Value added by industry is the contribution of individual industries to the nation's GDP. Gross Output by Industry measures goods and services produced by an industry, valued at producers' prices (*i.e.,* the prices received by producers, including excise and sales taxes). The VAPI and GOPI data are published only annually and the latest data available are for 2012. The level of industry disaggregation is not as detailed as in the Economic Census data. SBA calculated the inflation by industry between the calendar years 2008 and 2012 using VAPI and GOPI, and computed the average inflation rate over all industries for which the data were available.

SBA also compared the inflation rates based on CPI, PCEPI, PPI, ECI, and the GDP price index for the period between the first quarter of 2008 and the second quarter of 2013. The results indicated that, although these price indexes tend to show some variations in the short run, they all move in the same direction in the long run, but in different magnitudes. Inflation based on the CPI and PCEPI measures was more or less similar to the one based on the GDP price index and it was somewhat higher based on the PPI and ECI measures. With some variations among industries, SBA found that, on average, inflation rate by industry based on VAPI and GOPI was also more or less similar to the overall inflation rate based on the GDP price index.

The above discussion shows that there exist differences among various price indexes with respect to what they measure and how they are derived. However, generally speaking, all indexes measure changes in some types of price levels in the economy and they all are used by the Government, Federal Reserve and private sector to assess inflationary pressures in the economy, deflate other economic data series, and adjust social security and other income payments. Each price index has its own limitations and advantages and there is no universal preference of one index to others.

As stated above, SBA requires a broad measure of inflation for adjusting its size standards for inflation. In general, the majority of firms participating in the SBA's and other Federal programs receive income or receipts from multiple industries. Among the various inflation measures SBA reviewed, the GDP price index appears to be the most comprehensive measure of movements in the general price level in the economy. It incorporates price changes for all sectors of the economy, including consumer products and services, capital goods, exports, and government services. It is also the most stable measure of inflation overtime relative to other price indexes, especially PPI and ECI. Besides, the GDP price index is widely used as a measure of inflation for policy purposes, and has historical validity and gained acceptance of the small business community. SBA believes that using some other price indexes (such as PPI and ECI) that yield higher inflation than the GDP price index will overestimate the adjustments for inflation and may affect the competitiveness of smaller businesses for Federal opportunities. Most importantly, the GDP price index seems to incorporate information from most other indexes, including PPI, CPI, and ECI, since the BEA uses several subcomponents of these price indexes to deflate various components of GDP (*see* BEA, ''Concepts and Methods of the U.S. National Income and Product Accounts'' at *http://bea.gov/national*).

For these reasons, SBA continues to prefer using the GDP price index as the best aggregate measure of inflation for the U.S. economy. Thus, as in the previous inflation adjustments, SBA has decided to use the GDP price index to adjust monetary based size standards for the current inflation adjustment as well.

Selecting the Base and End Periods

For this rule, SBA selected the first quarter of 2008 as the base period, because it was the end period for the July 2008 adjustment. SBA selected the fourth quarter of 2013 as the end period for this inflation adjustment.

Calculating the Rate of Inflation

The GDP price index for the base period was 98.5 and the GDP price index for the end period was 107.1. Accordingly, inflation increased 8.73 percent from the first quarter of 2008 to the fourth quarter of 2013 $((107.1 \div 98.5) - 1.00) \times 100$ percent = 8.73 percent. During this period, inflation has been relatively subdued, principally because of a weak and slow economic recovery from the 2007–2009 recession of the U.S. economy, despite some bursts of sharp rises in energy and commodity prices at different times during the period.

Making Adjustments to Size Standards

Adjustment to receipts based industry size standards: Receipts based size standards were adjusted by multiplying their current levels by 1.0873, and rounding the results to the nearest $500,000. Table 1, Inflation Adjustment to Receipts Based Size Standards, summarizes the results of the analysis for 16 different receipts based size standards levels, ranging from $5 million to $35.5 million. As stated elsewhere in the rule, the $750,000 receipts based size standard for agricultural industries was not adjusted because it was set by the statute. The first column of Table 1 shows the current receipts based size standards, the second column shows their inflation-adjusted values but not rounded, the third column shows their inflation-adjusted values rounded to the nearest $500,000, and the fourth column shows the count of industries and subindustries that are associated with

each of the receipts based size standards levels. The results lead to adjustment to 487 size standards, including 476 industries and 11 subindustries or ''exceptions.''

TABLE 1—INFLATION ADJUSTMENT TO RECEIPTS BASED SIZE STANDARDS

Current monetary based size standards ($ million) (1)	Size standards adjusted for inflation, but not rounded ($ million) (2)	Size standards adjusted for inflation, rounded to nearest $500,000 ($ million) (3)	Number of industries (incl. exceptions) (4)
$5.0	$5.4	$5.5	4
7.0	7.6	7.5	127
10.0	10.9	11.0	39
14.0	15.2	15.0	94
16.5	17.9	18.0	1
17.5	19.0	19.0	2
19.0	20.7	20.5	39
23.0	25.0	25.0	1
25.5	27.7	27.5	55
27.0	29.4	29.5	4
28.0	30.4	30.5	2
29.5	32.1	32.0	2
30.0	32.6	32.5	40
33.5	36.4	36.5	11
34.5	37.5	37.5	1
35.5	38.6	38.5	65
Total Industries and Subindustries			487

Adjustment to assets based size standard: Currently, five industries in North American Classification Systems (NAICS) Sector 52, Finance and Insurance, have the size standard of $500 million in average assets. Similar to the receipts based size standards, the assets based size standard was adjusted by multiplying the current value by 1.0873. The result was $543.7 million, but it was rounded to $550 million.

Adjustment to program based size standards: Most SBA and other Federal programs apply size standards established for industries, as defined by the NAICS. SBA has also established a few size standards on a program basis rather than on an industry basis. These size standards were also adjusted for inflation in the same manner as the receipts based industry size standards. Table 2, Inflation Adjustment to Program Based Size Standards, shows the program based size standards and their corresponding inflation-adjusted values. The size standard for ''smaller enterprises'' under the Small Business Investment Company (SBIC) Program is set by statute (*see* 13 CFR 107.710(a)) and, therefore, not adjusted.

TABLE 2—INFLATION ADJUSTMENT TO PROGRAM BASED SIZE STANDARDS

Program	CFR Citation	Size standard in millions of dollars		
		Current size standard	Measurement	Inflation-adjusted size standard
SBIC Program	13 CFR 121.301(c)	$18.0	Net Worth	$19.5
		6.0	Net income	6.5
Sales of Government Property Other Than Manufacturing (which uses employee-based size standards).	13 CFR 121.502	7.0	Average Annual Receipts	7.5
Stockpile Purchases	13 CFR 121.512	57.5	Average Annual Receipts	62.5

Special Considerations

New Alternative Size Standard for 7(a) and 504 Loan Programs: Effective September 27, 2010, the Jobs Act established a new temporary alternative size standard of tangible net worth of not more than $15 million and net income of not more than $5 million for SBA's 7(a) and 504 Loan Programs. On September 29, 2010, SBA issued Notice 5000–1175 advising lenders and the public that, effective September 27, 2010, the new statutory alternative size standard will apply for its 7(a) and 504 Loan Programs, thereby replacing the existing alternative size standard of $8.5 million in tangible net worth and $3 million in net income, then set forth in 13 CFR 121.301(b)(2). The Jobs Act also provided the new temporary alternative size standard would remain in effect for the 7(a) and CDC/504 Loan Programs until the SBA's Administrator has established a different size standard through rulemaking. For this reason, in this rule, SBA is not adjusting the new alternative size standard for its 7(a) and 504 Loan programs for inflation. SBA will issue a different rule to establish a

permanent alternative size standard for those programs.

Size Standards for Surety Bond Guarantee Assistance: SBA has decided to remove 13 CFR 121.301(d)(2). Currently, 13 CFR 121.301(d) reads as follows:

(1) A business concern, combined with its affiliates, must meet the size standard for the primary industry in which such business concern, combined with its affiliates, is engaged.

(2) For any contract or subcontract, public or private, to be performed in the Presidentially-declared disaster areas resulting from the 2005 Hurricanes Katrina, Rita or Wilma, a construction (general or special trade) concern or concern performing a contract for services is small if it meets the size standard set forth in paragraph (d)(1) of this section, or the average annual receipts of the concern, together with its affiliates, do not exceed $7 million, whichever is higher.

SBA believes that paragraph (2) is no longer necessary for two reasons. First, given paragraph (1), paragraph (2) is now mostly redundant, because the inflation adjusted receipts based size standards for all industries, except for four, are higher than $7 million (*see* Table 1, Inflation Adjustment to Receipts Based Size Standards, above). Second, SBA would not expect, after more than eight years since the Hurricanes Katrina, Rita, and Wilma occurred, small businesses in these disaster areas would be in need of a separate size standard, which now has only limited application. Paragraph (2) made sense when the size standard for a construction concern (general or special trade) for Surety Bond Guarantee was $7 million or less in average receipts, but the size standards for all industries in construction are now higher than $7 million. On August 11, 2010, SBA issued a direct final rule to amend small business size standards for its Surety Bond Guarantee Program (75 FR 48549). Specifically, the direct final rule provided that a business concern is small if such concern, combined with its affiliates, does not exceed the size standard for the NAICS code that corresponds to the primary industry of the business concern, combined with its affiliates.

Size Standards for Economic Injury Disaster Loan (EIDL) Assistance: Since it has been more than eight years since the Hurricanes Katrina, Rita, and Wilma occurred, SBA has decided to remove the text relating to when the Agency determines size status for EIDL assistance under disaster declarations for the Hurricanes Katrina, Rita, and Wilma from 13 CFR 121.302(c).

Size Standard for Leasing of Building Space to Federal Government by Owners—Footnote 9: It has come to SBA's attention that there can be some confusion concerning to what NAICS code(s) footnote 9 and the size standard for the ''Leasing of Building Space to Federal Government by Owners'' exception apply. Specifically, footnote 9 states, ''NAICS code 531190—Leasing of building space to the Federal Government by Owners: For Government procurement, a size standard of $35.5 million in gross receipts applies to the owners of building space leased to the Federal Government. The standard does not apply to an agent.'' In the SBA's table of size standards, this ''exception'' follows immediately after NAICS 531190, Lessors of Other Real Estate Property. This has been understood by some to mean that the exception and footnote 9 apply only to NAICS 531190.

However, the size standard exception for ''Leasing of Building Space to Federal Government by Owners'' is meant to apply to all industries in NAICS Industry Group 5311, Lessors of Real Estate. That is consistent with SBA's original application of the footnote to Standard Industrial Classification (SIC) Major Group 651, Real Estate Operators (Except Developers) and Lessors, when the SBA's table of size standards was based on the SIC system.

To clarify this, SBA is adding the footnote 9 superscript to each of the four NAICS Industry codes within NAICS Industry Group 5311 and removing from the table the exception that follows NAICS 531190. The new inflation-adjusted size standard for the Leasing of Building Space to Federal Government by Owners exception will be $38.5 million in average annual receipts.

Justification for Updating Size Standards for Inflation as an Interim Final Rule

In general, to revise or update size standards, SBA publishes a proposed rule for public comment before issuing a final rule, in accordance with the Administrative Procedure Act (APA), 5 U.S.C. 553 and SBA regulations, 13 CFR 101.108. The APA provides an exception to this standard rulemaking process, however, in situations where an agency finds good cause to adopt a rule without prior public participation. (*See* 5 U.S.C. 553(b)(3)(B)). The good cause requirement is satisfied when prior public participation is impracticable, unnecessary, or contrary to the public interest. Under those conditions, an agency may publish an interim final rule without first soliciting public comment. In applying the good cause exception to the standard rulemaking process, Congress recognized that special circumstances (such as a response to a natural disaster or an economic situation) might arise justifying issuance of a rule without prior public participation.

As stated above, the last time SBA made inflation adjustments to size standards was 2008. Many businesses may have lost small business eligibility for Federal assistance under SBA's monetary based size standards simply as a result of the inflation that has occurred since that time. This rule is necessary to make those businesses eligible for Federal assistance. Any delay in the adoption of inflation adjusted size standards could cause serious harm to those businesses and others that are about to exceed current size standards. Immediate implementation of this rule would enable those businesses to benefit from Federal assistance programs and help them create jobs. SBA believes that the job creation under the current economic environment of high unemployment is in the best interest of the public.

The standard notice and comment rulemaking would delay the implementation of this rule by at least eight to twelve months. Such a delay would be contrary to the public interest as it would delay the eligibility of those businesses for Federal small business assistance, perhaps forcing some of them to cease operations before a final rule could be promulgated under the standard rulemaking process. Furthermore, the inflation adjustment will become outdated by the time the final rule is published under notice and comment rulemaking.

SBA believes that delaying the adoption of updated size standards for inflation is not in the best interest of small businesses in the current economic environment. The U.S. economy was in recession from December 2007 to June 2009, the longest and deepest of any recessions since before World War II. The economy lost more than eight million non-farm jobs during 2008–2009. In response, Congress passed and the President signed into law the American Recovery and Reinvestment Act of 2009 (Recovery Act) to promote economic recovery and to preserve and create jobs. Although the recession officially ended in June 2009, the unemployment rate is still at 6.7 percent in March 2014 (*www.bls.gov*) and is forecast to remain around this level at least through the end of 2014. (*http://www.federalreserve.gov/monetarypolicy/mpr_20130717_*

part3.htm). In 2010, Congress passed and the President signed the Jobs Act to promote small business job creation. The Jobs Act included several measures to help small businesses create jobs. Delaying the adoption of updated size standards would prevent businesses that have exceeded size standards due to inflation from participating in Federal financial and procurement assistance programs for small businesses. This would be contrary to the expressed will of the President and the Congress.

For the above reasons, SBA finds that good cause exists to publish this rule as an interim final rule. SBA's rationale for preparing this action as an interim final rule and giving it immediate effect is consistent with the Agency's statutory obligation to act in the public interest in determining eligibility for Federal assistance under the Small Business Act, 15 U.S.C. 633(d). SBA had also implemented inflation adjustments to size standards through an interim final rule in 2002 and 2005 without any controversies.

By publishing this rule as an interim final rule, SBA is not excluding public participation in the rulemaking process. SBA is soliciting comments from interested parties on this interim final rule on a number of issues, including SBA's methodology for inflation adjustment and alternative measures of inflation. SBA will evaluate all comments and revise, if necessary, this rule, and publish a final rule on a later date.

Request for Comments

SBA seeks comments on this rule, specifically on the following issues.

1. SBA welcomes comments from the interested parties on SBA's size standards methodology for inflation adjustment to its size standards. Specifically, SBA seeks comment on whether the GDP price index is an appropriate measure of inflation for adjusting size standards. The Agency invites suggestions, along with supporting data and analysis, if a different measure of inflation would be more appropriate.

2. SBA also invites comments on whether it should adjust employee based size standards for changes in labor productivity and technical change, similar to adjusting monetary based size standards for inflation.

3. SBA also invites comments on any other aspects of this rulemaking, such as the changes to size standards for business loan programs, disaster loan programs, and the surety bond guarantee program.

Compliance With Executive Orders 12866, 13563, 12988, and 13132, the Paperwork Reduction Act (44 U.S.C., Ch. 35), and the Regulatory Flexibility Act (5 U.S.C. 601–612) Executive Order 12866

The Office of Management and Budget (OMB) has determined that this interim final rule is not a ''significant regulatory action'' for purposes of Executive Order 12866. In order to help explain the need for this rule and the rule's potential benefits and costs, SBA is providing a Cost Benefit Analysis in this section of the rule. This is also not a ''major rule'' under the Congressional Review Act (5 U.S.C. 800).

Cost Benefit Analysis

1. Is there a need for the regulatory action?

SBA's statutory mission is to aid and assist small businesses through a variety of financial, procurement, business development, and advocacy programs. To assist the intended beneficiaries of these programs effectively, SBA must establish distinct definitions of which businesses are deemed small businesses. The Small Business Act (15 U.S.C. 632(a)) (Act) delegates to the SBA Administrator the responsibility for establishing small business definitions. The Act also requires that small business definitions vary to reflect industry differences. The supplementary information to this interim final rule explains how SBA adjusts size standards for inflation. SBA is required to assess the impact of inflation on its monetary based size standards at least once every five years (67 FR 3041 and 13 CFR 102(c)). Many businesses may have lost small business eligibility for Federal assistance under SBA's monetary based size standards simply because of inflation that has occurred since the last inflation adjustment to size standards in 2008. This interim final rule aims to make those businesses eligible again for Federal assistance.

2. What are the potential benefits and costs of this regulatory action?

The most significant benefit to businesses of this interim final rule is to enable businesses that have exceeded size standards simply due to inflation to regain eligibility for Federal small business assistance programs. This will also help businesses to retain small business eligibility for Federal programs for a longer period. These programs include SBA's financial assistance programs, economic injury disaster loans, and Federal procurement programs intended for small businesses. Federal procurement programs provide targeted opportunities for small businesses under SBA's business development programs, such as 8(a), Small Disadvantaged Businesses (SDB), small businesses located in Historically Underutilized Business Zones (HUBZone), women-owned small businesses (WOSB), economically disadvantaged women-owned small businesses (EDWOSB), and service-disabled veteran-owned small businesses (SDVOSB). Federal agencies may also use SBA's size standards for a variety of other regulatory and program purposes. These programs assist small businesses to become more knowledgeable, stable, and competitive. SBA estimates that this rule will enable approximately 8,500 firms in industries and subindustries with receipts based size standards and about 170 firms in industries with assets based size standards, currently above SBA's size standards, to gain small business status and become eligible for these programs. This will increase the small business share of total receipts in industries and subindustries with receipts based size standards from 31.2 percent to 31.8 percent and the small business share of total assets in industries with assets based size standards from 8.8 percent to 9.4 percent.

Three groups will benefit from the revisions of size standards in this rule: (1) Some businesses that are above the current size standards may gain small business status under the higher, inflation-adjusted size standards, thereby enabling them to participate in Federal small business assistance programs; (2) growing small businesses that are close to exceeding the current size standards will be able to retain their small business status under the higher size standards, thereby enabling them to continue their participation in the programs; and (3) Federal agencies will have a larger pool of small businesses from which to draw for their small business procurement programs.

SBA estimates that firms gaining small business status under the inflation adjusted size standards could receive Federal contracts totaling $150 million to $200 million annually under SBA's small business, 8(a), SDB, HUBZone, WOSB, EDWOSB, and SDVOSB Programs, and unrestricted procurements. The added competition for many of these procurements can also result in lower prices to the Government for procurements reserved for small businesses, but SBA cannot quantify this benefit.

Based on the fiscal years 2010–2012 data, SBA estimates about 80 additional loans totaling about $30 million could

be made to these newly defined small businesses under SBA's 7(a) and 504 Loan Programs under the adjusted size standards. Increasing the size standards will likely result in more small business guaranteed loans to businesses in these industries, but it is impractical to try to estimate the exact number and total amount of loans. There are two reasons for this: (1) Under the Jobs Act, SBA can now guarantee substantially larger loans than in the past; and (2) as described above, the Jobs Act established an alternative size standard ($15 million in tangible net worth and $5 million in net income after income taxes) for business concerns that do not meet the size standards for their industry. Therefore, SBA finds it difficult to quantify the actual impact of these inflation adjusted size standards on its 7(a) and 504 Loan Programs.

Newly defined small businesses will also benefit from SBA's Economic Injury Disaster Loan (EIDL) Program. Since this program is contingent on the occurrence and severity of a disaster in the future, SBA cannot make a meaningful estimate of this impact.

In addition, newly defined small businesses will also benefit through reduced fees, less paperwork, and fewer compliance requirements that are available to small businesses through Federal government.

To the extent that those nearly 8,700 additional small firms could become active in Federal procurement programs, the adjusted size standards in this final interim rule may entail some additional administrative costs to the government as a result of more businesses being eligible for Federal small business programs. For example, there will be more firms seeking SBA's guaranteed loans, more firms eligible for enrollment in the System of Award Management (SAM) database, and more firms seeking certification as 8(a) or HUBZone firms or qualifying for small business, WOSB, EDWOSB, SDVOSB, and SDB status. Among those newly defined small businesses seeking SBA's assistance, there could be some additional costs associated with compliance and verification of small business status and protests of small business status. However, SBA believes that these added administrative costs will be minimal because mechanisms are already in place to handle these requirements.

In some cases, Federal government contracts may have higher costs. With a greater number of businesses defined as small, Federal agencies may choose to set aside more contracts for competition among small businesses only rather than using full and open competition. The movement from unrestricted to small business set-aside contracting might result in competition among fewer total bidders, although there will be more small businesses eligible to submit offers. However, the additional costs associated with fewer bidders are expected to be minor since, by law, procurements may be set aside for small businesses or reserved for the 8(a), HUBZone, WOSB, EDWOSB, or SDVOSB Programs only if awards are expected to be made at fair and reasonable prices. In addition, there may be higher costs when more full and open contracts are awarded to HUBZone businesses that receive price evaluation preferences.

The size standards adjustments in this interim final rule may have some distributional effects among large and small businesses. Although SBA cannot estimate with certainty the actual outcome of the gains and losses among small and large businesses, it can identify several probable impacts. There may be a transfer of some Federal contracts to small businesses from large businesses. Large businesses may have fewer Federal contract opportunities as Federal agencies decide to set aside more contracts for small businesses. In addition, some Federal contracts may be awarded to HUBZone concerns instead of large businesses since these firms may be eligible for a price evaluation preference for contracts when they compete on a full and open basis.

Similarly, some businesses defined small under the current size standards may obtain fewer Federal contracts due to the increased competition from more businesses defined as small under the proposed size standards. This transfer may be offset by a greater number of Federal procurements set aside for all small businesses. The number of newly defined and expanding small businesses that are willing and able to sell to the Federal Government will limit the potential transfer of contracts from large and currently defined small businesses. SBA cannot estimate the potential distributional impacts of these transfers with any degree of precision.

The revision to the current monetary based industry size standards for 481 industries and 11 subindustries, and to the monetary based size standards for other specific programs are consistent with SBA's statutory mandate to assist small business. This regulatory action promotes the Administration's objectives. One of SBA's goals in support of the Administration's objectives is to help individual small businesses succeed through fair and equitable access to capital and credit, Government contracts, and management and technical assistance. Reviewing and modifying size standards, when appropriate, including periodic inflation adjustments, ensure that intended beneficiaries have access to small business programs designed to assist them.

Executive Order 13563

A description of the need for this regulatory action and benefits and costs associated with this action including possible distributions impacts that relate to Executive Order 13563 is included above in the Cost Benefit Analysis under Executive Order 12866.

In an effort to engage interested parties in this action, SBA gave appropriate consideration to all input, suggestions, recommendations, and relevant information obtained from industry groups, individual businesses, and Federal agencies in preparing this interim final rule.

The review of size standards in industries and financial assistance programs covered in this interim final rule is consistent with Executive Order 13563, Section 6, calling for retrospective analyses of existing rules. The last inflationary adjustment of monetary based size standards occurred in July 2008.

Additionally to the inflationary adjustment of monetary based size standards of this final interim rule, SBA finalized a comprehensive review of all the receipts and assets based industry size standards to ensure that they have supportable bases.

Executive Order 12988

This action meets applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have retroactive or preemptive effect.

Executive Order 13132

For purposes of Executive Order 13132, SBA has determined that this interim final rule will not have substantial, direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, SBA has determined that this interim final rule has no federalism implications warranting preparation of a federalism assessment.

Paperwork Reduction Act

For the purpose of the Paperwork Reduction Act, 44 U.S.C. Ch. 35, SBA has determined that this interim final

rule will not impose any new reporting or record keeping requirements.

Initial Regulatory Flexibility Analysis

Under the Regulatory Flexibility Act (RFA), this interim final rule may have a significant impact on a substantial number of small businesses in the industries and subindustries covered by this rule. As described above, this rule may affect small businesses seeking Federal contracts, loans under SBA's 7(a), 504 and Economic Injury Disaster Loan Programs, and assistance under other Federal small business programs.

Immediately below, SBA sets forth an initial regulatory flexibility analysis (IRFA) of this interim final rule addressing the following questions: (1) What are the need for and objective of the rule? (2) What are SBA's description and estimate of the number of small businesses to which the rule will apply? (3) What are the projected reporting, record keeping, and other compliance requirements of the rule? (4) What are the relevant Federal rules that may duplicate, overlap, or conflict with the rule? and (5) What alternatives will allow the Agency to accomplish its regulatory objectives while minimizing the impact on small businesses?

1. What are the need for and objective of the rule?

As discussed in the supplemental information, the revision to the monetary based size standards for inflation more appropriately defines small businesses. This interim final rule merely restores small business eligibility in real terms to businesses that have grown above the size standard due to inflation rather than due to increased business activity. A review of the latest inflation indexes indicates that inflation has increased a sufficient amount to warrant an increase to the current monetary based size standards.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) gives SBA the authority to establish and change size standards. Within its administrative discretion, SBA implemented a policy in its regulations to review the effect of inflation on size standards at least once every five years (13 CFR 121.102(c)) and make any changes as appropriate. As discussed in the supplementary information, inflation has increases at a sufficient level since the time of the 2008 final rule to warrant a further adjustment to size standards at this time.

2. What are SBA's description and estimate of the number of small businesses to which the rule will apply?

SBA estimates that about 8,500 additional firms will become small because of increased receipts based size standards of 476 industries and 11 subindustries. That represents 0.2 percent of total firms that are small under current monetary based size standards. This will result in an increase in the small business share of total industry receipts in those industries and subindustries from 31.2 percent under the current size standards to 31.8 percent under the inflation-adjusted size standards. Due to the adjustment of assets based size standards in five industries, about 170 additional firms will gain small business status in those industries. This will increase the small business share of total assets in those industries from 8.8 percent to 9.4 percent. The size standards adopted in this interim final rule will enable businesses that have exceeded the size standards for their industries to regain small business status. It will also help currently small businesses to retain their small business status for a longer period. Many firms may have lost their eligibility and find it difficult to compete at current size standards with companies that are significantly larger than they are. SBA believes the competitive impact will be positive for existing small businesses and for those that exceed the size standards but are on the very low end of those that are not small. They might otherwise be called or referred to as mid-sized businesses, although SBA only defines what is small; entities that are not small are ''other than small.''

3. What are the projected reporting, recordkeeping and other compliance requirements of the rule?

The inflation adjustment to size standards imposes no additional reporting or record keeping requirements on small businesses. However, qualifying for Federal procurement and a number of other programs requires that businesses register in the SAM database and certify in SAM that they are small at least once annually. Therefore, newly eligible small businesses opting to participate in those programs must comply with SAM requirements. Businesses whose status changes in SAM from other than small to small must update their SAM profiles and complete the ''representations and certifications'' sections of SAM. However, there are no costs associated with SAM registration or certification. Changing size standards alters the access to SBA's programs that assist small businesses, but does not impose a regulatory burden because they neither regulate nor control business behavior.

4. What are the relevant Federal rules, which may duplicate, overlap, or conflict with the rule?

Under section 3(a)(2)(C) of the Small Business Act, 15 U.S.C. 632(a)(2)(c), Federal agencies must use SBA's size standards to define a small business, unless specifically authorized by statute to do otherwise. In 1995, SBA published in the **Federal Register** a list of statutory and regulatory size standards that identified the application of SBA's size standards as well as other size standards used by Federal agencies (60 FR 57988 (November 24, 1995)). SBA is not aware of any Federal rule that would duplicate or conflict with establishing size standards.

However, the Small Business Act and SBA's regulations allow Federal agencies to develop different size standards if they believe that SBA's size standards are not appropriate for their programs, with the approval of SBA's Administrator (13 CFR 121.903). The Regulatory Flexibility Act authorizes an Agency to establish an alternative small business definition for Regulatory Flexibility Analysis purposes, after consultation with the Office of Advocacy of the U.S. Small Business Administration (5 U.S.C. 601(3)).

5. What alternatives will allow the Agency to accomplish its regulatory objectives while minimizing the impact on small entities?

By law, SBA is required to develop numerical size standards for establishing eligibility for Federal small business assistance programs. Other than varying size standards by industry and changing the size measures, no practical alternative exists to the systems of numerical size standards.

SBA's only other consideration was whether to adopt the size standards presented in the interim final rule with no further increase for the inflation. However, SBA believes that the additional 8.73 percent inflation that has occurred since the time of the final rule published in July 2008 sufficiently affects the real value of the size standards to warrant applying an increase at this time.

List of Subjects in 13 CFR Part 121

Administrative practice and procedure, Government procurement, Government property, Grant programs—business, Individuals with disabilities, Loan programs—business, Reporting

and recordkeeping requirements, Small businesses.

For the reasons set forth in the preamble, SBA amends 13 CFR part 121 as follows:

PART 121—SMALL BUSINESS SIZE REGULATIONS

■ 1. The authority citation for part 121 continues to read as follows:

Authority: 15 U.S.C. 632, 634(b)(6), 662, and 694a(9).

■ 2. In § 121.201, amend the table ''Small Business Size Standards by NAICS Industry'' as follows:

■ a. Revise the entries for ''112112'', ''112310'', ''113110'', ''113210'', ''114111'', ''114112'', ''114119'', ''114210'', ''115111'', ''115112'', ''115113'', ''115114'', ''115115'', ''115116'', ''115210'', ''115310'', ''115310 first and second sub-entry'', ''213112'', ''213113'', ''213114'', ''213115'', ''221310'',''221320'', ''221330'', ''236115'', ''236116'', ''236117'', ''236118'', ''236210'', ''236220'', ''237110'', ''237120'', ''237130'', ''237210'', ''237310'', ''237990'', ''237990 first sub-entry'', ''238110'', ''238120'', ''238130'', ''238140'', ''238150'', ''238160'', ''238170'', ''238190'', ''238210'', ''238220'', ''238290'', ''238310'', ''238320'', ''238330'', ''238340'', ''238350'', ''238390'', ''238910'', ''238990'', ''238990 first sub-entry '', ''441120'', ''441210'', ''441222'', ''441228'', ''441310'', ''441320'', ''442110'', ''442210'', ''442291'', ''442299'', ''443141'', ''443142'', ''444110'', ''444120'', ''444130'', ''444190'', ''444210'', ''444220'', ''445110'', ''445120'', ''445210'', ''445220'', ''445230'', ''445291'', ''445292'', ''445299'', ''445310'', ''446110'', ''446120'', ''446130'', ''446191'', ''446199'', ''447110'', ''447190'', ''448110'', ''448120'', ''448130'', ''448140'', ''448150'', ''448190'', ''448210'', ''448310'', ''448320'', ''451110'', ''451120'', ''451130'', ''451140'', ''451211'', ''451212'', ''452111'', ''452112'', ''452910'', ''452990'', ''453110'', ''453210'', ''453220'', ''453310'', ''453910'', ''453920'', ''453930'', ''453991'', ''453998'', ''454111'', ''454112'', ''454113'', ''454210'', ''454390'', ''481211'', ''481211 first sub-entry'', ''481212'', ''481212 first sub-entry'', ''481219'', ''484110'', ''484121'', ''484122'', ''484210'', ''484220'', ''484230'', ''485111'', ''485112'', ''485113'', ''485119'', ''485210'', ''485310'', ''485320'', ''485410'', ''485510'', ''485991'', ''485999'', ''486210'', ''486990'', ''487110'', ''487210'', ''487990'', ''488111'', ''488119'', ''488190'', ''488210'', ''488310'', ''488320'', ''488330'', ''488390'', ''488410'', ''488490'', ''488510'', ''488510 first sub-entry'', ''488991'', ''488999'', ''491110'', ''492210'', ''493110'', ''493120'', ''493130'', ''493190'', ''511210'', ''512110'', ''512120'', ''512131'', ''512132'', ''512191'', ''512199'', ''512210'', ''512240'', ''512290'', ''515111'', ''515112'', ''515120'', ''515210'', ''517410'', ''517919'', ''518210'', ''519110'', ''519120'', ''519190'', ''522110'', ''522120'', ''522130'', ''522190'', ''522210'', ''522220'', ''522291'', ''522292'', ''522293'', ''522294'', ''522298'', ''522310'', ''522320'', ''522390'', ''523110'', ''523120'', ''523130'', ''523140'', ''523210'', ''523910'', ''523920'', ''523930'', ''523991'', ''523999'', ''524113'', ''524114'', ''524127'', ''524128'', ''524130'', ''524210'', ''524291'', ''524292'', ''524298'', ''525110'', ''525120'', ''525190'', ''525910'', ''525920'', ''525990'', ''531110'', ''531120'', ''531130'', ''531190'', ''531210'', ''531311'', ''531312'', ''531320'', ''531390'', ''532111'', ''532112'', ''532120'', ''532210'', ''532220'', ''532230'', ''532291'', ''532292'', ''532299'', ''532310'', ''532411'', ''532412'', ''532420'', ''532490'', ''533110'', ''541110'', ''541191'', ''541199'', ''541211'', ''541213'', ''541214'', ''541219'', ''541310'', ''541320'', ''541330'', ''541330 first, second and third sub-entry'', ''541340'', ''541350'', ''541360'', ''541370'', ''541380'', ''541410'', ''541420'', ''541430'', ''541490'', ''541511'', ''541512'', ''541513'', ''541519'', ''541519 first-sub entry'', ''541611'', ''541612'', ''541613'', ''541614'', ''541618'', ''541620'', ''541690'', ''541720'', ''541810'', ''541820'', ''541830'', ''541840'', ''541850'', ''541860'', ''541870'', ''541890'', ''541910'', ''541921'', ''541922'', ''541930'', ''541940'', ''541990'', ''551111'', ''551112'', ''561110'', ''561210'', ''561311'', ''561312'', ''561320'', ''561330'', ''561410'', ''561421'', ''561422'', ''561431'', ''561439'', ''561440'', ''561450'', ''561491'', ''561492'', ''561499'', ''561510'', ''561520'', ''561591'', ''561599'', ''561611'', ''561612'', ''561613'', ''561621'', ''561622'', ''561710'', ''561720'', ''561730'', ''561740'', ''561790'', ''561910'', ''561920'', ''561990'', ''562111'', ''562112'', ''562119'', ''562211'', ''562212'', ''562213'', ''562219'', ''562910'', ''562920'', ''562991'', ''562998'', ''611110'', ''611210'', ''611310'', ''611410'', ''611420'', ''611430'', ''611511'', ''611512'', ''611513'', ''611519'', ''611519 first sub-entry'', ''611610'', ''611620'', ''611630'', ''611691'', ''611692'', ''611699'', ''611710'', ''621111'', ''621112'', ''621210'', ''621310'', ''621320'', ''621330'', ''621340'', ''621391'', ''621399'', ''621410'', ''621420'', ''621491'', ''621492'', ''621493'', ''621498'', ''621511'', ''621512'', ''621610'', ''621910'', ''621991'', ''621999'', ''622110'', ''622210'', ''622310'', ''623110'', ''623210'', ''623220'', ''623311'', ''623312'', ''623990'', ''624110'', ''624120'', ''624190'', ''624210'', ''624221'', ''624229'', ''624230'', ''624310'', ''624410'', ''711110'', ''711120'', ''711130'', ''711190'', ''711211'', ''711212'', ''711219'', ''711310'', ''711320'', ''711410'', ''711510'', ''712110'', ''712120'', ''712130'', ''712190'', ''713110'', ''713120'', ''713210'', ''713290'', ''713910'', ''713920'', ''713930'', ''713940'', ''713950'', ''713990'', ''721110'', ''721120'', ''721191'', ''721199'', ''721211'', ''721214'', ''721310'', ''722310'', ''722320'', ''722330'', ''722410'', ''722511'', ''722513'', ''722514'', ''722515'', ''811111'', ''811112'', ''811113'', ''811118'', ''811121'', ''811122'', ''811191'', ''811192'', ''811198'', ''811211'', ''811212'', ''811213'', ''811219'', ''811310'', ''811411'', ''811412'', ''811420'', ''811430'', ''811490'', ''812111'', ''812112'', ''812113'', ''812191'', ''812199'', ''812210'', ''812220'', ''812310'', ''812320'', ''812331'', ''812332'', ''812910'', ''812921'', ''812922'', ''812930'', ''812990'', ''813110'', ''813211'', ''813212'', ''813219'', ''813311'', ''813312'', ''813319'', ''813410'', ''813910'', ''813920'', ''813930'', ''813940'', and''813990''.

■ b. For entries ''531110'', ''531120'', ''531130'', and ''531190'' add superscript ''9'' to the entry in the columns ''NAICS U.S. industry title'' and ''Size standards in millions of dollars''.

■ c. Remove ''sub-entry'' (or ''except'') under entry ''531190''.

■ d. Add ''sub-entry'' (or ''except'') under entry ''562910.''

■ d. Revise footnotes 9 and 15

The revisions read as follows:

§ 121.201 What size standards has SBA identified by North American Industry Classification System codes?

* * * * *

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
	Sector 11—Agriculture, Forestry, Fishing and Hunting		
*	*	*	*
	Subsector 112—Animal Production and Aquaculture		
*	*	*	*
112112	Cattle Feedlots	$7.5	
*	*	*	*
112310	Chicken Egg Production	$15.0	
*	*	*	*
	Subsector 113—Forestry and Logging		
113110	Timber Tract Operations	$11.0	
113210	Forest Nurseries and Gathering of Forest Products.	$11.0	
*	*	*	*
	Subsector 114—Fishing, Hunting and Trapping		
114111	Finfish Fishing	$20.5	
114112	Shellfish Fishing	$5.5	
114119	Other Marine Fishing	$7.5	
114210	Hunting and Trapping	$5.5	
	Subsector 115—Support Activities for Agriculture and Forestry		
115111	Cotton Ginning	$11.0	
115112	Soil Preparation, Planting, and Cultivating	$7.5	
115113	Crop Harvesting, Primarily by Machine	$7.5	
115114	Postharvest Crop Activities (except Cotton Ginning).	$27.5	
115115	Farm Labor Contractors and Crew Leaders	$15.0	
115116	Farm Management Services	$7.5	
115210	Support Activities for Animal Production	$7.5	
115310	Support Activities for Forestry	$7.5	
Except,	Forest Fire Suppression [17]	$19.0 [17]	
Except,	Fuels Management Services [17]	$19.0 [17]	
	Sector 21—Mining, Quarrying, and Oil and Gas Extraction		
*	*	*	*
	Subsector 213—Support Activities for Mining		
*	*	*	*
213112	Support Activities for Oil and Gas Operations	$38.5	
213113	Support Activities for Coal Mining	$20.5	
213114	Support Activities for Metal Mining	$20.5	
213115	Support Activities for Nonmetallic Minerals (except Fuels).	$7.5	
	Sector 22—Utilities **Subsector 221—Utilities**		
*	*	*	*
221310	Water Supply and Irrigation Systems	$27.5	
221320	Sewage Treatment Facilities	$20.5	
221330	Steam and Air-Conditioning Supply	$15.0	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
	Sector 23—Construction		
	Subsector 236—Construction of Buildings		
236115	New Single-family Housing Construction (Except For-Sale Builders).	$36.5	
236116	New Multifamily Housing Construction (except For-Sale Builders).	$36.5	
236117	New Housing For-Sale Builders	$36.5	
236118	Residential Remodelers	$36.5	
236210	Industrial Building Construction	$36.5	
236220	Commercial and Institutional Building Construction.	$36.5	
	Subsector 237—Heavy and Civil Engineering Construction		
237110	Water and Sewer Line and Related Structures Construction.	$36.5	
237120	Oil and Gas Pipeline and Related Structures Construction.	$36.5	
237130	Power and Communication Line and Related Structures Construction.	$36.5	
237210	Land Subdivision	$27.5	
237310	Highway, Street, and Bridge Construction	$36.5	
237990	Other Heavy and Civil Engineering Construction.	$36.5	
Except,	Dredging and Surface Cleanup Activities [2]	$27.5 [2]	
	Subsector 238—Specialty Trade Contractors		
238110	Poured Concrete Foundation and Structure Contractors.	$15.0	
238120	Structural Steel and Precast Concrete Contractors.	$15.0	
238130	Framing Contractors	$15.0	
238140	Masonry Contractors	$15.0	
238150	Glass and Glazing Contractors	$15.0	
238160	Roofing Contractors	$15.0	
238170	Siding Contractors	$15.0	
238190	Other Foundation, Structure, and Building Exterior Contractors.	$15.0	
238210	Electrical Contractors and Other Wiring Installation Contractors.	$15.0	
238220	Plumbing, Heating, and Air-Conditioning Contractors.	$15.0	
238290	Other Building Equipment Contractors	$15.0	
238310	Drywall and Insulation Contractors	$15.0	
238320	Painting and Wall Covering Contractors	$15.0	
238330	Flooring Contractors	$15.0	
238340	Tile and Terrazzo Contractors	$15.0	
238350	Finish Carpentry Contractors	$15.0	
238390	Other Building Finishing Contractors	$15.0	
238910	Site Preparation Contractors	$15.0	
238990	All Other Specialty Trade Contractors	$15.0	
Except,	Building and Property Specialty Trade Services [13].	$15.0 [13]	
*	* * * * * *	*	
	Sector 44–45—Retail Trade		
(These NAICS codes shall not be used to classify Government acquisitions for supplies. They also shall not be used by Federal government contractors when subcontracting for the acquisition for supplies. The applicable manufacturing NAICS code shall be used to classify acquisitions for supplies. A Wholesale Trade or Retail Trade business concern submitting an offer or a quote on a supply acquisition is categorized as a nonmanufacturer and deemed small if it has 500 or fewer employees and meets the requirements of 13 CFR 121.406.)			
	Subsector 441—Motor Vehicle and Parts Dealers		
*	* * * * * *	*	
441120	Used Car Dealers	$25.0	
441210	Recreational Vehicle Dealers	$32.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
441222	Boat Dealers	$32.5	
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers.	$32.5	
441310	Automotive Parts and Accessories Stores	$15.0	
441320	Tire Dealers	$15.0	
Subsector 442—Furniture and Home Furnishings Stores			
442110	Furniture Stores	$20.5	
442210	Floor Covering Stores	$7.5	
442291	Window Treatment Stores	$7.5	
442299	All Other Home Furnishings Stores	$20.5	
Subsector 443—Electronics and Appliance Stores			
443141	Household Appliance Stores	$11.0	
443142	Electronics Stores	$32.5	
Subsector 444—Building Material and Garden Equipment and Supplies Dealers			
444110	Home Centers	$38.5	
444120	Paint and Wallpaper Stores	$27.5	
444130	Hardware Stores	$7.5	
444190	Other Building Material Dealers	$20.5	
444210	Outdoor Power Equipment Stores	$7.5	
444220	Nursery and Garden Centers	$11.0	
Subsector 445—Food and Beverage Stores			
445110	Supermarkets and Other Grocery (except Convenience) Stores.	$32.5	
445120	Convenience Stores	$29.5	
445210	Meat Markets	$7.5	
445220	Fish and Seafood Markets	$7.5	
445230	Fruit and Vegetable Markets	$7.5	
445291	Baked Goods Stores	$7.5	
445292	Confectionery and Nut Stores	$7.5	
445299	All Other Specialty Food Stores	$7.5	
445310	Beer, Wine and Liquor Stores	$7.5	
Subsector 446—Health and Personal Care Stores			
446110	Pharmacies and Drug Stores	$27.5	
446120	Cosmetics, Beauty Supplies and Perfume Stores.	$27.5	
446130	Optical Goods Stores	$20.5	
446191	Food (Health) Supplement Stores	$15.0	
446199	All Other Health and Personal Care Stores	$7.5	
Subsector 447—Gasoline Stations			
447110	Gasoline Stations with Convenience Stores	$29.5	
447190	Other Gasoline Stations	$15.0	
Subsector 448—Clothing and Clothing Accessories Stores			
448110	Men's Clothing Stores	$11.0	
448120	Women's Clothing Stores	$27.5	
448130	Children's and Infants' Clothing Stores	$32.5	
448140	Family Clothing Stores	$38.5	
448150	Clothing Accessories Stores	$15.0	
448190	Other Clothing Stores	$20.5	
448210	Shoe Stores	$27.5	
448310	Jewelry Stores	$15.0	
448320	Luggage and Leather Goods Stores	$27.5	
Subsector 451—Sporting Good, Hobby, Book and Music Stores			
451110	Sporting Goods Stores	$15.0	
451120	Hobby, Toy and Game Stores	$27.5	
451130	Sewing, Needlework and Piece Goods Stores	$27.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
451140	Musical Instrument and Supplies Stores	$11.0	
451211	Book Stores	$27.5	
451212	News Dealers and Newsstands	$7.5	
	Subsector 452—General Merchandise Stores		
452111	Department Stores (except Discount Department Stores).	$32.5	
452112	Discount Department Stores	$29.5	
452910	Warehouse Clubs and Superstores	$29.5	
452990	All Other General Merchandise Stores	$32.5	
	Subsector 453—Miscellaneous Store Retailers		
453110	Florists	$7.5	
453210	Office Supplies and Stationery Stores	$32.5	
453220	Gift, Novelty and Souvenir Stores	$7.5	
453310	Used Merchandise Stores	$7.5	
453910	Pet and Pet Supplies Stores	$20.5	
453920	Art Dealers	$7.5	
453930	Manufactured (Mobile) Home Dealers	$15.0	
453991	Tobacco Stores	$7.5	
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores).	$7.5	
	Subsector 454—Nonstore Retailers		
454111	Electronic Shopping	$32.5	
454112	Electronic Auctions	$38.5	
454113	Mail-Order Houses	$38.5	
454210	Vending Machine Operators	$11.0	
*	* * * * * *		
454390	Other Direct Selling Establishments	$7.5	
	Sector 48–49—Transportation and Warehousing **Subsector 481—Air Transportation**		
*	* * * * * *		
481211	Nonscheduled Chartered Passenger Air Transportation.		1,500
Except,	Offshore Marine Air Transportation Services	$30.5	
481212	Nonscheduled Chartered Freight Air Transportation.		1,500
Except,	Offshore Marine Air Transportation Services	$30.5	
481219	Other Nonscheduled Air Transportation	$15.0	
*	* * * * * *		
	Subsector 484—Truck Transportation		
484110	General Freight Trucking, Local	$27.5	
484121	General Freight Trucking, Long-Distance, Truckload.	$27.5	
484122	General Freight Trucking, Long-Distance, Less Than Truckload.	$27.5	
484210	Used Household and Office Goods Moving	$27.5	
484220	Specialized Freight (except Used Goods) Trucking, Local.	$27.5	
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance.	$27.5	
	Subsector 485—Transit and Ground Passenger Transportation		
485111	Mixed Mode Transit Systems	$15.0	
485112	Commuter Rail Systems	$15.0	
485113	Bus and Other Motor Vehicle Transit Systems	$15.0	
485119	Other Urban Transit Systems	$15.0	
485210	Interurban and Rural Bus Transportation	$15.0	
485310	Taxi Service	$15.0	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
485320	Limousine Service	$15.0	
485410	School and Employee Bus Transportation	$15.0	
485510	Charter Bus Industry	$15.0	
485991	Special Needs Transportation	$15.0	
485999	All Other Transit and Ground Passenger Transportation.	$15.0	
	Subsector 486—Pipeline Transportation		
*	* * *	* *	*
486210	Pipeline Transportation of Natural Gas	$27.5	
*	* * *	* *	*
486990	All Other Pipeline Transportation	$37.50	
	Subsector 487—Scenic and Sightseeing Transportation		
487110	Scenic and Sightseeing Transportation, Land	$7.5	
487210	Scenic and Sightseeing Transportation, Water	$7.5	
487990	Scenic and Sightseeing Transportation, Other	$7.5	
	Subsector 488—Support Activities for Transportation		
488111	Air Traffic Control	$32.5	
488119	Other Airport Operations	$32.5	
488190	Other Support Activities for Air Transportation	$32.5	
488210	Support Activities for Rail Transportation	$15.0	
488310	Port and Harbor Operations	$38.5	
488320	Marine Cargo Handling	$38.5	
488330	Navigational Services to Shipping	$38.5	
488390	Other Support Activities for Water Transportation.	$38.5	
488410	Motor Vehicle Towing	$7.5	
488490	Other Support Activities for Road Transportation.	$7.5	
488510	Freight Transportation Arrangement [10]	$15.0 [10]	
Except,	Non-Vessel Owning Common Carriers and Household Goods Forwarders.	$27.5	
488991	Packing and Crating	$27.5	
488999	All Other Support Activities for Transportation	$7.5	
	Subsector 491—Postal Service		
491110	Postal Service	$7.5	
	Subsector 492—Couriers and Messengers		
*	* * *	* *	*
492210	Local Messengers and Local Delivery	$27.5	
	Subsector 493—Warehousing and Storage		
493110	General Warehousing and Storage	$27.5	
493120	Refrigerated Warehousing and Storage	$27.5	
493130	Farm Product Warehousing and Storage	$27.5	
493190	Other Warehousing and Storage	$27.5	
	Sector 51—Information **Subsector 511—Publishing Industries (except Internet)**		
*	* * *	* *	*
511210	Software Publishers	$38.5	
	Subsector 512—Motion Picture and Sound Recording Industries		
512110	Motion Picture and Video Production	$32.5	
512120	Motion Picture and Video Distribution	$32.0	
512131	Motion Picture Theaters (except Drive-Ins)	$38.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
512132	Drive-In Motion Picture Theaters	$7.5	
512191	Teleproduction and Other Postproduction Services.	$32.0	
512199	Other Motion Picture and Video Industries	$20.5	
512210	Record Production	$7.5	
*	* * *	* *	*
512240	Sound Recording Studios	$7.5	
512290	Other Sound Recording Industries	$11.0	
Subsector 515—Broadcasting (except Internet)			
515111	Radio Networks	$32.5	
515112	Radio Stations	$38.5	
515120	Television Broadcasting	$38.5	
515210	Cable and Other Subscription Programming	$38.5	
Subsector 517—Telecommunications			
*	* * *	* *	*
517410	Satellite Telecommunications	$32.5	
*	* * *	* *	*
517919	All Other Telecommunications	$32.5	
Subsector 518—Data Processing, Hosting, and Related Services			
518210	Data Processing, Hosting, and Related Services.	$32.5	
Subsector 519—Other Information Services			
519110	News Syndicates	$27.5	
519120	Libraries and Archives	$15.0	
*	* * *	* *	*
519190	All Other Information Services	$27.5	
Sector 52—Finance and Insurance			
Subsector 522—Credit Intermediation and Related Activities			
522110	Commercial Banking [8]	$550 million in assets [8]	
522120	Savings Institutions [8]	$550 million in assets [8]	
522130	Credit Unions [8]	$550 million in assets [8]	
522190	Other Depository Credit Intermediation [8]	$550 million in assets [8]	
522210	Credit Card Issuing [8]	$550 million in assets [8]	
522220	Sales Financing	$38.5	
522291	Consumer Lending	$38.5	
522292	Real Estate Credit	$38.5	
522293	International Trade Financing	$38.5	
522294	Secondary Market Financing	$38.5	
522298	All Other Nondepository Credit Intermediation	$38.5	
522310	Mortgage and Nonmortgage Loan Brokers	$7.5	
522320	Financial Transactions Processing, Reserve, and Clearinghouse Activities.	$38.5	
522390	Other Activities Related to Credit Intermediation.	$20.5	
Subsector 523—Securities, Commodity Contracts, and Other Financial Investments and Related Activities			
523110	Investment Banking and Securities Dealing	$38.5	
523120	Securities Brokerage	$38.5	
523130	Commodity Contracts Dealing	$38.5	
523140	Commodity Contracts Brokerage	$38.5	
523210	Securities and Commodity Exchanges	$38.5	
523910	Miscellaneous Intermediation	$38.5	
523920	Portfolio Management	$38.5	
523930	Investment Advice	$38.5	
523991	Trust, Fiduciary and Custody Activities	$38.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
523999	Miscellaneous Financial Investment Activities	$38.5	
Subsector 524—Insurance Carriers and Related Activities			
524113	Direct Life Insurance Carriers	$38.5	
524114	Direct Health and Medical Insurance Carriers	$38.5	
*	* * *	* *	*
524127	Direct Title Insurance Carriers	$38.5	
524128	Other Direct Insurance (except Life, Health and Medical) Carriers.	$38.5	
524130	Reinsurance Carriers	$38.5	
524210	Insurance Agencies and Brokerages	$7.5	
524291	Claims Adjusting	$20.5	
524292	Third Party Administration of Insurance and Pension Funds.	$32.5	
524298	All Other Insurance Related Activities	$15.0	
Subsector 525—Funds, Trusts and Other Financial Vehicles			
525110	Pension Funds	$32.5	
525120	Health and Welfare Funds	$32.5	
525190	Other Insurance Funds	$32.5	
525910	Open-End Investment Funds	$32.5	
525920	Trusts, Estates, and Agency Accounts	$32.5	
525990	Other Financial Vehicles	$32.5	
Sector 53—Real Estate and Rental and Leasing Subsector 531—Real Estate			
531110	Lessors of Residential Buildings and Dwellings [9].	$27.5 [9]	
531120	Lessors of Nonresidential Buildings (except Miniwarehouses) [9].	$27.5 [9]	
531130	Lessors of Miniwarehouses and Self Storage Units [9].	$27.5 [9]	
531190	Lessors of Other Real Estate Property [9]	$27.5 [9]	
531210	Offices of Real Estate Agents and Brokers [10]	$7.5 [10]	
531311	Residential Property Managers	$7.5	
531312	Nonresidential Property Managers	$7.5	
531320	Offices of Real Estate Appraisers	$7.5	
531390	Other Activities Related to Real Estate	$7.5	
Subsector 532—Rental and Leasing Services			
532111	Passenger Car Rental	$38.5	
532112	Passenger Car Leasing	$38.5	
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing.	$38.5	
532210	Consumer Electronics and Appliances Rental	$38.5	
532220	Formal Wear and Costume Rental	$20.5	
532230	Video Tape and Disc Rental	$27.5	
532291	Home Health Equipment Rental	$32.5	
532292	Recreational Goods Rental	$7.5	
532299	All Other Consumer Goods Rental	$7.5	
532310	General Rental Centers	$7.5	
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing.	$32.5	
532412	Construction, Mining and Forestry Machinery and Equipment Rental and Leasing.	$32.5	
532420	Office Machinery and Equipment Rental and Leasing.	$32.5	
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing.	$32.5	
Subsector 533—Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)			
533110	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works).	$38.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
	Sector 54—Professional, Scientific and Technical Services **Subsector 541—Professional, Scientific and Technical Services**		
541110	Offices of Lawyers	$11.0	
541191	Title Abstract and Settlement Offices	$11.0	
541199	All Other Legal Services	$11.0	
541211	Offices of Certified Public Accountants	$20.5	
541213	Tax Preparation Services	$20.5	
541214	Payroll Services	$20.5	
541219	Other Accounting Services	$20.5	
541310	Architectural Services	$7.5	
541320	Landscape Architectural Services	$7.5	
541330	Engineering Services	$15.0	
Except,	Military and Aerospace Equipment and Military Weapons.	$38.5	
Except,	Contracts and Subcontracts for Engineering Services Awarded Under the National Energy Policy Act of 1992.	$38.5	
Except,	Marine Engineering and Naval Architecture	$38.5	
541340	Drafting Services	$7.5	
541350	Building Inspection Services	$7.5	
541360	Geophysical Surveying and Mapping Services	$15.0	
541370	Surveying and Mapping (except Geophysical) Services.	$15.0	
541380	Testing Laboratories	$15.0	
541410	Interior Design Services	$7.5	
541420	Industrial Design Services	$7.5	
541430	Graphic Design Services	$7.5	
541490	Other Specialized Design Services	$7.5	
541511	Custom Computer Programming Services	$27.5	
541512	Computer Systems Design Services	$27.5	
541513	Computer Facilities Management Services	$27.5	
541519	Other Computer Related Services	$27.5	
Except,	Information Technology Value Added Resellers [18].		150 [18]
541611	Administrative Management and General Management Consulting Services.	$15.0	
541612	Human Resources Consulting Services	$15.0	
541613	Marketing Consulting Services	$15.0	
541614	Process, Physical Distribution and Logistics Consulting Services.	$15.0	
541618	Other Management Consulting Services	$15.0	
541620	Environmental Consulting Services	$15.0	
541690	Other Scientific and Technical Consulting Services.	$15.0	
*	* * *	* *	*
541720	Research and Development in the Social Sciences and Humanities.	$20.5	
541810	Advertising Agencies [10]	$15.0 [10]	
541820	Public Relations Agencies	$15.0	
541830	Media Buying Agencies	$15.0	
541840	Media Representatives	$15.0	
541850	Outdoor Advertising	$15.0	
541860	Direct Mail Advertising	$15.0	
541870	Advertising Material Distribution Services	$15.0	
541890	Other Services Related to Advertising	$15.0	
541910	Marketing Research and Public Opinion Polling.	$15.0	
541921	Photography Studios, Portrait	$7.5	
541922	Commercial Photography	$7.5	
541930	Translation and Interpretation Services	$7.5	
541940	Veterinary Services	$7.5	
541990	All Other Professional, Scientific and Technical Services.	$15.0	
	Sector 55—Management of Companies and Enterprises **Subsector 551—Management of Companies and Enterprises**		
551111	Offices of Bank Holding Companies	$20.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
551112	Offices of Other Holding Companies	$20.5	
	Sector 56—Administrative and Support, Waste Management and Remediation Services Subsector 561—Administrative and Support Services		
561110	Office Administrative Services	$7.5	
561210	Facilities Support Services [12]	$38.5 [12]	
561311	Employment Placement Agencies	$27.5	
561312	Executive Search Services	$27.5	
561320	Temporary Help Services	$27.5	
561330	Professional Employer Organizations	$27.5	
561410	Document Preparation Services	$15.0	
561421	Telephone Answering Services	$15.0	
561422	Telemarketing Bureaus and Other contact Centers.	$15.0	
561431	Private Mail Centers	$15.0	
561439	Other Business Service Centers (including Copy Shops).	$15.0	
561440	Collection Agencies	$15.0	
561450	Credit Bureaus	$15.0	
561491	Repossession Services	$15.0	
561492	Court Reporting and Stenotype Services	$15.0	
561499	All Other Business Support Services	$15.0	
561510	Travel Agencies [10]	$20.5 [10]	
561520	Tour Operators [10]	$20.5 [10]	
561591	Convention and Visitors Bureaus	$20.5	
561599	All Other Travel Arrangement and Reservation Services.	$20.5	
561611	Investigation Services	$20.5	
561612	Security Guards and Patrol Services	$20.5	
561613	Armored Car Services	$20.5	
561621	Security Systems Services (except Locksmiths).	$20.5	
561622	Locksmiths	$20.5	
561710	Exterminating and Pest Control Services	$11.0	
561720	Janitorial Services	$18.0	
561730	Landscaping Services	$7.5	
561740	Carpet and Upholstery Cleaning Services	$5.5	
561790	Other Services to Buildings and Dwellings	$7.5	
561910	Packaging and Labeling Services	$11.0	
561920	Convention and Trade Show Organizers [10]	$11.0 [10]	
561990	All Other Support Services	$11.0	
	Subsector 562—Waste Management and Remediation Services		
562111	Solid Waste Collection	$38.5	
562112	Hazardous Waste Collection	$38.5	
562119	Other Waste Collection	$38.5	
562211	Hazardous Waste Treatment and Disposal	$38.5	
562212	Solid Waste Landfill	$38.5	
562213	Solid Waste Combustors and Incinerators	$38.5	
562219	Other Nonhazardous Waste Treatment and Disposal.	$38.5	
562910	Remediation Services	$20.5	
Except,	Environmental Remediation Services [14]		500 [14]
562920	Materials Recovery Facilities	$20.5	
562991	Septic Tank and Related Services	$7.5	
562998	All Other Miscellaneous Waste Management Services.	$7.5	
	Sector 61—Educational Services Subsector 611—Educational Services		
611110	Elementary and Secondary Schools	$11.0	
611210	Junior Colleges	$20.5	
611310	Colleges, Universities and Professional Schools.	$27.5	
611410	Business and Secretarial Schools	$7.5	
611420	Computer Training	$11.0	
611430	Professional and Management Development Training.	$11.0	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
611511	Cosmetology and Barber Schools	$7.5	
611512	Flight Training	$27.5	
611513	Apprenticeship Training	$7.5	
611519	Other Technical and Trade Schools	$15.0	
Except,	Job Corps Centers [16]	$38.5 [16]	
611610	Fine Arts Schools	$7.5	
611620	Sports and Recreation Instruction	$7.5	
611630	Language Schools	$11.0	
611691	Exam Preparation and Tutoring	$7.5	
611692	Automobile Driving Schools	$7.5	
611699	All Other Miscellaneous Schools and Instruction.	$11.0	
611710	Educational Support Services	$15.0	
	Sector 62—Health Care and Social Assistance Subsector 621—Ambulatory Health Care Services		
621111	Offices of Physicians (except Mental Health Specialists).	$11.0	
621112	Offices of Physicians, Mental Health Specialists.	$11.0	
621210	Offices of Dentists	$7.5	
621310	Offices of Chiropractors	$7.5	
621320	Offices of Optometrists	$7.5	
621330	Offices of Mental Health Practitioners (except Physicians).	$7.5	
621340	Offices of Physical, Occupational and Speech Therapists and Audiologists.	$7.5	
621391	Offices of Podiatrists	$7.5	
621399	Offices of All Other Miscellaneous Health Practitioners.	$7.5	
621410	Family Planning Centers	$11.0	
621420	Outpatient Mental Health and Substance Abuse Centers.	$15.0	
621491	HMO Medical Centers	$32.5	
621492	Kidney Dialysis Centers	$38.5	
621493	Freestanding Ambulatory Surgical and Emergency Centers.	$15.0	
621498	All Other Outpatient Care Centers	$20.5	
621511	Medical Laboratories	$32.5	
621512	Diagnostic Imaging Centers	$15.0	
621610	Home Health Care Services	$15.0	
621910	Ambulance Services	$15.0	
621991	Blood and Organ Banks	$32.5	
621999	All Other Miscellaneous Ambulatory Health Care Services.	$15.0	
	Subsector 622—Hospitals		
622110	General Medical and Surgical Hospitals	$38.5	
622210	Psychiatric and Substance Abuse Hospitals	$38.5	
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals.	$38.5	
	Subsector 623—Nursing and Residential Care Facilities		
623110	Nursing Care Facilities (Skilled Nursing Facilities).	$27.5	
623210	Residential Intellectual and Developmental Disability Facilities.	$15.0	
623220	Residential Mental Health and Substance Abuse Facilities.	$15.0	
623311	Continuing Care Retirement Communities	$27.5	
623312	Assisted Living Facilities for the Elderly	$11.0	
623990	Other Residential Care Facilities	$11.0	
	Subsector 624—Social Assistance		
624110	Child and Youth Services	$11.0	
624120	Services for the Elderly and Persons with Disabilities.	$11.0	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
624190	Other Individual and Family Services	$11.0	
624210	Community Food Services	$11.0	
624221	Temporary Shelters	$11.0	
624229	Other Community Housing Services	$15.0	
624230	Emergency and Other Relief Services	$32.5	
624310	Vocational Rehabilitation Services	$11.0	
624410	Child Day Care Services	$7.5	
	Sector 71—Arts, Entertainment and Recreation		
	Subsector 711—Performing Arts, Spectator Sports and Related Industries		
711110	Theater Companies and Dinner Theaters	$20.5	
711120	Dance Companies	$11.0	
711130	Musical Groups and Artists	$11.0	
711190	Other Performing Arts Companies	$27.5	
711211	Sports Teams and Clubs	$38.5	
711212	Race Tracks	$38.5	
711219	Other Spectator Sports	$11.0	
711310	Promoters of Performing Arts, Sports and Similar Events with Facilities.	$32.5	
711320	Promoters of Performing Arts, Sports and Similar Events without Facilities.	$15.0	
711410	Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures.	$11.0	
711510	Independent Artists, Writers, and Performers	$7.5	
	Subsector 712—Museums, Historical Sites and Similar Institutions		
712110	Museums	$27.5	
712120	Historical Sites	$7.5	
712130	Zoos and Botanical Gardens	$27.5	
712190	Nature Parks and Other Similar Institutions	$7.5	
	Subsector 713—Amusement, Gambling and Recreation Industries		
713110	Amusement and Theme Parks	$38.5	
713120	Amusement Arcades	$7.5	
713210	Casinos (except Casino Hotels)	$27.5	
713290	Other Gambling Industries	$32.5	
713910	Golf Courses and Country Clubs	$15.0	
713920	Skiing Facilities	$27.5	
713930	Marinas	$7.5	
713940	Fitness and Recreational Sports Centers	$7.5	
713950	Bowling Centers	$7.5	
713990	All Other Amusement and Recreation Industries.	$7.5	
	Sector 72—Accommodation and Food Services		
	Subsector 721—Accommodation		
721110	Hotels (except Casino Hotels) and Motels	$32.5	
721120	Casino Hotels	$32.5	
721191	Bed-and-Breakfast Inns	$7.5	
721199	All Other Traveler Accommodation	$7.5	
721211	RV (Recreational Vehicle) Parks and Campgrounds.	$7.5	
721214	Recreational and Vacation Camps (except Campgrounds).	$7.5	
721310	Rooming and Boarding Houses	$7.5	
	Subsector 722—Food Services and Drinking Places		
722310	Food Service Contractors	$38.5	
722320	Caterers	$7.5	
722330	Mobile Food Services	$7.5	
722410	Drinking Places (Alcoholic Beverages)	$7.5	
722511	Full-Service Restaurants	$7.5	
722513	Limited-Service Restaurants	$11.0	
722514	Cafeterias, Grill Buffets, and Buffets	$27.5	
722515	Snack and Nonalcoholic Beverage Bars	$7.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
	Sector 81—Other Services (Except Public Administration)		
	Subsector 811—Repair and Maintenance		
811111	General Automotive Repair	$7.5	
811112	Automotive Exhaust System Repair	$7.5	
811113	Automotive Transmission Repair	$7.5	
811118	Other Automotive Mechanical and Electrical Repair and Maintenance.	$7.5	
811121	Automotive Body, Paint and Interior Repair and Maintenance.	$7.5	
811122	Automotive Glass Replacement Shops	$11.0	
811191	Automotive Oil Change and Lubrication Shops	$7.5	
811192	Car Washes	$7.5	
811198	All Other Automotive Repair and Maintenance	$7.5	
811211	Consumer Electronics Repair and Maintenance.	$7.5	
811212	Computer and Office Machine Repair and Maintenance.	$27.5	
811213	Communication Equipment Repair and Maintenance.	$11.0	
811219	Other Electronic and Precision Equipment Repair and Maintenance.	$20.5	
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance.	$7.5	
811411	Home and Garden Equipment Repair and Maintenance.	$7.5	
811412	Appliance Repair and Maintenance	$15.0	
811420	Reupholstery and Furniture Repair	$7.5	
811430	Footwear and Leather Goods Repair	$7.5	
811490	Other Personal and Household Goods Repair and Maintenance.	$7.5	
	Subsector 812—Personal and Laundry Services		
812111	Barber Shops	$7.5	
812112	Beauty Salons	$7.5	
812113	Nail Salons	$7.5	
812191	Diet and Weight Reducing Centers	$20.5	
812199	Other Personal Care Services	$7.5	
812210	Funeral Homes and Funeral Services	$7.5	
812220	Cemeteries and Crematories	$20.5	
812310	Coin-Operated Laundries and Drycleaners	$7.5	
812320	Drycleaning and Laundry Services (except Coin-Operated).	$5.5	
812331	Linen Supply	$32.5	
812332	Industrial Launderers	$38.5	
812910	Pet Care (except Veterinary) Services	$7.5	
812921	Photofinishing Laboratories (except One-Hour).	$20.5	
812922	One-Hour Photofinishing	$15.0	
812930	Parking Lots and Garages	$38.5	
812990	All Other Personal Services	$7.5	
	Subsector 813—Religious, Grantmaking, Civic, Professional and Similar Organizations		
813110	Religious Organizations	$7.5	
813211	Grantmaking Foundations	$32.5	
813212	Voluntary Health Organizations	$27.5	
813219	Other Grantmaking and Giving Services	$38.5	
813311	Human Rights Organizations	$27.5	
813312	Environment, Conservation and Wildlife Organizations.	$15.0	
813319	Other Social Advocacy Organizations	$7.5	
813410	Civic and Social Organizations	$7.5	
813910	Business Associations	$7.5	
813920	Professional Organizations	$15.0	
813930	Labor Unions and Similar Labor Organizations	$7.5	
813940	Political Organizations	$7.5	

SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY—Continued

NAICS Codes	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations).	$7.5	
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Footnotes

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2. *NAICS code 237990*—Dredging: To be considered small for purposes of Government procurement, a firm must perform at least 40 percent of the volume dredged with its own equipment or equipment owned by another small dredging concern.

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8. *NAICS codes 522110, 522120, 522130, 522190, and 522210*—A financial institution's assets are determined by averaging the assets reported on its four quarterly financial statements for the preceding year. ''Assets'' for the purposes of this size standard means the assets defined according to the Federal Financial Institutions Examination Council 041 call report form for NAICS codes 522110, 522120, 522190, and 522210 and the National Credit Union Administration 5300 call report form for NAICS code 522130.

9. *NAICS codes 531110, 531120, 531130, and 531190*—Leasing of Building Space to the Federal Government by Owners: For Government procurement, a size standard of $38.5 million in gross receipts applies to the owners of building space leased to the Federal Government. The standard does not apply to an agent.

10. NAICS codes 488510 (part), 531210, 541810, 561510, 561520, and 561920—As measured by total revenues, but excluding funds received in trust for an unaffiliated third party, such as bookings or sales subject to commissions. The commissions received are included as revenue.

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12. *NAICS code 561210*—Facilities Support Services:

(a) If one or more activities of Facilities Support Services as defined in paragraph (b) (below in this footnote) can be identified with a specific industry and that industry accounts for 50% or more of the value of an entire procurement, then the proper classification of the procurement is that of the specific industry, not Facilities Support Services.

(b) ''Facilities Support Services'' requires the performance of three or more separate activities in the areas of services or specialty trade contractors industries. If services are performed, these service activities must each be in a separate NAICS industry. If the procurement requires the use of specialty trade contractors (plumbing, painting, plastering, carpentry, etc.), all such specialty trade contractors activities are considered a single activity and classified as ''Building and Property Specialty Trade Services. Since'' Building and Property Specialty Trade Services'' is only one activity, two additional activities of separate NAICS industries are required for a procurement to be classified as ''Facilities Support Services.''

13. *NAICS code 238990*—Building and Property Specialty Trade Services:

If a procurement requires the use of multiple specialty trade contractors (*i.e.,* plumbing, painting, plastering, carpentry, etc.), and no specialty trade accounts for 50% or more of the value of the procurement, all such specialty trade contractors activities are considered a single activity and classified as Building and Property Specialty Trade Services.

14. *NAICS code 562910*—Environmental Remediation Services:

(a) For SBA assistance as a small business concern in the industry of Environmental Remediation Services, other than for Government procurement, a concern must be engaged primarily in furnishing a range of services for the remediation of a contaminated environment to an acceptable condition including, but not limited to, preliminary assessment, site inspection, testing, remedial investigation, feasibility studies, remedial design, containment, remedial action, removal of contaminated materials, storage of contaminated materials and security and site closeouts. If one of such activities accounts for 50 percent or more of a concern's total revenues, employees, or other related factors, the concern's primary industry is that of the particular industry and not the Environmental Remediation Services Industry.

(b) For purposes of classifying a Government procurement as Environmental Remediation Services, the general purpose of the procurement must be to restore or directly support the restoration of a contaminated environment (such as preliminary assessment, site inspection, testing, remedial investigation, feasibility studies, remedial design, remediation services, containment, removal of contaminated materials or security and site closeouts), although the general purpose of the procurement need not necessarily include remedial actions. Also, the procurement must be composed of activities in three or more separate industries with separate NAICS codes or, in some instances (*e.g.,* engineering), smaller components of NAICS codes with separate and distinct size standards. These activities may include, but are not limited to, separate activities in industries such as: Heavy Construction; Special Trade Contractors; Engineering Services; Architectural Services; Management Consulting Services; Hazardous and Other Waster Collection; Remediation Services; Testing Laboratories; and Research and Development in the Physical, Engineering, and Life Sciences. If any activity in the procurement can be identified with a separate NAICS code, or component of a code with a separate distinct size standard, and that industry accounts for 50 percent or more of the value of the entire procurement, then the proper size standard is the one for that particular industry, and not the Environmental Remediation Service size standard.

15. *Subsector 483*—Water Transportation—Offshore Marine Services: The applicable size standard shall be $30.5 million for firms furnishing specific transportation services to concerns engaged in offshore oil and/or natural gas exploration, drilling production, or marine research; such services encompass passenger and freight transportation, anchor handling, and related logistical services to and from the work site or at sea.

16. *NAICS code 611519*—Job Corps Centers. For classifying a Federal procurement, the purpose of the solicitation must be for the management and operation of a U.S. Department of Labor Job Corps Center. The activities involved include admissions activities, life skills training, educational activities, comprehensive career preparation activities, career development activities, career transition activities, as well as the management and support functions and services needed to operate and maintain the facility. For SBA assistance as a small business concern, other than for Federal Government procurements, a concern must be primarily engaged in providing the services to operate and maintain Federal Job Corps Centers.

17. *NAICS code 115310*—Support Activities for Forestry—Forest Fire Suppression and Fuels Management Services are two components of Support Activities for Forestry. Forest Fire Suppression includes establishments which provide services to fight forest fires. These firms usually have fire-fighting crews and equipment. Fuels Management Services firms provide services to clear land of hazardous materials that would fuel forest fires. The treatments used by these firms may include prescribed fire, mechanical removal, establishing fuel breaks, thinning, pruning, and piling.

18. *NAICS code 541519*—An Information Technology Value Added Reseller provides a total solution to information technology acquisitions by providing multi-vendor hardware and software along with significant services. Significant value added services consist of, but are not limited to, configuration consulting and design, systems integration, installation of multi-vendor

computer equipment, customization of hardware or software, training, product technical support, maintenance, and end user support. For purposes of Government procurement, an information technology procurement classified under this industry category must consist of at least 15% and not more than 50% of value added services as measured by the total price less the cost of information technology hardware, computer software, and profit. If the contract consists of less than 15% of value added services, then it must be classified under a NAICS manufacturing industry. If the contract consists of more than 50% of value added services, then it must be classified under the NAICS industry that best describes the predominate service of the procurement. To qualify as an Information Technology Value Added Reseller for purposes of SBA assistance, other than for Government procurement, a concern must be primarily engaged in providing information technology equipment and computer software and provide value added services which account for at least 15% of its receipts but not more than 50% of its receipts.

* * * * *

■ 3. Amend § 121.301 by revising paragraphs (c)(2) introductory text and (d), to read as follows:

§ 121.301 What size standards are applicable to financial assistance programs?

* * * * *

(c) * * *

(2) Including its affiliates, tangible net worth not in excess of $19.5 million, and average net income after Federal income taxes (excluding any carry-over losses) for the preceding two completed fiscal years not in excess of $6.5 million. If the applicant is not required by law to pay Federal income taxes at the enterprise level, but is required to pass income through to its shareholders, partners, beneficiaries, or other equitable owners, the applicant's ''net income after Federal income taxes'' will be its net income reduced by an amount computed as follows:

* * * * *

(d) For Surety Bond Guarantee assistance—a business concern, combined with its affiliates, must meet the size standard for the primary industry in which such business concern, combined with its affiliates, is engaged.

* * * * *

■ 4. Amend § 121.302 by revising paragraph (c) to read as follows:

§ 121.302 When does SBA determine the size status of the applicant?

* * * * *

(c) For disaster loan assistance (other than physical disaster loans), size status is determined as of the date the disaster commenced, as set forth in the Disaster Declaration. For pre-disaster mitigation loans, size status is determined as of the date SBA accepts a complete Pre-Disaster Mitigation Small Business Loan Application for processing. Refer to § 123.408 of this chapter to find out what SBA considers to be a complete Pre-Disaster Mitigation Small Business Loan Application.

* * * * *

■ 5. Amend § 121.502 by revising paragraph (a)(2) to read as follows:

§ 121.502 What size standards are applicable to programs for sales and leases of Government property?

(a) * * *

(2) A concern not primarily engaged in manufacturing is small for sales or leases of Government property if it has annual receipts not exceeding $7.5 million.

* * * * *

■ 6. Amend § 121.512 by revising paragraph (b) to read as follows:

§ 121.512 What is the size standard for stockpile purchases?

* * * * *

(b) Its annual receipts, together with its affiliates, do not exceed $62.5 million.

Dated: May 21, 2014.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2014–12868 Filed 6–11–14; 8:45 am]

BILLING CODE 8205–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2014–0248; Special Conditions No. 25–553–SC]

Special Conditions: Gulfstream Model GVI Airplanes; Airbag-Equipped Shoulder Belt

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Gulfstream Model GVI airplane. This airplane, as modified by Gulfstream, will have a novel or unusual design feature associated with airbag-equipped shoulder belts. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date of these special conditions is June 12, 2014. We must receive your comments by July 28, 2014.

ADDRESSES: Send comments identified by docket number FAA–2014–0248 using any of the following methods:

Federal eRegulations Portal: Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.

Mail: Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

Hand Delivery or Courier: Take comments to Docket Operations 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.

Fax: Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/*, including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/*.

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations 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: Dan Jacquet, Airframe and Cabin Safety, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–2676; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION: The FAA has determined that notice of, and opportunity for prior public comment on, these special conditions are

impracticable because these procedures would significantly delay issuance of the design approval and thus delivery of the affected airplane. In addition, the substance of these special conditions has been subject to the public-comment process in several prior instances with no substantive comments received. The FAA therefore finds that good cause exists for making these special conditions effective upon publication in the **Federal Register**.

Comments Invited

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

On October 23, 2012, Gulfstream applied for a supplemental type certificate for airbag-equipped shoulder belts in the Gulfstream Model GVI airplane. The Gulfstream Model GVI is a two-engine jet transport airplane with an executive cabin interior. The maximum takeoff weight is 99,600 pounds, with a maximum passenger capacity of 19.

Type Certification Basis

Under the provisions of § 21.101 Gulfstream must show that the GVI, as changed, continues to meet the applicable provisions of the regulations incorporated by reference in type certificate no. T00015AT or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the ''original type certification basis.'' The regulations incorporated by reference in T00015AT are as follows:

The certification basis is 14 CFR part 25, Airworthiness Standards: Transport Category Airplanes, effective February 1, 1965, including Amendments 25–1 through 25–120 and 25–122, 25–124, and 25–132.

Amendment 25–118 was not published and therefore does not apply.

Optional Design Regulations:

- The Model GVI has been shown to comply with the requirements for ditching: § 25.801, 25.563, 25.807(e), and 25.1585(a). When the operating rules require emergency-ditching equipment, compliance with §§ 25.1411 and 25.1415 must be shown. Gulfstream Report GVI–GER–1709, titled ''Design Requirements Document for Ditching Equipment,'' provides an acceptable means for showing compliance with §§ 25.1411 and 25.1415.
- The Model GVI is approved for flight into known icing conditions and has demonstrated compliance to § 25.1419.

Exemption No. 9761, §§ 25.562(a) and 25.785(b) for side-facing divans also applies.

The certification basis includes certain special conditions, exemptions, and equivalent-safety findings that are not relevant to these proposed special conditions.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the GVI because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate to incorporate the same novel or unusual design feature, the special conditions would also apply to the other model.

In addition to the applicable airworthiness regulations and special conditions, the GVI must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34 and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type-certification basis under § 21.101.

Novel or Unusual Design Features

The Gulfstream model GVI will incorporate the following novel or unusual design feature:

Gulfstream Aerospace Corporation is proposing to install inflatable shoulder straps on side-facing divans to reduce the potential for head injury in the event of an accident. The inflatable shoulder strap works similarly to an automotive airbag except that the airbag is integrated with the shoulder strap of the restraint system.

Part 25 states the performance criteria for head injury protection in objective terms. However, none of these criteria are adequate to address the specific issues raised concerning seats with inflatable shoulder straps. The FAA has therefore determined that, in addition to the requirements of part 25, special conditions are needed to address requirements particular to installation of seats with inflatable shoulder straps.

Accordingly, in addition to the passenger-injury criteria specified in § 25.785, these special conditions are adopted for Gulfstream GVI airplanes equipped with inflatable shoulder straps.

Discussion

From the standpoint of a passenger-safety system, the inflatable shoulder belt is unique in that it is both an active and entirely autonomous device. While the automotive industry has good experience with airbags, the conditions of use and reliance on the inflatable shoulder belt as the sole means of injury protection are quite different. In automobile installations, the airbag is a supplemental system and works in conjunction with an upper torso restraint. In addition, the crash event is more definable and of typically shorter duration, which can simplify the activation logic. The airplane operating environment is also quite different from automobiles, and includes the potential for greater wear and tear and unanticipated abuse conditions (due to galley loading, passenger baggage, etc.). Airplanes also operate where exposure to high-intensity electromagnetic fields could affect the activation system.

The inflatable shoulder belt has two potential advantages over other means of head-impact protection. First, it can provide significantly greater protection than would be expected with energy-absorbing pads, and second, it can provide essentially equivalent protection for occupants of all stature. These are significant advantages from a safety standpoint, because such devices will likely provide a level of safety that exceeds the minimum standards of the federal aviation regulations. Conversely, inflatable shoulder belts in general are active systems and must be relied upon to activate properly when needed, as opposed to an energy-absorbing pad or upper-torso restraint that is passive and always available. Therefore, the potential advantages must be balanced against this and other potential disadvantages in developing standards for this design feature.

The FAA has considered the installation of inflatable shoulder belts to have two primary safety concerns: First, that they perform properly under foreseeable operating conditions, and second, that they do not perform in a manner or at such times as would constitute a hazard to the airplane or occupants. This latter point has the potential to be the more rigorous of the

requirements, owing to the active nature of the system.

The inflatable shoulder belt will rely on electronic sensors for signaling, and a stored gas canister for inflation. These same devices could be susceptible to inadvertent activation, causing deployment in a potentially unsafe manner. The consequence of inadvertent deployment, as well as failure to deploy, must be considered in establishing the reliability of the system. Gulfstream Aerospace Corporation must substantiate that the effects of an inadvertent deployment in flight either would not cause injuries to occupants, or that such deployment(s) meet the requirement of § 25.1309(b). The effect of an inadvertent deployment on a passenger or crewmember that might be positioned close to the inflatable shoulder belt should also be considered. The person could be either standing or sitting. A minimum reliability level must be established for this case, depending upon the consequences, even if the effect on the airplane is negligible.

The potential for an inadvertent deployment could be increased as a result of condition in service. The installation must take into account wear and tear so that the likelihood of an inadvertent deployment is not increased to an unacceptable level. In this context, an appropriate inspection interval and self-test capability are considered necessary. Other outside influences are lightning and high-intensity radiated fields (HIRF). Existing HIRF special conditions for the model GVI are applicable.

Additionally, the inflatable shoulder-belt installation should be protected from the effects of fire, so that an additional hazard is not created by, for example, a rupture of the pyrotechnic squib.

To be an effective safety system, the inflatable shoulder belt must function properly and must not introduce any additional hazards to occupants as a result of its functioning. In several ways, the inflatable shoulder belt differs from traditional occupant-protection systems and requires special conditions to ensure adequate performance.

Because the inflatable shoulder belt is essentially a single-use device, this potentially could deploy under crash conditions that are not sufficiently so severe as to require head-injury protection from the inflatable shoulder belt. Because an actual crash is frequently composed of a series of impacts before the airplane comes to rest, this could render the inflatable shoulder belt useless if a larger impact follows the initial impact. The situation does not exist with energy-absorbing pads or upper-torso restraints, which tend to provide continuous protection regardless of severity or number of impacts in a crash event. Therefore, the inflatable shoulder-belt installation should provide protection, when it is required, by not expending its protection during a less-severe impact. It is also possible to have several large impact events during the course of a crash, but we will not require the inflatable shoulder belt to provide protection for multiple impacts.

Because each occupant's restraint system provides protection for that occupant only, the installation must address seats that are unoccupied. It will be necessary to show that the required protection is provided for each occupant regardless of the number of occupied seats, and considering that unoccupied seats may have shoulder belts that are active.

The inflatable shoulder belts should be effective for a wide range of occupants. The FAA has historically considered the range from the 5th-percentile female to the 95th-percentile male as the range of occupants that must be taken into account. In this case, the FAA is proposing consideration of a broader range of occupants, due to the nature of shoulder-belt installation and their close proximity to the occupant. In a similar vein, these persons could have assumed the brace position for those accidents where an impact is anticipated. Test data indicate that occupants in the brace position do not require supplemental protection, so it would not be necessary to show that the inflatable shoulder belts will enhance the brace position. However, the inflatable shoulder belts must not introduce a hazard in the case of deploying into the seated, braced occupant.

Another area of concern is the use of seats, so equipped, by children, whether lap-held, in approved child safety seats, or occupying the seat directly. Similarly, if the seat is occupied by a pregnant woman, the installation should address such usage either by demonstrating that it will function properly, or by adding appropriate limitation on usage.

Because the inflatable shoulder belt will be electrically powered, there is the possibility that the system could fail due to a separation in the fuselage. And because this system is intended as a crash/post-crash protection means, failure to deploy due to fuselage separation is not acceptable. As with emergency lighting, the system should function properly if such a separation occurs at any point in the fuselage. As required by § 25.1353(a), operation of the existing airplane electrical equipment should not adversely impact the function of the inflatable lapbelt under all foreseeable conditions.

The inflatable lapbelt is likely to have a large volume displacement. Likewise, the inflated bag could potentially impede egress of passengers. The bag deflates to absorb energy, so it is likely that an inflatable lapbelt would be deflated at the time that persons would be trying to leave their seats. Nonetheless, we consider it appropriate to specify a time interval after which the inflatable lapbelt may not impede rapid exit (egress) from the airplane. Ten seconds has been deemed to be a reasonable time, as this corresponds to the maximum time allowed for an exit to be openable (§ 25.809).

In actuality, it is unlikely that an exit would be prepared this quickly in an accident severe enough to warrant deployment of the inflatable lapbelt, and the inflatable lapbelt will likely deflate much sooner than ten seconds.

This potential impediment to rapid egress is even more critical at the seats installed in the emergency-exit rows. Section 25.813 requires passenger access to the exit, from the main aisle, in the form of an unobstructed passageway, with no interference in opening the exit. The restraint system must not create an impediment to the access to, and the opening of, the exit. In some cases, the passenger, rather than a flightcrew member, opens an exit such as a Type III overwing hatch. These lap belts should be evaluated in the exit row under existing regulations (§§ 25.809 and 25.813) and guidance material. The inflatable lap belts must also be evaluated in post-crash conditions, and should be evaluated using representative restraint systems in the bag-deployed condition.

This evaluation would include reviewing the access to, and opening of, the exit, specifically for obstructions in the egress path, and any interference in opening the exit. Each unique interior configuration must be considered.

If the restraint creates any obstruction or interference, it is likely that it could impede the rapid egress from the airplane. Project-specific guidance is likely necessary if these restraint systems are installed at exit-door rows.

Part I of appendix F to part 25 specifies the flammability requirements for interior materials and components. Appendix F has no reference to inflatable restraint systems because such devices did not exist at the time the flammability requirements were written. The existing requirements are based on both material types and use, and have been specified in light of the state-of-

the-art materials available to perform a given function. In the absence of a specific reference, the default requirement would be for the type of material used in constructing the inflatable restraint, which is a fabric in this case. However, in writing special conditions, the FAA must also consider the use of the material, and whether the default requirement is appropriate. In this case, the specialized function of the inflatable shoulder belt means that highly specialized materials are needed. The standard normally applied to fabrics is a 12-second vertical ignition test. However, materials that meet this standard do not perform adequately as inflatable shoulder belts. Because the safety benefit of the inflatable shoulder belt is significant, the flammability standard appropriate for these devices should not screen out suitable materials, thereby effectively eliminating use of the inflatable shoulder belt based on its flammability performance. At this time, the 2.5-inch-per-minute horizontal test is considered to provide that balance. As the technology in materials progresses (which is expected), the FAA may change this standard in subsequent special conditions to account for improved materials.

The following special conditions can be characterized as addressing either the safety performance of the system or the system's integrity against inadvertent activation. Because a crash requiring use of the inflatable shoulder belt is a relatively rare event, and because the consequences of an inadvertent activation are potentially quite severe, these later requirements are probably more rigorous from a design standpoint.

Note that, although these special conditions are applicable to the inflatable shoulder belts as installed, compliance with these special conditions is not an installation approval. While these special conditions relate to each such system installed, the overall installation approval is a separate finding and must consider the combined effects of all such systems installed.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these special conditions are applicable to the Gulfstream Model GVI airplane. Should Gulfstream apply at a later date for a supplemental type certificate to modify any other model included on type certificate no. T00015AT to incorporate the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on one model of airplane. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of these special conditions has been subjected to the notice-and-comment period in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Gulfstream Model GVI airplanes modified by Gulfstream.

In addition to the requirements specified in exemption no. 9761, the following special conditions are proposed as part of the type certification basis for Gulfstream Model GVI airplanes equipped with an airbag system in the shoulder belt.

1. For seats with an airbag system in the shoulder belt, show that the airbag system in the shoulder belt will deploy and provide protection under crash conditions where it is necessary to prevent serious injury. The means of protection must take into consideration a range of stature from a 2-year-old child to a 95th-percentile male. The airbag system in the shoulder belt must provide a consistent approach to energy absorption throughout that range of occupants. When the seat system includes an airbag system, that system must be included in each of the certification tests as it would be installed in the airplane. In addition, the following situations must be considered, wherein the seat occupant is:

a. Holding an infant
b. a pregnant woman
c. a child in a child-restraint device
d. a child not using a child-restraint device

2. The airbag system in the shoulder belt must provide adequate protection for each occupant regardless of the number of occupants of the seat assembly, considering that unoccupied seats may have an active airbag system in the shoulder belt.

3. The design must prevent the airbag system in the shoulder belt from being either incorrectly buckled or incorrectly installed, such that the airbag system in the shoulder belt would not properly deploy. Alternatively, it must be shown that such deployment is not hazardous to the occupant, and will provide the required injury protection.

4. It must be shown that the airbag system in the shoulder belt is not susceptible to inadvertent deployment as a result of wear and tear, or inertial loads resulting from in-flight or ground maneuvers (including gusts and hard landings), and other operating and environmental conditions (vibrations, moisture, etc.) likely to occur in service.

5. Deployment of the airbag system in the shoulder belt must not injure the seated occupant, including injuries that could impede rapid egress. This assessment should include an occupant whose belt is loosely fastened.

6. It must be shown that inadvertent deployment of the airbag system in the shoulder belt, during the most critical part of the flight, will either meet the requirement of § 25.1309(b) or not cause a hazard to the airplane or its occupants.

7. It must be shown that the airbag system in the shoulder belt will not impede rapid egress of occupants 10 seconds after airbag deployment.

8. The airbag system must be protected from lightning and high-intensity radiated fields (HIRF). The threats to the airplane specified in existing regulations regarding lighting, § 25.1316, and HIRF, § 25.1317, are incorporated by reference for the purpose of measuring lightning and HIRF protection.

9. The airbag system in the shoulder belt must function properly after loss of normal airplane electrical power, and after a transverse separation of the fuselage at the most critical location. A separation at the location of the airbag

system in the shoulder belt does not have to be considered.

10. It must be shown that the airbag system in the shoulder belt will not release hazardous quantities of gas or particulate matter into the cabin.

11. The airbag system in the shoulder-belt installation must be protected from the effects of fire such that no hazard to occupants will result.

12. A means must be available for a crewmember to verify the integrity of the airbag system in the shoulder-belt activation system prior to each flight, or it must be demonstrated to reliably operate between inspection intervals. The FAA considers that the loss of the airbag-system deployment function alone (i.e., independent of the conditional event that requires the airbag-system deployment) is a major-failure condition.

13. The inflatable material may not have an average burn rate of greater than 2.5 inches per minute when tested, using the horizontal flammability test defined in part 25, appendix F, part I, paragraph (b)(5).

14. The airbag system in the shoulder belt, once deployed, must not adversely affect the emergency-lighting system (i.e., block floor proximity lights to the extent that the lights no longer meet their intended function).

Issued in Renton, Washington, on May 12, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13663 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2013–0896; Special Conditions No. 25–529–SC]

Special Conditions: Airbus Model A350–900 Series, Limit Pilot Force Because of Side Stick Controller

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for Airbus Model A350–900 series airplanes. These airplanes will have a novel or unusual design feature associated with side stick controllers which require limited pilot force because they are operated by only one hand. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Effective July 14, 2014.

FOR FURTHER INFORMATION CONTACT: Todd Martin, FAA, Airframe and Cabin Safety Branch, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone (425) 227–1178; facsimile (425) 227–1320.

SUPPLEMENTARY INFORMATION:

Background

On August 25, 2008, Airbus applied for a type certificate for their new Model A350–900 series airplane. Later, Airbus requested and the FAA approved an extension to the application for FAA type certification to June 28, 2009. The Model A350–900 series airplane has a conventional layout with twin wing-mounted Rolls-Royce Trent XWB engines. It features a twin aisle 9-abreast economy class layout, and accommodates side-by-side placement of LD–3 containers in the cargo compartment. The basic Model A350–900 series configuration will accommodate 315 passengers in a standard two-class arrangement. The design cruise speed is Mach 0.85 with a Maximum Take-Off Weight of 602,000 lbs.

The Airbus Model A350–900 series airplane is equipped with two side stick controllers instead of the conventional control columns and wheels. This kind of controller is designed for only one-hand operation. The requirement of Title 14, Code of Federal Regulations (14 CFR) 25.397(c), which defines limit pilot forces and torques for conventional wheel or stick controls, is not adequate for a side stick controller. Special conditions are necessary to specify the appropriate loading conditions for this kind of controller.

Type Certification Basis

Under Title 14, Code of Federal Regulations (14 CFR) 21.17, Airbus must show that the Model A350–900 series meets the applicable provisions of 14 CFR part 25, as amended by Amendments 25–1 through 25–129.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model A350–900 series because of a novel or unusual design feature, special conditions are prescribed under § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Model A350–900 series must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34 and the noise-certification requirements of 14 CFR part 36. The FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92–574, the ''Noise Control Act of 1972.''

The FAA issues special conditions, as defined in 14 CFR 11.19, under § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Airbus Model A350–900 series airplane will incorporate the following novel or unusual design feature: a side stick controller for only one-hand operation by wrist and not by arms.

Discussion

Special conditions for Airbus side stick controllers have been developed and applied during previous Airbus certification programs. These special conditions are also appropriate for the Model A350–900 series side stick controller.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Discussion of Comments

Notice of proposed special conditions No. 25–13–27–SC for Airbus Model A350–900 series airplanes was published in the **Federal Register** on December 17, 2013 (78 FR 76248). No comments were received, and the special conditions are adopted as proposed.

Applicability

As discussed above, these special conditions apply to Airbus Model A350–900 series airplanes. Should Airbus apply later for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on the Airbus Model A350–900 series airplanes. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Airbus Model A350–900 series airplanes in lieu of § 25.397(c), which are identical to A320, A340, and A380 special conditions on the same subject:

For the Airbus Model A350–900 series airplane equipped with stick controls designed for forces to be applied by one wrist and not arms, the limit pilot forces are as follows:

1. For all components between and including the handle and its control stops.

Pitch	Roll
Nose up 200 lbf.	Nose left 100 lbf.

2. For all other components of the side stick control assembly, but excluding the internal components of the electrical sensor assemblies, to avoid damage as a result of an in-flight jam.

Pitch	Roll
Nose up 125 lbf. ..... Nose down 125 lbf. ...	Nose left 50 lbf. Nose right 50 lbf.

Issued in Renton, Washington, on: April 22, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13666 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2013–0890; Special Conditions No. 25–524–SC]

Special Conditions: Airbus Model A350–900 Series Airplane; Ground Pivoting Loads

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for Airbus Model A350–900 Series airplanes. These airplanes will have a novel or unusual design feature(s) associated with a braking system that affects the airplane's pivoting behavior. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Effective July 14, 2014.

FOR FURTHER INFORMATION CONTACT: Todd Martin, FAA, Airframe/Cabin Safety, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone (425) 227–1178; facsimile (425) 227–1320.

SUPPLEMENTARY INFORMATION:

Background

On August 25, 2008, Airbus applied for a type certificate for their new Model A350–900 series airplane. Later, Airbus requested and the FAA approved an extension to the application for FAA type certification to June 28, 2009. The Model A350–900 series airplane has a conventional layout with twin wing-mounted Rolls-Royce Trent engines. It features a twin aisle 9-abreast economy class layout, and accommodates side-by-side placement of LD–3 containers in the cargo compartment. The basic Model A350–900 series configuration will accommodate 315 passengers in a standard two-class arrangement. The design cruise speed is Mach 0.85 with a Maximum Take-Off Weight of 602,000 lbs. Airbus proposes the Model A350–900 series airplane to be certified for extended operations (ETOPS) beyond 180 minutes at entry into service for up to a 420-minute maximum diversion time.

The Airbus Model A350–900 series airplane is equipped with a braking system that affects the airplane's pivoting behavior. During pivoting the braking system inhibits braking on some wheels. Title 14 Code of Federal Regulations (14 CFR) 25.503 and European Aviation Safety Agency (EASA) Certification Specification (CS) section 25.503, each specify limit loads due to pivoting, however, system effects are not taken into account.

Type Certification Basis

Under Title 14, Code of Federal Regulations (14 CFR) 21.17, Airbus must show that the Model A350–900 series meets the applicable provisions of 14 CFR part 25, as amended by Amendments 25–1 through 25–129.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model A350–900 series because of a novel or unusual design feature, special conditions are prescribed under § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Model A350–900 series must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34 and the noise-certification requirements of 14 CFR part 36 and the FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92–574, the ''Noise Control Act of 1972.''

The FAA issues special conditions, as defined in 14 CFR 11.19, under § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Airbus Model A350–900 series airplane will incorporate the following novel or unusual design features: a braking system that affects the airplane's pivoting behavior.

Discussion

Within the Aviation Rulemaking Advisory Committee, the Loads and Dynamics Harmonization Working Group developed criteria for determining pivoting loads. The group recommended, for airplanes with more than two main landing gear units, a rational pivoting maneuver that takes into account the effects of the braking system and tire characteristics, in lieu of the current requirement. Although the

Airbus Model A350–900 series airplane has two main landing gear units, EASA and the FAA propose to apply the same criteria on this airplane.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Discussion of Comments

Notice of proposed special conditions No. 25–13–10–SC for Airbus Model A350–900 series airplanes was published in the **Federal Register** on October 29, 2013 (78FR64415). The Boeing Company submitted one comment, which stated that ''there is not a specific requirement to consider failure modes. Failure modes of the brake system that would cause brakes to be applied during pivoting should be investigated in accordance with the requirements relating to systems and structures interaction. We suggest that the FAA consider revising the proposal to include this specific requirement.''

Failure modes of the braking system are addressed by a separate special-conditions document titled *Interaction of Systems and Structures,* published in the **Federal Register** on December 20, 2013 (78FR76980). The *Interaction of Systems and Structures* special conditions requires that the effects of system failures be taken into account, and specifically addresses the pivoting requirement, § 25.503, and any special condition used in lieu of § 25.503.

This (i.e., current) special conditions document addresses loads associated with structural design not specific to a failure condition.

Applicability

As discussed above, these special conditions apply to Airbus Model A350–900 series airplanes. Should Airbus apply later for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on the Airbus Model A350–900 series airplanes. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Airbus Model A350–900 series airplanes in lieu of § 25.503:

1. The main landing gear and supporting structure must be designed for the loads induced by pivoting during ground maneuvers.

a. The following rational pivoting maneuvers must be considered:

i. Towing at the nose gear at the critical towing angle with no brakes applied, including cases with torque links disconnected; and separately,

ii. Application of symmetrical or unsymmetrical forward thrust to aid pivoting, with or without braking by pilot action on the pedals.

b. The airplane is assumed to be in static equilibrium, with the loads being applied at the ground contact points.

c. The limit vertical load factor must be 1.0, and:

i. For wheels with brakes applied, the coefficient of friction must be 0.8,

ii. For wheels with brakes not applied, the ground tire reactions must be based on reliable tire data.

Issued in Renton, Washington, on: April 25, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13667 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2014–0244; Special Conditions No. 25–552–SC]

Special Conditions: Boeing Model 787–9, Side-Facing Seats

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special condition; request for comments.

SUMMARY: These special conditions are issued for the Boeing Model 787–9 airplane. This airplane has a novel or unusual design feature associated with side-facing seats. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for occupants of seats installed at an angle of 49 degrees to the centerline of the airplane, nor for inflatable restraint systems. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date of these special conditions is June 12, 2014. We must receive your comments by July 28, 2014.

ADDRESSES: Send comments identified by docket number FAA–2014–0244 using any of the following methods:

Federal eRegulations Portal: Go to *http://www.regulations.gov/* andfollow the online instructions for sending your comments electronically.

Mail: Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

Hand Delivery or Courier: Take comments to Docket Operations 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.

Fax: Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/*, including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/*.

Docket: Background documents or comments received may be read at *http://www.regulations.gov/at* any time. Follow the online instructions for accessing the docket or go to the Docket Operations 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: Jeff Gardlin, Airframe and Cabin Safety, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–2136; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION: The FAA has determined that notice of, and opportunity for prior public comment

on, these special conditions are impracticable because these procedures would significantly delay issuance of the design approval and thus delivery of the affected airplane. In addition, the substance of these special conditions has been subject to the public-comment process in several prior instances with no substantive comments received. The FAA therefore finds that good cause exists for making these special conditions effective upon publication in the **Federal Register.**

Comments Invited

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

On May 28, 2009, The Boeing Company applied for an amendment to type certificate no. T00021SE to include the new Model 787–9 airplane. The Model 787–9, which is a derivative of the Model 787 airplane currently approved under type certificate no. T00021SE, is a wide-body twin jet with wing-mounted engines. It has a 420-passenger capacity, a maximum takeoff weight of 553,000 lb/251,360 kg, and is equipped with two Rolls-Royce Trent T1000 or General Electric GENx engines.

Amendment 25–15 to part 25, dated October 24, 1967, introduced the subject of side-facing seats and a requirement that each occupant in a side-facing seat must be protected from head injury by a safety belt and a cushioned rest that will support the arms, shoulders, head, and spine.

Subsequently, Amendment 25–20, dated April 23, 1969, clarified the definition of sideward-facing seats to require that each occupant of a seat that is positioned at more than an 18 degree angle to the vertical plane containing the airplane centerline must be protected from head injury by a safety belt and an energy-absorbing rest that supports the arms, shoulders, head, and spine; or by a safety belt and shoulder harness that prevents the head from contacting injurious objects. The FAA concluded that a maximum 18-degree angle would provide an adequate level of safety based on tests that were performed at that time, and thus adopted that standard.

Part 25 was amended June 16, 1988, by Amendment 25–64, to revise the emergency-landing conditions that must be considered in the design of the airplane. Amendment 25–64 revised the static-load conditions in § 25.561, and added a new § 25.562 that required dynamic testing for all seats approved for occupancy during takeoff and landing. The intent of Amendment 25–64 is to provide an improved level of safety for occupants on transport-category airplanes. Because most seating is forward-facing on transport-category airplanes, the pass/fail criteria developed in Amendment 25–64 focused primarily on these seats. As a result, the FAA issued Policy Memorandums ANM–03–115–30 and PS–ANM–100–2000–00123 to provide the additional guidance necessary to demonstrate the level of safety required by the regulations for side-facing seats.

To reflect current research findings, the FAA developed a methodology to address all fully side-facing seats (i.e, seats oriented in the airplane with the occupant facing 90 degrees to the direction of airplane travel) and has documented those requirements in a set of proposed new special conditions. In this regard, the FAA has issued Policy Statement PS–ANM–25–03–R1 which effectively conveys revised injury criteria associated with neck and leg injuries.

The Model 787–9 Air New Zealand Business Class seat installation is novel such that the current Model 787–8 side-facing seat special conditions do not adequately convey occupant protection expectations for an intermediate 49-degree, side-facing seat installation. Therefore, the configuration Boeing proposes requires revised special conditions.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Boeing must show that the 787–9 meets the applicable provisions of 14 CFR part 25, as amended by Amendments 25–128, except for earlier amendments as agreed upon by the FAA. These regulations will be incorporated into type certificate no. T00021SE after type certification approval of the 787–9. The regulations incorporated by reference in T00021SE are as follows:

The type-certification basis for the Model 787–9 airplane is 14 CFR part 25, effective February 1, 1965, as amended by Amendments 25–1 through 25–128, except § 25.795, Security Considerations, at Amendment 25–016; and § 25.125, Landing, at Amendment 25–108.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Boeing Model 787–9 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, the special conditions would also apply to the other model.

In addition to the applicable airworthiness regulations and special conditions, the Boeing Model 787–9 airplane must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type-certification basis under § 21.101.

Novel or Unusual Design Features

The Boeing Model 787–9 airplane will incorporate the following novel or unusual design features:

Installation of Model UCS3 oblique business-class passenger seats manufactured by Zodiac Seats UK, which are seats installed at an angle of 49 degrees to the airplane centerline. In addition, the seat divider wall includes an inflatable restraint system for occupant restraint and injury protection. To provide a level of safety equivalent to that afforded to occupants of forward- and aft-facing seats, additional airworthiness standards, in the form of special conditions, are necessary. Although special conditions 25–431–SC and 25–458–SC already apply to the 787, these do not directly address the complex occupant-loading conditions introduced by a seat the centerline of which is at a 49-degree angle to the centerline of the airplane.

Discussion

The business class seating configuration proposed by Boeing is unique due to the seat installation at a 49-degree angle to the airplane centerline. Special conditions 25–458–SC were not intended to address this

configuration nor is this configuration specifically addressed by policy statement PS–ANM–25–03–R1 (which is intended to address fully side-facing seats i.e., 90 degree installation angle). However, we believe the occupant-injury criteria conveyed in this policy statement is germane to this type of configuration when it comes to evaluating neck and leg injuries. Due to the unique seat installation angle, the revised special conditions also include spinal-loading injury criteria.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these special conditions are applicable to the Boeing Model 787–9 airplane. Should Boeing apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on one model of airplanes. It is not a rule of general applicability.

Under standard practice, the effective date of final special conditions would be 30 days after the date of publication in the **Federal Register**; however, as the certification date for the Boeing Model 787–9 airplane is imminent, the FAA finds that good cause exists to make these special conditions effective upon publication in the **Federal Register**.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type-certification basis for Boeing Model 787–9 airplanes modified by Boeing.

Side-Facing Seats Conditions

Proposed Injury Criteria

1. *Existing Criteria:* All injury-protection criteria of § 25.562(c)(1) through (c)(6) apply to the occupant of a side-facing seat. Head-injury criterion (HIC) assessments are only required for head contact with the seat and/or adjacent structures.

2. *Body-to-Wall/Furnishing Contact:* Under the load condition defined in § 25.562(b)(2), the seat must be installed aft of a structure such as an interior wall or furnishing that will support the pelvis, upper arm, chest, and head of an occupant seated next to the structure. A conservative representation of the structure and its stiffness must be included in the tests.

3. *Thoracic Trauma:* Under the load condition defined in § 25.562(b)(2), thoracic-trauma index (TTI) injury criterion must be substantiated by dynamic test or by rational analysis based on previous test(s) of a similar seat installation. Testing must be conducted with a side-impact dummy (SID), as defined by Title 49, Code of Federal Regulations (CFR) part 572, subpart F, or its equivalent. TTI must be less than 85, as defined in 49 CFR part 572, subpart F. The SID TTI data must be processed as defined in Federal Motor Vehicle Safety Standard (FMVSS) part 571.214, section S6.13.5.

4. *Pelvis:* Under the load condition defined in § 25.562(b)(2), pelvic lateral acceleration must be shown, by dynamic test or by rational analysis based on previous test(s) of a similar seat installation, to not exceed 130g. Pelvic acceleration data must be processed as defined in FMVSS part 571.214, section S6.13.5.

5. *Shoulder Strap Loads:* Where upper torso straps (shoulder straps) are used for occupants, tension loads in individual straps must not exceed 1,750 pounds. If dual straps are used for restraining the upper torso, the total strap tension loads must not exceed 2,000 pounds.

6. *Neck Injury Criteria:* The seating system must protect the occupant from experiencing serious neck injury. In this regard, neck injury must be evaluated to the criteria provided in Policy Statement PS–ANM–25–03–R1, Attachment 1, Section 2.f.

7. *Leg Injury Criteria:* Axial rotation of the upper leg must be limited to 35 degrees in either direction from the nominal seated position.

8. *Spine:* The shoulders must remain aligned with the hips throughout the impact sequence, or until the spinal loads (in either tension or compression) drop below the value that would be injurious.

General Test Guidelines

1. Longitudinal test(s), as necessary with the SID anthropomorphic test dummy (ATD), or as necessary EuroSID ATD, undeformed floor, no yaw, and with all lateral structural supports (armrests/walls).

Pass/fail injury assessments: TTI pelvic acceleration, neck, leg, and spine injury.

2. One longitudinal test with the Hybrid II ATD, deformed floor, with 10 degrees yaw, and with all lateral structural supports (armrests/walls).

Pass/fail injury assessments: HIC; and upper torso restraint load, restraint system retention, and pelvic acceleration.

3. Vertical (14g) test is to be conducted with modified Hybrid II ATDs with existing pass/fail criteria.

Note: Boeing must demonstrate that the installation of seats via plinths or pallets meets all applicable requirements. Compliance with the guidance contained in FAA Policy Memorandum PS–ANM–100–2000–00123, dated February 2, 2000, titled ''Guidance for Demonstrating Compliance with Seat Dynamic Testing for Plinths and Pallets,'' is acceptable to the FAA.

Inflatable Lapbelt Conditions

If inflatable lapbelts are installed on single-place side-facing seats, the inflatable lapbelt(s) must meet special conditions 25–431–SC.

Issued in Renton, Washington, on May 12, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13664 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2013–0898 Special Conditions No. 25–526–SC]

Special Conditions: Airbus Model A350–900 Series Airplane; Composite Fuselage In-Flight Fire/Flammability Resistance

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for Airbus Model A350–900 series airplanes. These airplanes will have a novel or unusual design feature associated with the in-flight fire and flammability resistance of the composite fuselage. Experience has shown that eliminating fire propagation on the surface of interior and insulating materials enhances survivability since the threats from an in-flight fire (e.g., toxic gas emission and smoke

obscuration) are typically by-products of a propagating fire. The Airbus Model A350–900 series airplanes must provide protection against an in-flight fire propagating along the surface of the fuselage. Special conditions are needed to address this design feature. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Effective July 14, 2014.

FOR FURTHER INFORMATION CONTACT: Jeff Gardlin, FAA, Airframe/Cabin Safety, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone (425) 227–2136; facsimile (425) 227–1320.

SUPPLEMENTARY INFORMATION:

Background

On August 25, 2008, Airbus applied for a type certificate for their new Model A350–900 series airplane. Later, Airbus requested and the FAA approved an extension to the application for FAA type certification to June 28, 2009. The Model A350–900 series has a conventional layout with twin wing-mounted Rolls Royce Trent engines. It features a twin aisle 9-abreast economy class layout, and accommodates side-by-side placement of LD–3 containers in the cargo compartment. The basic Model A350–900 series configuration will accommodate 315 passengers in a standard two-class arrangement. The design cruise speed is Mach 0.85 with a Maximum Take-Off Weight of 602,000 lbs.

Experience has shown that eliminating fire propagation on the surface of interior and insulating materials enhances survivability since the threats from an in-flight fire (e.g., toxic gas emission and smoke obscuration) are typically by-products of a propagating fire. The Airbus Model A350–900 series airplane must provide protection against an in-flight fire propagating along the surface of the fuselage.

In the past, fatal in-flight fires have originated in inaccessible areas of the aircraft where the thermal/acoustic insulation located adjacent to the aluminium aircraft skin has been the path for flame propagation and fire growth. Concern over the fire performance of thermal/acoustic insulation was initially raised by five incidents in the 1990's which revealed unexpected flame spread along the insulation film covering material. In all cases, the ignition source was relatively modest and, in most cases, was electrical in origin (e.g., electrical short circuit, arcing caused by chafed wiring, ruptured ballast case). From 1972 until 2003 these materials were required to comply with a basic ''Bunsen burner'' requirement per Title 14 Code of Federal Regulations (14 CFR) 25.853(a), 25.855(d), and part 25, Appendix F, part I, paragraph (a)(1)(ii). These requirements prescribed that insulation materials must be self-extinguishing after having been subjected to the flame of a Bunsen burner for 12 seconds, in accordance with the procedures defined in part 25, Appendix F, part I, paragraph (b)(4). The average burn was not to exceed eight inches and the average flame time after removal of the flame source was not to exceed 15 seconds. Drippings from the test specimen were not to continue to flame for more than an average of five seconds after falling.

Further concern with the flammability of thermal/acoustic insulation was raised by the Transportation Safety Board (TSB) of Canada during their investigation of the fatal Swiss Air MD–11 in-flight fire accident that occurred in September 1998 and involved 229 fatalities. TSB investigators reported that the fatal fire appeared to have been confined to the area above the cockpit and forward cabin ceiling and involved the insulation blankets. On August 21, 2001, the TSB recommended that flammability standards for interior materials should be based on realistic ignition scenarios and prevent the use of materials that sustain or propagate a fire.

In 1996, the FAA Technical Center began a program to develop new fire test criteria for insulation films directly relating to the resistance of in-flight fire propagation. The current test standard was evaluated as well as another small-scale test method that has been used by airplane manufacturers to evaluate flame propagation on thermal/acoustic insulation materials. An inter-laboratory comparison of these methods revealed a number of deficiencies. Other small-scale tests developed by the FAA Technical Center did demonstrate that some insulation films would ignite and propagate flame in a confined space. As a result, a series of large-scale fire tests were conducted in a mock-up of the attic area above the passenger cabin ceiling. In a confined space, ignition and flame propagation may occur because of more extensive radiating heat and the trapping of melted film/scrim. Temperature (heat release) data was recorded and the degree of flame propagation was observed from the large-scale tests. A radiant panel test standard for flooring materials was a test method that provided good correlation to the large-scale model. The test method involved subjecting a material to a pilot flame while the material is heated by a radiant panel.

The previously described development program resulted in a new test method (radiant panel test) and test criteria specifically established for improving the in-flight fire ignition/flame propagation of thermal/acoustic insulation materials. A new part 25 airworthiness standard, § 25.856, became effective in September 2003, Amendment 25–111, requiring that all thermal/acoustic insulation materials installed in the fuselage must comply to this flammability and flame propagation requirement. The standards are intended to ''reduce the incidence and severity of cabin fires, particularly those ignited in inaccessible areas where thermal acoustic insulation materials are typically installed.''

Type Certification Basis

Under Title 14, Code of Federal Regulations (14 CFR) 21.17, Airbus must show that the Model A350–900 series airplane meets the applicable provisions of 14 CFR part 25, as amended by Amendments 25–1 through 25–129.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model A350–900 series because of a novel or unusual design feature, special conditions are prescribed under § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Model A350–900 series must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34 and the noise-certification requirements of 14 CFR part 36. The FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92–574, the ''Noise Control Act of 1972.''

The FAA issues special conditions, as defined in 14 CFR 11.19, under § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Airbus Model A350–900 series airplane incorporates the following novel or unusual design features: Fuselage fabricated with composite materials.

Discussion

The Airbus Model A350–900 series airplane makes extensive use of composite materials in the fabrication of the majority of the wing, fuselage skin, stringers, spars, and most other structural elements of all major sub-assemblies of the airplane. Despite the major change from aluminum to composite material for the fuselage, the Model A350–900 series must have in-flight survivability such that the composite fuselage does not propagate a fire. A methodology for assessing the in-flight fire survivability of an all-composite fuselage is therefore needed.

The FAA believes that one way to assess the survivability within the cabin of the Model A350–900 series airplane is to conduct large-scale tests. This large-scale test would utilize a mock-up of an Airbus Model A350–900 series airplane fuselage skin/structure section of sufficient size to assess any tendency for fire propagation. The fire threat used to represent the realistic ignition source in the airplane would consist of a 4″ x 4″ x 9″ polyurethane foam block and 10 ml of Heptane. This ignition source provides approximately three minutes of flame time and would be positioned at various points and orientations within the mocked up installation to impinge on those areas of the fuselage considered to be most crucial.

This fire threat was established based on an assessment of a range of potential ignition sources, coupled with possible contamination of materials. The FAA considers this a severe fire threat, encompassing a variety of scenarios. However, should ignition or fire sources of a greater severity be identified, the special condition or its method of compliance would need to be modified in order to take the more severe threat into account.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Discussion of Comments

Notice of proposed special conditions No. 25–13–33–SC for the Airbus Model A350–900 series airplanes was published in the **FEDERAL REGISTER** on November 15, 2013 (78FR68775). No comments were received, and the special conditions are adopted as proposed.

Applicability

As discussed above, these special conditions apply to Airbus Model A350–900 series airplanes. Should Airbus apply later for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on the Airbus Model A350–900 series airplanes. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Airbus Model A350–900 series airplanes.

Composite Fuselage In-Flight Fire/ Flammability Resistance

In addition to the requirements of § 25.853(a) governing material flammability, the following special condition applies:

The Airbus Model A350 composite fuselage structure must be shown to be resistant to flame propagation under the fire threat used to develop § 25.856(a). If products of combustion are observed beyond the test heat source, they must be evaluated and found acceptable.

Issued in Renton, Washington, on: April 22, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13665 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0882; Directorate Identifier 2013–NE–29–AD; Amendment 39–17864; AD 2014–12–03]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Rolls-Royce Deutschland Ltd & Co KG (RRD) BR700–725A1–12 turbofan engines. This AD requires removal of affected fuel metering units (FMUs) on RRD BR700–725A1–12 engines. This AD was prompted by reports of wear on the receptors of the double-ended unions in the FMU housing on BR700–725A1–12 engines causing fuel leakage. We are issuing this AD to prevent failure of the FMU, which could lead to damage to one or more engines and damage to the airplane.

DATES: This AD becomes effective July 17, 2014.

ADDRESSES: For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, Dahlewitz, 15827 Blankenfelde-Mahlow, Germany; phone: 49 0 33–7086–1883; fax: 49 0 33–7086–3276. You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125.

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–2013–0882; 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 AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200

New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Michael Davison, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: (781) 238–7156; fax: (781) 238–7199; email: *michael.davison@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on February 14, 2014 (79 FR 8905). The NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Occurrences have been reported of finding wear on the receptors of the double-ended unions in the Fuel Metering Unit (FMU) housing on BR700–725A1–12 engines.

This condition, if not corrected, could lead to fuel leak resulting in engine in-flight shutdown and consequent reduced control of the aeroplane.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (79 FR 8905, February 14, 2014).

Conclusion

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

Costs of Compliance

We estimate that this AD affects 24 RRD turbofan engines installed on aircraft of U.S. registry. We also estimate that it would take about 6 hours per engine to comply with this AD. The average labor rate is $85 per hour. Required parts cost about $293,960 per engine. Based on these figures, we estimate the cost of this AD on U.S. operators to be $7,067,280.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

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

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

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

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

(3) Will not affect intrastate aviation in Alaska 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):

2014–12–03 Rolls-Royce Deutschland Ltd & Co KG: Amendment 39–17864; Docket No. FAA–2013–0882; Directorate Identifier 2013–NE–29–AD.

(a) Effective Date

This AD becomes effective July 17, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Rolls-Royce Deutschland Ltd & Co KG (RRD) BR700–725A1–12 turbofan engines.

(d) Reason

This AD was prompted by reports of wear on the receptors of the double-ended unions in the fuel metering unit (FMU) housing on RRD BR700–725A1–12 engines causing fuel leakage. We are issuing this AD to prevent failure of the FMU, which could lead to damage to one or more engines and damage to the airplane.

(e) Actions and Compliance

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

(1) After the effective date of this AD, before the FMU has accumulated 650 flight hours (FHs) since new, or within 30 days, whichever occurs later, remove FMU, part number (P/N) G3000FMU02 or P/N G3000FMU03, and replace it with a part eligible for installation.

(2) Thereafter, remove the FMU at intervals not to exceed 650 FHs and replace it with a part eligible for installation.

(f) Installation Prohibition

After the effective date of this AD, do not install FMU, P/N G3000FMU02, onto any engine, or install any engine with FMU, P/N G3000FMU02, onto any airplane.

(g) Definition

For the purpose of this AD, an FMU eligible for installation is a new FMU or an FMU with P/N G3000FMU03 that has accumulated fewer than 650 FHs since installation on any airplane or since last repair using RRD Alert Non-Modification Service Bulletin (NMSB) No. SB–BR700–73–A900309, Revision 1, dated November 8, 2013.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(i) Related Information

(1) For more information about this AD, contact Michael Davison, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: (781) 238–7156; fax: (781) 238–7199; email: michael.davison@faa.gov.

(2) Refer to MCAI European Aviation Safety Agency AD 2013–0229R1, dated November 21, 2013 for more information. You may examine the MCAI in the AD docket on the Internet by searching for it and locating it in Docket No. FAA–2013–0882.

(3) RRD Alert NMSB No. SB–BR700–73–A900309, Revision 1, dated November 8, 2013, which is not incorporated by reference in this AD, can be obtained from RRD, using the contact information in paragraph (i)(4) of this AD.

(4) For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, Dahlewitz, 15827

Blankenfelde-Mahlow, Germany; phone: 49 0 33–7086–1944; fax: 49 0 33–7086–3276.

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(j) Material Incorporated by Reference

None.

Issued in Burlington, Massachusetts, on June 3, 2014.

Colleen M. D'Alessandro,

Assistant Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2014–13532 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Parts 404 and 416

[Docket No. SSA–2011–0099]

RIN 0960–AH44

Obtaining Evidence Beyond the Current ''Special Arrangement Sources''

AGENCY: Social Security Administration (SSA).

ACTION: Interim final rules with request for comments.

SUMMARY: We are amending our regulations to state that we will obtain evidence from any appropriate source. Our current regulations provide that we will obtain information from ''special arrangement sources'' for those infrequent situations when we are in a better position than our State agency partners to obtain evidence. Due to improved evidence collection through our increased use of health information technology (health IT), we are obtaining evidence electronically with increasing frequency. We expect that, over time, the electronic exchange of medical records will become our primary means for obtaining medical evidence. As we increase our use of health IT, the designation of ''special arrangement sources'' will no longer adequately describe from whom we collect evidence.

DATES: *Effective Date:* This interim final rule is effective June 12, 2014.

Comment Date: To ensure that your comments are considered, we must receive them no later than August 11, 2014.

ADDRESSES: You may submit comments by any one of three methods—Internet, fax, or mail. Do not submit the same comments multiple times or by more than one method. Regardless of which method you choose, please state that your comments refer to Docket No. SSA–2011–0099 so that we can associate your comments with the correct regulation.

Caution: You should be careful to include in your comments only information that you wish to make publicly available. We strongly urge you not to include in your comments any personal information, such as Social Security numbers or medical information.

1. *Internet:* We strongly recommend that you submit your comments via the Internet. Please visit the Federal eRulemaking portal at *http://www.regulations.gov*. Use the *Search* function to find docket number SSA–2011–0099. The system will issue a tracking number to confirm your submission. You will not be able to view your comment immediately because we must post each comment manually. It may take up to a week for your comment to be viewable.

2. *Fax:* Fax comments to (410) 966–2830.

3. *Mail:* Address your comments to the Office of Regulations and Reports Clearance, Social Security Administration, 3100 West High Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235–6401.

Comments are available for public viewing on the Federal eRulemaking portal at *http://www.regulations.gov* or in person, during regular business hours, by arranging with the contact person identified below.

FOR FURTHER INFORMATION CONTACT: Cheryl Elksnis, Office of Disability Programs, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, 410–966–0497. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at *http://www.socialsecurity.gov*.

SUPPLEMENTARY INFORMATION:

Background

We need medical and other evidence to determine whether you are disabled. We need your permission to request your medical records from your medical sources. You can also submit medical evidence to us. We request close to 15 million medical records from almost 500,000 providers to make decisions on approximately 3 million disability claims annually.

Our regulations define the roles and responsibilities of both the State agency and us in obtaining evidence and carrying out the disability determination function. The State agency has the primary responsibility to secure any evidence it needs to make a disability determination. Traditionally, the State agency collects this evidence through a variety of paper-based processes such as mail and fax. In most disability claims, the State agency converts paper records to electronic format and adds them to an electronic folder, which the State agency uses when it makes a disability determination. If we secure evidence from you or other ''special arrangement sources,'' we provide that evidence to the State agency for use in making a disability determination.

The United States (U.S.) healthcare system is undergoing a major technological shift, with medical providers adopting electronic health records in place of paper medical records. In 2008, to improve the disability determination process, we started an initiative enabling the electronic exchange of health information rather than using a mostly manual process to request, receive paper records, and then convert them to electronic format. We can now use a fully automated process to obtain electronic medical records nearly instantaneously. Using health IT, we dramatically increase our efficiency in gathering medical evidence. We receive medical evidence via health IT in a matter of minutes or hours, as opposed to days or weeks via traditional channels such as fax and mail.

We currently are in a better position than a State agency to obtain medical evidence via health IT. We developed an application that allows us to request and receive electronic medical records in a fully automated manner through a standards-based electronic transaction. We obtain the evidence via health IT nearly instantaneously, and then we provide it electronically to the State agency that makes the disability determination. This collaborative process allows us to gather medical evidence faster than we can using the traditional paper process and in most cases leads to quicker disability determinations.

With health IT, we increased the frequency at which we, rather than the State agency, request records. As the U.S. healthcare system continues its transition toward health IT, we expect health IT to become the primary means by which we request and receive medical evidence. We anticipate that our requests for medical evidence will continue to increase and that they will no longer only be to ''special arrangement sources.'' In recognition of these changes to the U.S. healthcare system and our increasing use of health

IT to obtain medical records, we are eliminating the ''special arrangement sources'' language from our rules. This revision only changes who will obtain evidence; it does not change the State agency's role in making disability determinations or in requesting evidence through traditional channels, when appropriate.

While we anticipate obtaining increasing amounts of medical records from health IT sources, we also expect that the State agency will continue to obtain evidence, when appropriate. For example, if your medical provider does not use electronic health records and does not participate in health IT, the State agency is better positioned than us to obtain your medical records through traditional channels.

Clarity of These Interim Final Rules

Executive Order 12866, as supplemented by Executive Order 13563, requires each agency to write all rules in plain language. In addition to your substantive comments on these interim final rules, we invite your comments on how to make them easier to understand. For example:

- Would more, but shorter, sections be better?
- Are the requirements in the rules clearly stated?
- Have we organized the material to suit your needs?
- Could we improve clarity by adding tables, lists, or diagrams?
- What else could we do to make the rules easier to understand?
- Do the rules contain technical language or jargon that is not clear?
- Would a different format make the rules easier to understand, e.g. grouping and order of sections, use of headings, paragraphing?

When will we start to use these rules?

We will start to use these interim final rules on the date shown under the ''Effective Date'' section earlier in this preamble.

We also invite public comments on the changes made by the rules. We will consider any relevant comments we receive. If appropriate, we will publish a final rule to respond to any such comments we receive, and to make any changes to the rules based on the comments.

Regulatory Procedures

Justification for Issuing Interim Final Rules Without Notice and Comment

We follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 when we develop regulations.[1] Generally, the APA requires that an agency provide prior notice and opportunity for public comment before issuing interim final rules. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures because they are impracticable, unnecessary, or contrary to the public interest.[2]

We find that there is good cause under 5 U.S.C. 553(b)(B) for dispensing with the notice and public comment procedures for these rules. We find that prior public comment is unnecessary because these rules only change our internal administrative procedures that govern the situations in which we, rather than the State agency, request evidence from some medical providers. The changes we are making to our rules do not affect the rights or benefits of the public or make any changes in the standards that the State agency uses to determine disability. Our current rules describe certain circumstances when we secure evidence. These interim final rules reflect that our evidence collection will become more routine than it traditionally has been, in recognition of the advent of health IT. Because we are not making any substantive changes to our current disability determination rules at this time, we find that prior public comment is unnecessary. However, we are inviting public comment on these interim final rules and will consider any substantive comments we receive within 60 days of the publication of these rules.

In addition, we find good cause for dispensing with the 30-day delay in the effective date of these rules provided for in 5 U.S.C. 553(d)(3). For the reasons stated above, we find it unnecessary to delay the effective date of the changes we are making in these interim final rules. Accordingly, we are making them effective upon publication.

Executive Order 12866 as Supplemented by Executive Order 13563

We consulted with the Office of Management and Budget (OMB) and determined that these interim final rules do not meet the criteria for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Thus, OMB did not review the interim final rules.

[1] Section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5).

[2] 5 U.S.C. 553(b)(B).

Regulatory Flexibility Act

We certify that these interim final rules will not have a significant economic impact on a substantial number of small entities because the rules affect our internal procedures for handling claims for individuals only. Therefore, the Regulatory Flexibility Act, as amended, does not require us to prepare a regulatory flexibility analysis.

Paperwork Reduction Act

These interim final rules do not create any new or affect any existing collections and, therefore, do not require OMB approval under the Paperwork Reduction Act.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; and 96.006, Supplemental Security Income)

List of Subjects

20 CFR Part 404

Administrative practice and procedure; Blind; Disability benefits; Old-Age, Survivors, and Disability Insurance; Reporting and recordkeeping requirements; Social security.

20 CFR Part 416

Administrative practice and procedure; Aged, Blind, Disability benefits, Public Assistance programs; Reporting and recordkeeping requirements; Supplemental Security Income (SSI).

Carolyn W. Colvin,

Acting Commissioner of Social Security.

For the reasons set out in the preamble, we are amending 20 CFR chapter III, parts 404 and 416, as set forth below:

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950—)

Subpart Q—[Amended]

■ 1. The authority citation for subpart Q of part 404 continues to read as follows:

Authority: Secs. 205(a), 221, and 702(a)(5) of the Social Security Act (42 U.S.C. 405(a), 421, and 902(a)(5)).

■ 2. Amend § 404.1614 by revising paragraph (a), removing paragraph (b), and re-designating paragraph (c) as paragraph (b).

The revision reads as follows:

§ 404.1614 Responsibilities for obtaining evidence to make disability determinations.

(a) We or the State agency will secure from the claimant or other sources any

evidence the State agency needs to make a disability determination. When we secure the evidence, we will furnish it to the State agency for use in making the disability determination.

* * * * *

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart J—[Amended]

■ 3. The authority citation for subpart J of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1614, 1631, and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1382c, 1383, and 1383b).

■ 4. Amend § 416.1014 by revising paragraph (a), removing paragraph (b), and re-designating paragraph (c) as paragraph (b).

The revision reads as follows:

§ 416.1014 Responsibilities for obtaining evidence to make disability determinations.

(a) We or the State agency will secure from the claimant or other sources any evidence the State agency needs to make a disability determination. When we secure the evidence, we will furnish it to the State agency for use in making the disability determination.

* * * * *

[FR Doc. 2014–13802 Filed 6–11–14; 8:45 am]

BILLING CODE 4191–02–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Parts 404 and 416

[Docket No. SSA–2013–0005]

RIN 0960–AH55

Technical Corrections to Regulations

AGENCY: Social Security Administration.

ACTION: Final rule; technical corrections.

SUMMARY: We are making technical corrections to several of our regulations. In some cases, we are correcting outdated cross-references in light of revisions we made to other rules. We are also revising the maximum dollar amount of overpayments subject to compromise based on other changes in the law, and we are adjusting the formula we use to calculate the maximum benefits payable in the first and second installment payments of large past-due benefits for the same reason. In addition, we are updating references to the coverage status of affected non-temporary employees of the government of the Commonwealth of the Northern Mariana Islands. These changes do not alter the substance of the regulations or effect the rights of claimants or any other parties. We expect that the changes will make our rules more internally consistent and make them easier to use.

DATES: This rule is effective June 12, 2014.

FOR FURTHER INFORMATION CONTACT: Brian J. Rudick, Office of Regulations and Reports Clearance, Social Security Administration, 3100 West High Rise Building, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–7102. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at *http://www.socialsecurity.gov.*

SUPPLEMENTARY INFORMATION:

We are making technical corrections to our current regulations in several parts. First, we are revising a reference to section ''197(a)(1)'' of title 3 of the United States Code in section 404.1018(b)(1)(iv) of our rules to the correct reference, section ''107(a)(1).'' Section 210(a)(5)(D)(iii) of the Act refers to section 107(a)(1) of title 3, and when we published regulations that implemented that section of the Act, the final rule contained a typographical error that mistakenly referred to section ''197(a)(1).'' 53 FR 38943, 38945, Oct. 4, 1988. This change corrects that typographical error. Second, in 2012, we published final rules that made some changes to our rules on evaluating evidence. 77 FR 10651, Feb. 23, 2012. Those rules redesignated part of our regulations on evaluating opinion evidence without substantive effect. However, we inadvertently did not correct all of the regulatory sections that the redesignation affected, so that some of the cross-references to the rule are incorrect. Therefore, we are correcting the references in sections 404.1512(b)(7) and (b)(8), and 416.912(b)(7) and (b)(8) to reflect the correct designation of our rules. This change has no effect on claimants' rights or on how we adjudicate cases.

Third, we are correcting the maximum dollar amount of overpayments subject to compromise, suspension, or termination of collection under section 404.515(a) from $20,000 to $100,000, or any higher amount authorized by the Attorney General, as provided by 31 U.S.C. 3711 and the Federal Claims Collection Standards.[1] When we initially published those rules in 1969, the Federal Claims Collection Act of 1966 contained the $20,000 limit reflected in our rules.[2] Congress temporarily raised the $20,000 limit to $100,000 in 1990,[3] and it subsequently removed the sunset provision in the prior law as part of the Debt Collection Improvement Act of 1996.[4] We are revising our rules to conform to the current statutory authority. We are also revising the reference in the heading of section 404.515(a) to the Federal Claims Collection Act of 1966 to the Debt Collection Improvement Act of 1996, to reflect the current statutory authority.

Fourth, we are correcting the formula we use to calculate the maximum amount payable in the first and second installment payments of large past-due benefits, from 12 times to 3 times the maximum monthly benefit payable, in section 416.545(b). Congress changed the formula from 12 times to 3 times the maximum monthly benefit payable in 2005.[5] We subsequently published a final rule, which reflected that statutory change in the first sentence of section 416.545(b), 76 FR 446, 453, Jan. 5, 2011. However, we inadvertently did not change the same reference in the third sentence of that section. We are correcting the third sentence of section 416.545(b) to conform the sentence to the statutory formula. Finally, we are updating references to the coverage status of affected non-temporary employees of the government of the Commonwealth of the Northern Mariana Islands to reflect the fact that these employees became subject to Social Security coverage beginning October 1, 2012. These changes make our regulations clearer and more consistent.

Regulatory Procedures

We follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 when we develop regulations. Section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5). The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures because they are impracticable, unnecessary, or contrary to the public interest. We determined that good cause exists for dispensing with the notice and public comment procedures for these final rules. 5 U.S.C. 553(b)(B). Good cause exists for most of these changes because these changes eliminate minor inconsistencies in our rules and therefore promote clear and

[1] *See* 31 CFR 902.1(a).

[2] *See* 31 USC 952(b) (1970).

[3] *See* sec. 8(b) of Public Law 101–552, 104 Stat. 2736, 2746–47.

[4] *See* sec. 31001(n) of Public Law 104–134, 110 Stat. 1321, 1321–369.

[5] *See* sec. 7502(a) of Public Law 109–171, 120 Stat. 4, 154.

consistent regulations. These changes do not alter the substance of the regulations or effect the rights of claimants or any other parties. We therefore find that the public would not be interested in commenting on these changes, and we determined that opportunity for prior comment is unnecessary. In addition, we also find that prior public comment is unnecessary with respect to the changes we are making to sections 404.515(a) and 416.545(b) of our regulations. These changes do not represent discretionary policy but merely reflect changes to the underlying statutes. Since these changes do not represent discretionary policy and merely conform our rules to the statutes, we find that prior public comment is unnecessary with respect to those changes. Therefore, we are issuing these rules as final rules.

In addition, because we are not making any substantive changes to the existing rules, we find there is good cause for dispensing with the 30-day delay in the effective date of a substantive rule provided by 5 U.S.C. 553(d)(3). These changes merely correct typographical errors or minor inconsistencies in our regulations, or conform our regulations to underlying statutory changes in the Act or other laws. Accordingly, we find that it is unnecessary to delay the effective date of these rules and that it is in the public interest to make these final rules effective on the date of publication.

Executive Order 12866 as Supplemented by Executive Order 13563

We consulted with the Office of Management and Budget (OMB) and determined that these final rules do not meet the criteria for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563 and are not subject to OMB review.

Regulatory Flexibility Act

We certify that these final rules will not have a significant economic impact on a substantial number of small entities because they affect only individuals. Accordingly, a regulatory flexibility analysis as provided in the Regulatory Flexibility Act, as amended, is not required.

Paperwork Reduction Act

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

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income.)

List of Subjects

20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social security.

20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Public Assistance programs, Reporting and recordkeeping requirements, Supplemental Security Income (SSI).

Carolyn W. Colvin,

Acting Commissioner of Social Security.

For the reasons stated in the preamble, we are amending 20 CFR chapter III, part 404, subparts F, K, and P, and part 416, subparts E and I, as set forth below:

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950—)

Subpart A—Introduction, General Provisions and Definitions

■ 1. The authority citation for subpart A of part 404 continues to read as follows:

Authority: Secs. 203, 205(a), 216(j), and 702(a)(5) of the Social Security Act (42 U.S.C. 403, 405(a), 416(j), and 902(a)(5)) and 48 U.S.C. 1801.

■ 2. Revise § 404.2(c)(5)(vi) to read as follows:

§ 404.2 General definitions and use of terms.

* * * * *

(c) * * *

(5) * * *

(vi) The Commonwealth of the Northern Mariana Islands (CNMI) effective January 1, 1987; Social Security coverage for affected temporary employees of the government of the CNMI is also effective on January 1, 1987, under section 210(a)(7)(E) of the Social Security Act. In addition, Social Security coverage for affected non-temporary employees of the government of the CNMI is effective on October 1, 2012, under section 210(a)(7)(C) of the Social Security Act.

* * * * *

Subpart F—Overpayments, Underpayments, Waiver of Adjustment or Recovery of Overpayments, and Liability of a Certifying Officer

■ 3. The authority citation for subpart F of part 404 is revised to read as follows:

Authority: Secs. 204, 205(a), 702(a)(5), and 1147 of the Social Security Act (42 U.S.C. 404, 405(a), 902(a)(5), and 1320b–17); 31 U.S.C. 3711; 31 U.S.C. 3716; 31 U.S.C. 3720A.

§ 404.515 [Amended]

■ 4. In § 404.515:

■ a. Revise the paragraph (a) heading to read ''General effect of the Debt Collection Improvement Act of 1996''; and

■ b. In paragraph (a), remove ''$20,000'' and add in its place ''$100,000 or any higher amount authorized by the Attorney General''.

Subpart K—Employment, Wages, Self-Employment, and Self-Employment Income

■ 5. The authority citation for subpart K of part 404 continues to read as follows:

Authority: Secs. 202(v), 205(a), 209, 210, 211, 229(a), 230, 231, and 702(a)(5) of the Social Security Act (42 U.S.C. 402(v), 405(a), 409, 410, 411, 429(a), 430, 431, and 902(a)(5)) and 48 U.S.C. 1801.

§ 404.1018 [Amended]

■ 6. In § 404.1018(b)(1)(iv), remove ''197 (a)(1)'' and add in its place ''107(a)(1)''.

■ 7. Revise § 404.1022(c) to read as follows:

§ 404.1022 American Samoa, Guam, or the Commonwealth of the Northern Mariana Islands.

* * * * *

(c) *Work for Guam, the Commonwealth of the Northern Mariana Islands (CNMI), or a political subdivision or wholly owned instrumentality of Guam or the CNMI.* Work as an officer or employee (including a member of the legislature) of the government of the CNMI, its political subdivisions, or any wholly owned instrumentality of any one or more of these, is covered as employment beginning October 1, 2012. Work as an officer or employee (including a member of the legislature) of the government of Guam, its political subdivisions, or any wholly owned instrumentality of any one or more of these, is excluded from coverage as employment. However, the exclusion does not apply to employees classified as temporary or intermittent unless the work is—

(1) Covered by a retirement system established by a law of Guam or the CNMI;

(2) Done by an elected official;

(3) Done by a member of the legislature; or

(4) Done in a hospital or penal institution by a patient or inmate of the hospital or penal institution.

* * * * *

Subpart P—Determining Disability and Blindness

■ 8. The authority citation for subpart P of part 404 continues to read as follows:

Authority: Secs. 202, 205(a)–(b) and (d)–(h), 216(i), 221(a), (i), and (j), 222(c), 223, 225, and 702(a)(5) of the Social Security Act (42 U.S.C. 402, 405(a)–(b) and (d)–(h), 416(i), 421(a), (i), and (j), 422(c), 423, 425, and 902(a)(5)); sec. 211(b), Pub. L. 104–193, 110 Stat. 2105, 2189; sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

§ 404.1512 [Amended]

■ 9. In § 404.1512:

■ a. In paragraph (b)(7), remove ''(*see* § 404.1527(f)(1)(iii))'' and add in its place ''(*see* § 404.1527(e)(1)(iii))''; and

■ b. In paragraph (b)(8), remove ''*See* §§ 404.1527(f)(2)–(3) and add in its place ''*See* § 404.1527(e)(2) and (3).''.

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart E—Payment of Benefits, Overpayments, and Underpayments

■ 10. The authority citation for subpart E of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1147, 1601, 1602, 1611(c) and (e), and 1631(a)–(d) and (g) of the Social Security Act (42 U.S.C. 902(a)(5), 1320b–17, 1381, 1381a, 1382(c) and (e), and 1383(a)–(d) and (g)); 31 U.S.C. 3716; 31 U.S.C. 3720A.

§ 416.545 [Amended]

■ 11. In § 416.545(b), remove the number ''12'' and add in its place the number ''3''.

Subpart I—Determining Disability and Blindness

■ 12. The authority citation for subpart I of part 416 continues to read as follows:

Authority: Secs. 221(m), 702(a)(5), 1611, 1614, 1619, 1631(a), (c), (d)(1), and (p), and 1633 of the Social Security Act (42 U.S.C. 421(m), 902(a)(5), 1382, 1382c, 1382h, 1383(a), (c), (d)(1), and (p), and 1383b); secs. 4(c) and 5, 6(c)–(e), 14(a), and 15, Pub. L. 98–460, 98 Stat. 1794, 1801, 1802, and 1808 (42 U.S.C. 421 note, 423 note, and 1382h note).

§ 416.912 [Amended]

■ 13. In § 416.912:

■ a. In paragraph (b)(7), remove ''(*see* § 416.927(f)(1)(iii))'' and add in its place ''(*see* § 416.927(e)(1)(iii))''; and

■ b. In paragraph (b)(8), remove ''See §§ 416.927(f)(2)–(3).'' and add in its place ''*See* § 416.927(e)(2) and (3).''.

[FR Doc. 2014–13803 Filed 6–11–14; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of the Secretary

31 CFR Part 10

[TD 9668]

RIN 1545–BF96

Regulations Governing Practice Before the Internal Revenue Service

AGENCY: Office of the Secretary, Treasury.

ACTION: Final Regulations.

SUMMARY: This document contains final regulations revising the regulations governing practice before the Internal Revenue Service (IRS). These final regulations affect individuals who practice before the IRS. These final regulations modify the standards governing written advice and update other related provisions of the regulations.

DATES:

Effective Date. These regulations are effective on June 12, 2014.

Applicability Date: For dates of applicability, see §§ 10.1(d), 10.3(j), 10.22(c), 10.31(b), 10.35(b), 10.36(b), 10.37(e), 10.81(b), 10.82(h), and 10.91.

FOR FURTHER INFORMATION CONTACT: Matthew D. Lucey at (202) 317–3400 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

Section 330 of title 31 of the United States Code authorizes the Secretary of the Treasury to regulate the practice of representatives of persons before the Treasury Department (Treasury). The Secretary has published regulations governing practice before the IRS in 31 CFR part 10 and reprinted the regulations as Treasury Department Circular No. 230 (Circular 230).

Treasury and the IRS have consistently maintained that individuals subject to Circular 230 must meet minimum standards of conduct with respect to written tax advice, and those who do not should be subject to disciplinary action, including suspension or disbarment. In accordance with these principles, the regulations have been amended from time to time to address issues relating to tax opinions and written tax advice. These regulations modify the rules governing written tax advice as well as other related provisions of Circular 230 to ensure that practitioners meet certain standards of conduct when serving as representatives of persons before the IRS and modify the consequences of failing to meet those standards, such as the expedited suspension provisions.

On September 17, 2012, Treasury and the IRS published in the **Federal Register** (77 FR 57055) a notice of proposed rulemaking (REG–138367–06) proposing to amend Circular 230 by revising the rules governing written tax advice and other related provisions of Circular 230. Previously proposed amendments to the regulations regarding state or local bond opinions also were withdrawn. The proposed regulations sought to eliminate the complex rules governing covered opinions in current § 10.35 and to expand the requirements for written advice under § 10.37. The proposed regulations also proposed to broaden the requirement for procedures to ensure compliance under § 10.36 beyond the opinion writing and tax return preparation context by requiring that an individual who is subject to Circular 230 with principal authority for overseeing a firm's Federal tax practice take reasonable steps to ensure the firm has adequate procedures in place to comply with Circular 230. The proposed regulations further sought to clarify that practitioners must exercise competence when engaged in the practice of representing persons before the IRS and that the prohibition on a practitioner endorsing or otherwise negotiating any check issued to a taxpayer in respect of a Federal tax liability applies to government payments made by any means, electronic or otherwise. Additionally, the proposed regulations expanded the categories of violations subject to the expedited proceedings in § 10.82 to include failures to comply with a practitioner's personal tax filing obligations that demonstrate a pattern of willful disreputable conduct and clarified the Office of Professional Responsibility's scope of responsibility.

Written comments responding to the proposed regulations were received. A public hearing on the proposed regulations was held on December 7, 2012. After consideration of the public comments, the proposed regulations are adopted as revised by this Treasury decision.

Summary of Comments and Explanation of Revisions

The IRS received nineteen comments in response to the notice of proposed rulemaking. All comments were considered and are available for public inspection. Most of the comments addressing the proposed regulations are summarized in this preamble. Comments addressing provisions of Circular 230 not covered by the notice of proposed rulemaking are not discussed in this preamble. Although these comments are not discussed in this preamble, they may be considered in connection with any future amendments to the relevant provisions of Circular 230.

The overwhelming majority of comments supported the proposed amendments to the regulations, including the removal of the covered opinion rules and introduction of one set of rules for all written tax advice in § 10.37. The final regulations adopt the proposed rules with some revisions as discussed in further detail in this preamble.

The amended rules governing written tax advice contained in these final regulations apply to written tax advice rendered on or after June 12, 2014. The scope of these regulations is limited to practice before the IRS. These regulations do not alter or supplant other ethical or legal standards applicable to individuals subject to Circular 230.

I. Amendments to Rules Governing Written Advice

A. Elimination of Covered Opinion Rules in § 10.35

Former § 10.35 provided detailed rules for tax opinions that were ''covered opinions'' under Circular 230. As discussed in the notice of proposed rulemaking, Treasury and the IRS revisited the covered opinion rules because their application increased the burden on practitioners and clients, without necessarily increasing the quality of the tax advice that the client received. Commenters on the proposed regulations overwhelmingly supported the elimination of former § 10.35 because the former rules were burdensome and provided minimal benefit to taxpayers. Commenters agreed that the rules in former § 10.35 contributed to overuse, as well as misleading use, of disclaimers on most practitioner communications even when those communications did not constitute tax advice.

The final regulations adopt the approach taken in the proposed regulations, eliminating the covered opinion rules in former § 10.35 and instead subjecting all written tax advice to one standard under final § 10.37, as described later in this preamble. Because former § 10.35 is removed, these regulations also remove cross-references to former § 10.35 in §§ 10.3 and 10.22. The burden reduction that should result from these regulations is consistent with the directions in Executive Order 13563 to remove or modify regulations that are outmoded, ineffective, insufficient, or too burdensome.

As discussed in the preamble to the proposed regulations, the elimination of the collection of information requirements in the covered opinion rules in these regulations should save tax practitioners a minimum of $5,333,200. These savings come from the elimination of the provisions in the former regulations requiring practitioners to make certain disclosures in a covered opinion. In connection with the issuance of former § 10.35 in 2004, we estimated that 100,000 practitioners would be required to comply with the disclosure provisions of § 10.35. We estimated that each practitioner would spend 5 to 10 minutes complying with the provision at an average of 8 minutes for a total burden of 13,333 hours. This burden is no longer imposed on practitioners.

Specifically, the former regulations required a practitioner providing a covered opinion to make certain disclosures in marketed opinions, limited scope opinions, and opinions that fail to conclude at a confidence level of at least more likely than not that the issue will be resolved in favor of the taxpayer (in other words, when the practitioner could not conclude that it was more likely than not that the taxpayer's position would be supported by the IRS). For example, a marketed opinion had to specifically contain a statement that the opinion was written to support the marketing of the transaction addressed in the opinion and that the taxpayer should seek advice from an independent tax advisor based on the taxpayer's particular circumstances. In addition, certain relationships between the practitioner and a person promoting or marketing a tax shelter were required to be disclosed. These final regulations do not include the above-referenced collection of information/disclosure requirements, and practitioners and taxpayers are relieved of the entire cost associated with those collection of information/disclosure requirements.

Please note that while we estimate that the elimination of this information collection would save tax practitioners and taxpayers a minimum of $5,333,200, this estimate does not include the burden reduction, and the corresponding cost savings, associated with tax practitioners having to determine whether a covered opinion, and any related disclosure, is necessary. This determination can often take a tax practitioner many hours.

Treasury and the IRS anticipate that the elimination of the covered opinion rules will result in additional, significant savings for both tax practitioners and taxpayers. Practitioners consistently expressed dissatisfaction with the covered opinion rules due the difficulty and cost of compliance with the rules. Practitioners operating under the former rules spent many hours each year determining whether they needed to prepare a covered opinion for a client, or if the advice fell into one of the exceptions. This required significant time to, among other things, research and review the covered opinion rules to determine the right course of action. If, after undertaking these activities, the practitioner decided that a covered opinion was necessary, the practitioner, to keep the client fully informed had to discuss the covered opinion rules with the client, including how the rules affected the scope of the work that the client had asked the practitioner to perform. This discussion would have also been appropriate because preparation of a covered opinion under former § 10.35 would have generally resulted in an increased cost to the client to obtain the advice the client requested. The significant extra costs associated with these activities may, in some cases, have discouraged obtaining written advice. Because the final regulations remove the unnecessary burden related to the process of preparing a covered opinion, both practitioners and taxpayers will likely experience an overall decrease in the costs associated with obtaining written tax advice.

B. Revision of Requirements for Written Advice

1. General Requirements for Written Advice

Robust and relevant standards for written tax advice remain appropriate because Treasury and the IRS continue to be aware of the risk for the issuance and marketing of written tax opinions to promote abusive transactions. Commenters overwhelmingly supported the rules in proposed § 10.37 as providing practical, flexible rules that are well suited to the issuance of quality written tax advice, provided in an

ethical manner, in today's practice environment. Commenters agreed that the comprehensive, principles-based approach of these amendments is more straightforward, simpler, and can be applied to all written tax advice in a less burdensome manner. Overall, Treasury and the IRS have determined that these written advice rules strike an appropriate balance between allowing flexibility in providing written advice, while at the same time maintaining standards that require individuals to act ethically and competently.

Like the proposed regulations, final § 10.37 replaces the covered opinion rules with principles to which all practitioners must adhere when rendering written advice. Specifically, § 10.37 states affirmatively the standards to which a practitioner must adhere when providing written advice on a Federal tax matter. Section 10.37 requires, among other things, that the practitioner base all written advice on reasonable factual and legal assumptions, exercise reasonable reliance, and consider all relevant facts that the practitioner knows or reasonably should know. A practitioner must also use reasonable efforts to identify and ascertain the facts relevant to written advice on a Federal tax matter.

As under the proposed regulations, § 10.37, unlike former § 10.35, does not require that the practitioner describe in the written advice the relevant facts (including assumptions and representations), the application of the law to those facts, and the practitioner's conclusion with respect to the law and the facts. Rather, the scope of the engagement and the type and specificity of the advice sought by the client, in addition to all other appropriate facts and circumstances, are factors in determining the extent to which the relevant facts, application of the law to those facts, and the practitioner's conclusion with respect to the law and the facts must be set forth in the written advice. Also, under § 10.37, unlike former § 10.35, the practitioner may consider these factors in determining the scope of the written advice. Further, the determination of whether a practitioner has failed to comply with the requirements of § 10.37 will be based on all facts and circumstances, not on whether each requirement is addressed in the written advice.

Several commenters were concerned that the proposed regulations did not include a requirement that the practitioner consider relevant legal authorities and relate that law to the relevant facts. While this requirement was not expressly stated in the proposed regulations, Treasury and the IRS believed that it was implicit in the requirement that practitioners base the written advice on reasonable legal and factual assumptions. To further clarify, however, the final regulations add this requirement to § 10.37. Although the final regulations, unlike former § 10.35, do not impose a specific requirement for a practitioner to include in the written advice itself any particular piece of information or analysis, Treasury and the IRS encourage practitioners to describe all relevant facts, law, analysis, and assumptions in appropriate circumstances. As noted above, the determination of whether a practitioner complied with the requirements of § 10.37 will be based on all facts and circumstances, including whether it was appropriate to describe all relevant facts, law, analysis, and assumptions in a particular piece of written tax advice. Treasury and the IRS also encourage practitioners to observe the aspirational best practices described in § 10.33 of Circular 230.

Some commenters requested clarification that § 10.37 will be applied on the basis of what is reasonable under the facts and circumstances. These commenters stated that the proposed regulations did not affirmatively provide that a practitioner should reasonably consider all facts and circumstances in determining their obligations under § 10.37. Treasury and the IRS agree that practitioners should consider what is reasonable under the facts and circumstances when providing written advice. Although Treasury and IRS believe that proposed § 10.37(a), (b), and (c) accurately reflected that principle, § 10.37(a)(2)(ii) has been clarified to more explicitly include the requirement.

One commenter expressed concern that proposed § 10.37's requirement for practitioners to rely on ''reasonable'' factual and legal assumptions is too onerous and would prefer that the rule provide that practitioners are required to rely on factual and legal assumptions that are not unreasonable. The commenter would have preferred a rule similar to former § 10.37(a), which prohibits a practitioner from basing advice on unreasonable factual or legal assumptions. The commenter stated that requiring reasonableness puts the burden on the practitioner to prove reasonableness. Treasury and the IRS do not view the change from ''not unreasonable'' to ''reasonable'' to be a substantive alteration. This specific amendment is part of the larger effort undertaken in these regulations to affirmatively state the requirements and standards for practitioners rather than merely specifying prohibited conduct. Treasury and the IRS also disagree that a reasonableness standard is too burdensome. As other commenters stated, any advice based on invalid representations, incorrect facts, or unreasonable assumptions has little value. Thus, the final § 10.37 adopts the requirement of proposed § 10.37 that practitioners rely on reasonable factual and legal assumptions. Several commenters also stated that requiring reasonable assumptions is aimed at eliminating informal advice, but Treasury and the IRS disagree. There is no particular correlation between the requirement to base advice on reasonable assumptions and the format of that advice. All forms of advice should be based on reasonable assumptions.

Many individuals currently use a Circular 230 disclaimer at the conclusion of every email or other writing to remove the communication from the covered opinion rules in former § 10.35. In many instances, these disclaimers are inserted without regard to whether the disclaimer is necessary or appropriate. These types of disclaimers are routinely inserted in any written transmission, including writings that do not contain any tax advice. The removal of former § 10.35 eliminates the detailed provisions concerning covered opinions and disclosures in written opinions. Because amended § 10.37 does not include the disclosure provisions in the current covered opinion rules, Treasury and the IRS expect that these amendments will eliminate the use of a Circular 230 disclaimer in email and other writings. Although one commenter stated that the proposed regulations would result in increased use of the disclaimer, the rules in the final regulations are intended to eliminate the need for unnecessary disclaimers. Another commenter stated that the required disclaimer should be retained because it may be helpful in some circumstances. These rules do not, however, prohibit the use of an appropriate statement describing any reasonable and accurate limitations of the advice rendered to the client.

2. Definition of Written Advice Addressing Federal Tax Matters

The proposed regulations did not define written advice. Commenters on the proposed regulations agreed that a detailed definition of written advice in Circular 230 is unnecessary. Some commenters, however, requested clarification that certain items, such as submissions to a governmental entity and continuing education presentations,

would not be considered written tax advice. The final regulations have been revised to clarify that government submissions on matters of general policy are not considered written tax advice on a Federal tax matter for purposes of § 10.37. For example, if a law firm submitted comments on proposed regulations to Treasury and IRS on a client's behalf, that submission would not be considered written advice on a Federal tax matter because comments on proposed regulations are government submissions on matters of general policy. The final regulations also clarify that continuing education presentations provided to an audience solely for the purpose of enhancing practitioners' professional knowledge on Federal tax matters, such as presentations at tax professional organization meetings, are not considered written advice for purposes of § 10.37. Presentations marketing or promoting transactions will not be considered to be provided solely for the purpose of enhancing practitioners' professional knowledge on Federal tax matters. Including contact information on a continuing education presentation provided solely for the purpose of enhancing professional knowledge, without more, does not convert an educational presentation into an item of written tax advice governed by the final regulations. Even though continuing education presentations provided to an audience solely for the purpose of enhancing practitioners' professional knowledge on Federal tax matters are not considered written advice, Treasury and the IRS nonetheless expect that practitioners will follow the generally applicable diligence and competence standards under §§ 10.22 and 10.35 when engaged in those activities.

Former § 10.35 governed written tax advice addressing Federal tax issues. Under the prior regulations, a Federal tax issue was defined as a question concerning the Federal tax treatment of an item of income, gain, loss, deduction, or credit, the existence or absence of a taxable transfer of property, or the value of property for Federal tax purposes. Because the final regulations eliminate former § 10.35, this definition is no longer applicable.

Section 10.37 of the proposed regulations governed written advice addressing ''Federal tax matters,'' but did not define Federal tax matters. Some commenters requested clarification regarding the definition of a Federal tax matter, and Treasury and the IRS determined that it is appropriate to define Federal tax matter in the final regulations. Under final § 10.37(d), a Federal tax matter is any matter concerning the application or interpretation of (1) a revenue provision as defined in section 6110(i)(1)(B) of the Internal Revenue Code (Code), (2) any provision of law impacting a person's obligations under the internal revenue laws and regulations, including but not limited to the person's liability to pay tax or obligation to file returns, or (3) any other law or regulation administered by the IRS. The definition of Federal tax matter in the final regulations reflects the broad nature of advice rendered by Federal tax practitioners in today's practice environment.

Other commenters expressed interest in keeping the definition of Federal tax issue contained in former § 10.35 for purposes of § 10.37. The final regulations do not retain the term Federal tax issue or its definition because practitioners provide advice on numerous tax related issues that are outside the scope of the definition of ''Federal tax issue'' contained in former § 10.35 but nonetheless are Federal tax matters and should be subject to the reasonable practitioner standard embodied in final § 10.37.

3. Consideration of Audit Risk and Likelihood of Settlement

Consistent with former § 10.37, the final regulations provide that a practitioner must not, in evaluating a Federal tax matter, take into account the possibility that a tax return will not be audited or that an issue will not be raised on audit. Although commenters agreed with the retention of this rule, one commenter expressed concern that stating this rule only in the context of written advice improperly sends the message that oral advice could take audit risk into account. Treasury and the IRS agree that audit risk should not be considered by practitioners in the course of advising a client on a Federal tax matter, regardless of the form in which the advice is given. Because § 10.37 addresses only written advice, Treasury and the IRS do not believe that the rule barring consideration of the possibility that a return or issue will be audited when giving written advice suggests that it may be considered when giving oral advice. Therefore, no change is made to § 10.37 in response to the comment.

Proposed § 10.37 sought to eliminate the provision in the former regulations that prohibits a practitioner from taking into account the possibility that an issue will be resolved through settlement if raised when giving written advice evaluating a Federal tax matter. Treasury and the IRS concluded that the former rule may have unduly restricted the ability of a practitioner to provide comprehensive written advice because the existence or nonexistence of legitimate hazards that may make settlement more or less likely may be a material issue for which the practitioner has an obligation to inform the client. Commenters agreed that this amendment is appropriate, and the final regulations retain it.

4. Standard for Significant Purpose Transactions

The proposed regulations provided that the IRS will apply a heightened standard of review to determine whether a practitioner has satisfied the written advice standards when the practitioner knows or has reason to know that the written advice will be used in promoting, marketing, or recommending an investment plan or arrangement a significant purpose of which is the avoidance or evasion of any tax imposed by the Code. Some commenters expressed concern that the term ''heightened standard of review'' was too vague and requested that Treasury and the IRS provide detailed rules and examples with respect to application of a heightened standard of review in these cases. The final regulations clarify in § 10.37(c)(2) that the Commissioner, or delegate, will apply a reasonable practitioner standard that considers all facts and circumstances with an emphasis given to the additional risk associated with the practitioner's lack of knowledge of the taxpayer's particular circumstances.

5. Reliance on Professionals

Proposed § 10.37(b) addressed a practitioner's reliance on the advice of another practitioner. Commenters asked whether the standards in § 10.37(b) should apply to a practitioner's reliance on advice from an appraiser or other individual not described as a practitioner in §§ 10.2 and 10.3 of Circular 230. Treasury and the IRS have determined that the provisions of § 10.37(b) should apply to a practitioner who relies on advice from any other person, including appraisers and other individuals not defined as practitioners under Circular 230. Final § 10.37(b), therefore, reflects that the standards apply to a practitioner relying on advice from another person. This reliance provision in the final regulations is consistent with reliance standards in current §§ 10.22 and 10.34(d), and former § 10.35(d). Commenters also requested special rules for reliance on certain professionals, but Treasury and the IRS have determined that the same standards should apply to all advice upon which a practitioner relies,

bearing in mind that the reasonable practitioner standard under § 10.37(c) will be applied considering all facts and circumstances.

Proposed § 10.37(b)(1)–(3) provided that reliance is not reasonable when the practitioner ''knows or should know'' that the opinion of the other person should not be relied on, the other person is not competent to provide the advice, or the other person has a conflict of interest. Commenters suggested that the reliance provisions in proposed § 10.37(b)(1)–(3) be revised to use a ''knows or reasonably should know standard.'' Treasury and the IRS agree. Accordingly, the final regulations revise § 10.37(b)(1)–(3) to prohibit reliance when the practitioner ''knows or reasonably should know'' that the advice is disqualified as specified in each provision. The standard in final § 10.37(a) for reliance on representations also has been amended in a consistent manner.

Commenters also suggested that the reliance provision in proposed § 10.37(b)(2) is too broad because it imposes a duty on a practitioner to inquire into the skills and experience of the person whose advice is being relied upon. While Treasury and the IRS do not believe this standard imposes an affirmative duty on a practitioner to inquire into the skills and experience of the other person when the practitioner is already aware of the other person's background, Treasury and the IRS believe practitioners should consider the skills and experience of a person when they are relying on the advice of that person. Relying on advice of another person without considering that person's expertise and qualifications to provide that advice is inconsistent with the obligation of diligence required in § 10.22. Thus, a practitioner intending to rely on the advice of another person may have an obligation to inquire about that person's background if the practitioner is not familiar with the person's qualifications to render the advice on which the practitioner will be relying. Accordingly, the final regulations retain § 10.37(b)(2), which provides that a practitioner cannot rely on the advice of another when the practitioner knows or reasonably should know that the other person is not competent or lacks necessary qualifications to provide the advice.

Some commenters expressed concern with proposed § 10.37(b)(3), which provided that a practitioner could not rely on the advice of another when the practitioner knows or should know that the other practitioner has a conflict of interest as described in Circular 230. These commenters stated that this rule may prevent reliance when the other practitioner has a conflict of interest that has been properly waived by all affected clients, as permitted by § 10.29 of Circular 230. Treasury and the IRS agree that a practitioner should be able to rely on the advice of another person who has a conflict of interest when the practitioner knows that the other person's conflict has been waived by all affected clients through informed consent, the representation is not prohibited by law (for example, Federal law prohibits representation by a former government lawyer in certain circumstances), and all parties and practitioners reasonably believe that the practitioner with the conflict can provide competent advice. Final § 10.37(b)(3), therefore, specifically provides that reliance is not permitted when the practitioner knows or reasonably should know that the other person has a conflict of interest in violation of the rules described in Circular 230.

II. Procedures To Ensure Compliance

Former § 10.36(a) provided requirements for practitioners to establish procedures to ensure compliance with former § 10.35. Because these regulations remove former § 10.35, these regulations also remove former § 10.36(a). As set forth in the notice of proposed rulemaking preceding these final regulations, Treasury and the IRS, however, amended § 10.36 to ensure compliance with Circular 230 generally.

The procedures to ensure compliance have produced great success in encouraging firms to self-regulate without the burden often associated with a rigid one-size-fits-all approach. Treasury and the IRS expanded § 10.36 in June 2011 to require firms to have procedures in place to ensure Circular 230 compliance with respect to a firm's tax return preparation practice (76 FR 32286). Under proposed § 10.36, the requirement for procedures to ensure compliance were expanded to include all provisions in Subparts A (Rules Governing Authority to Practice), B (Duties and Restrictions Relating to Practice Before the Internal Revenue Service), and C (Sanctions for Violation of the Regulations) of Circular 230. Section 10.36 is finalized as proposed, except for the clarifications described in this preamble.

Commenters generally agreed with the amendments to § 10.36. One concern expressed by the commenters, however, was that the proposed rule would arguably permit firm management to be in compliance with Circular 230 if it had taken reasonable steps to ensure the firm had adequate procedures in place but did not take any steps to ensure those procedures are properly followed. Treasury and the IRS agree that § 10.36 should be clarified to require both the existence and implementation of adequate procedures. Accordingly, § 10.36(b)(2) of the final regulations is amended to provide this clarification.

Some commenters also expressed concern with the application of § 10.36 when certain members of firm management are not practitioners under Circular 230. Treasury and the IRS recognize that there may be instances when one or more members of firm management have principal authority and responsibility for overseeing a firm's tax practice but are not practitioners under Circular 230. In these instances, other members of firm management may nonetheless be subject to the provisions of Circular 230. Accordingly, § 10.36 is revised to apply to any member of firm management subject to Circular 230. Although Treasury and the IRS realize there may be some instances in which no member of firm management is subject to Circular 230, the overwhelming majority of firms will have one or more members of firm management who are subject to Circular 230. Treasury and the IRS believe it is reasonable to expect those members of firm management who are subject to Circular 230 to ensure that the firm will have in place and implement adequate procedures to ensure compliance with Circular 230. The final regulations make clear that in the absence of a person or persons identified by the firm as having principal authority and responsibility, the IRS may identify one or more individuals subject to Circular 230 who will be held responsible for taking reasonable steps to ensure that the firm has adequate procedures in effect for all members for purposes of complying with Circular 230.

Because § 10.36 is expanded to apply to all provisions in Subparts A, B, and C of Circular 230, including § 10.51 (under which willful failure to file a tax return and willful evasion of the assessment or payment of tax is disreputable conduct), one commenter was concerned that § 10.36 imposes a duty on firm management to ensure that members of the firm are compliant with their own tax obligations. Treasury and the IRS recognize that personal filing and payment obligations are an individual responsibility, and there are limitations on a firm's responsibility for the compliance of any member, associate, or employee with their personal tax obligations. But, Treasury and the IRS believe that firm

management should not ignore the noncompliance with these obligations by any practitioner associated with the firm when such noncompliance is known or should be known to the firm.

One commenter stated that the expansion of § 10.36 should be limited to the practice standards prescribed in Subpart B of Circular 230, which pertains to Duties and Restrictions Relating to Practice Before the Internal Revenue Service. Treasury and the IRS disagree that final § 10.36 should be limited to Subpart B because Subparts A (Rules Governing Authority to Practice) and C (Sanctions for Violation of the Regulations) also impose substantive standards with which firm members must comply. Treasury and the IRS, however, do agree that it is not necessary for a firm's procedures to ensure compliance with Subparts D (Rules Applicable to Disciplinary Proceedings) or E (General Provisions) of Circular 230, and have revised § 10.36 accordingly.

One commenter suggested that firm management should be subject to discipline even when there is no subordinate individual whose conduct is subject to sanction. Another commenter suggested that § 10.36 be expanded to govern contractual relationships occurring outside the firm or in-house context in which one party may supervise or manage the other party. Treasury and the IRS considered these comments and have determined that such authority is not necessary at this time because § 10.36, as amended, is broad enough for the IRS to be able to determine whether firm management is taking reasonable steps to comply with Circular 230. Future consideration may be given to broadening the rules consistent with these comments, if experience shows that additional changes are necessary.

III. General Standard of Competence

Section 10.35 of the proposed regulations provided that a practitioner must possess the necessary competence to engage in practice before the IRS and that competent practice requires the appropriate level of knowledge, skill, thoroughness, and preparation necessary for the matter for which the practitioner is engaged.

Some commenters expressed concern over whether the competence standard permits practitioners to become competent by consulting other practitioners with relevant expertise or learning governing law through research and study. In response to these comments, the competence standard in final § 10.35 contemplates that practitioners may become competent in a variety of ways, including, among other things, consulting with experts in the relevant area and studying the relevant law. Whether consultation and/or research are adequate to make a practitioner competent in a particular situation depends on the facts and circumstances of the particular situation.

The proposed regulations provided that competent practice requires ''the knowledge, skill, thoroughness, and preparation'' necessary for the matter. Commenters questioned whether it is appropriate to consider ''thoroughness and preparation'' in determining competency because, in some circumstances, the failure to thoroughly prepare does not necessarily show a lack of competence. Treasury and the IRS recognize that a practitioner who is highly experienced in a particular matter may require less preparation than a practitioner who is handling the same matter for the first time. Accordingly, the final regulations clarify that competence requires the ''appropriate level of'' knowledge, skill, thoroughness, and preparation necessary for the matter for which the practitioner is engaged.

Commenters suggested that the competence standard may be too broad because it could apply to all advice given to a client. The provision is intended to apply to all advice a practitioner provides to a client on a matter within the scope of Circular 230. This competence standard in Circular 230 does not apply to acts that are outside the scope of Circular 230. Treasury and the IRS, and the public, expect practitioners to be competent when they engage clients in matters covered by Circular 230, including the provision of advice. It is also expected that practitioners will advise clients to obtain other counsel when the practitioner is not competent or cannot become competent to provide advice requested on a matter within the scope of Circular 230. Treasury and the IRS, thus, believe the competence standard is not overbroad as it governs conduct within the purview of Circular 230. Accordingly, the final regulations retain the rules in the proposed regulations.

Some commenters noted that the proposed competency standard was nearly identical to the competency standard in the American Bar Association's Model Rules of Professional Conduct. And a few commenters expressed confusion about whether the proposed regulations permitted different competency standards depending on the practitioner's status as an attorney, CPA, enrolled agent, or other practitioner. The proposed regulations provided only one competency standard under Circular 230 and were clear that the same standard applies to all practitioners, regardless of the practitioner's status as an attorney, CPA, enrolled agent, or other practitioner. As commenters noted, the competency standard in § 10.35 is nearly identical to the standard in the Model Rules of Professional Conduct for attorneys, but, unlike the Model Rules, § 10.35 applies to all individuals subject to Circular 230, not just attorneys.

Further, some commenters asked Treasury and the IRS to further develop the standard that would apply under § 10.52 for determining whether there is a violation of § 10.35. Section 10.52 provides the governing standards for determining whether any violation of a Circular 230 provision subjects an individual to sanction. Treasury and the IRS do not believe the standards in § 10.52 need to be expanded upon at this time. Section 10.52 already specifies that a practitioner will be subject to sanction under § 10.52 for violating § 10.35 by behaving recklessly or through gross incompetence. A pattern or practice of incompetent conduct may establish a violation of § 10.35. Under current practice, the IRS considers the presence of aggravating and mitigating factors in determining whether a sanction for a violation of Circular 230 is appropriate (see Notice 2007–39). Therefore, Treasury and the IRS do not believe additional guidance related to § 10.52 is necessary at this time.

Additionally, some commenters requested that the regulations include examples demonstrating practitioner competence. Treasury and the IRS have determined that the inclusion of examples in the regulations is not necessary because competence is not a new standard or concept, and whether the required standard is met must always be based on the relevant facts and circumstances. Although not binding on the IRS, Treasury and the IRS believe that the comments to Rule 1.1 of the Model Rules of Professional Conduct, State Bar opinions addressing the competence standard, and the American Institute of Certified Public Accountant's competency standard are generally informative on the standard of competency expected of practitioners under Circular 230.

IV. Electronic Negotiation of Taxpayer Refunds

Proposed and final § 10.31 provide that a practitioner may not endorse or otherwise negotiate any check issued to a client by the government in respect of

a Federal tax liability, including directing or accepting payment by any means, electronic or otherwise, into an account owned or controlled by the practitioner or any firm or other entity with whom the practitioner is associated. This prohibition on practitioner negotiation of taxpayer refunds is intended to provide guidance in the modern-day electronic environment in which practitioners, taxpayers, and the IRS operate. Proposed and final § 10.31 also amend former § 10.31 to apply to all individuals who practice as representatives of persons before the IRS, not just those practitioners who are tax return preparers.

Most commenters on the proposed regulations agreed with Treasury and the IRS that these revisions to § 10.31 are an appropriate standard for all practitioners as well as a necessary step in protecting taxpayers in today's electronic commerce environment. Commenters recognized this is an area of abuse, and observed that the amendments to § 10.31 will improve public confidence in the profession. Accordingly, the final regulations retain this rule.

One commenter expressed concern that § 10.31 prohibits certain arrangements permissible under section 6695(f) of the Code, which imposes a penalty on a tax return preparer for endorsing or otherwise negotiating (directly or through an agent) a taxpayer's check. Section 1.6695(f)–1(f)(2) of the Income Tax Regulations sets forth certain arrangements between a ''tax return preparer-bank'' and a taxpayer to which section 6695(f) does not apply. Treasury and the IRS do not believe that the rule in proposed § 10.31 prohibits the arrangements described in the section 6695 regulations or any arrangement that is not subject to the penalty under the section 6695(f), and therefore no change to finalized § 10.31 was made in this regard.

One commenter raised the concern that the administration of a trust or estate may be impaired due to the prohibition on practitioner check negotiation. Section 10.31 does not apply to an individual acting solely in the capacity of a trustee of a trust, or administrator/executor of an estate because that person is acting as the taxpayer, not as the taxpayer's representative. See § 10.7(e) of Circular 230.

V. Expedited Suspension Procedures

Section 10.82 authorizes the immediate suspension of a practitioner who has engaged in certain conduct. The proposed and final regulations extend the expedited disciplinary procedures to disciplinary proceedings against practitioners who have willfully failed to comply with their Federal tax filing obligations.

Amended § 10.82 only permits the use of expedited procedures in the limited circumstances when a tax noncompliant practitioner demonstrates a pattern of willful disreputable conduct by (1) failing to make an annual Federal tax return during four of five tax years immediately before the institution of an expedited suspension proceeding, or (2) failing to make a return required more frequently than annually during five of seven tax periods immediately before the institution of an expedited suspension proceeding. For purposes of § 10.82, the phrase ''make a return'' has the same meaning as used in sections 6011 and 6012 of the Code and § 10.51(a)(6) of Circular 230. Additionally, the practitioner must be noncompliant with a tax filing obligation at the time the notice of suspension is served on the practitioner for the expedited procedures to apply.

Commenters generally agreed that a practitioner's willful non-filing is an appropriate grounds for expedited suspension, and that the final regulations are narrowly tailored to achieve the desired result. One commenter, however, opined that the amendments to § 10.82 should only apply to failures with respect to the requirement to file income tax returns. Treasury and the IRS do not agree with this comment because repeated instances of non-filing demonstrates a practitioner's willfulness and potential harm to the tax system regardless of the type of return at issue.

Some commenters suggested that the periods of noncompliance for which expedited suspension may apply in the case of non-filing (four of five years for annual returns, or five of seven tax periods) are too short. Treasury and the IRS do not agree. Four of five tax years, or five of seven tax periods, of practitioner non-filing shows a level of disregard for the tax system beyond negligence. Practitioners engaging in this repeated pattern of non-filing demonstrate a high level of disregard for the Federal tax system and a level of willfulness sufficient for practitioner sanction under Circular 230.

Some commenters expressed concern that the failure to file four out of five years (or five of seven periods, as applicable) rule deems willfulness without providing the practitioner an opportunity to respond or explain any legitimate basis for the non-filing. A similar comment stated that expedited suspension would not be appropriate if a practitioner and the IRS may have a legitimate dispute as to whether employment tax returns were required to be filed. Section 10.82, however, provides the practitioner with an opportunity to file a response explaining any circumstances surrounding the failure to file prior to the suspension.

Accordingly, Treasury and the IRS have determined that the proposed amendments to § 10.82 are appropriate because practitioners demonstrating this high level of disregard for the Federal tax system are unfit to represent others who are making a good faith attempt to comply with their own Federal tax obligations. Expedited action in these cases will likely prevent harm to taxpayers and the Federal tax system. Furthermore, these changes to the regulations provide appropriate procedures to ensure due process for practitioners.

Prior to these regulations, Circular 230 did not otherwise provide guidance with respect to the length of suspension or the time period in which the practitioner is permitted to apply for reinstatement. Section 10.81, however, formerly provided that a disbarred practitioner (or disqualified appraiser) was eligible to apply for reinstatement after five years following the practitioner's disbarment or disqualification. Proposed § 10.81 extended this standard to suspended practitioners. Consistent with proposed § 10.81, final § 10.81 makes the rules for disbarred and suspended practitioners consistent and applies the same five-year time period for both disbarred and suspended practitioners. One commenter observed that it also should be appropriate for a suspended practitioner to apply for reinstatement when the suspension expires, even if the suspension expires before the end of five years. Treasury and the IRS agree with this observation, and have revised § 10.81 accordingly.

Consistent with proposed § 10.82, final § 10.82 includes several non-substantive changes that will help practitioners distinguish between the expedited suspension procedures of § 10.82 and otherwise generally applicable procedures for sanctions instituted under § 10.60. For example, to begin an expedited suspension under these regulations, the IRS would issue a ''show cause order'' instead of a ''complaint'' and the practitioner would submit a ''response'' instead of an ''answer.'' Prior to the issuance of the proposed regulations, the terms ''complaint'' and ''answer'' described the documents used for both expedited suspensions under § 10.82 and regular

proceedings under § 10.60. The changes made in the proposed regulations, which are retained in the final regulations, do not substantively change the expedited suspension procedures, or the contents of what must be included in the underlying documents, but are intended to make it easier to understand § 10.82.

Proposed § 10.82(d) provided that an individual subject to a proposed expedited suspension must file a response within 30 days of the show cause order proposing to suspend the individual. One commenter expressed concern that 30 days is not sufficient time for an individual out of the country to respond to the show cause order. As noted in the preceding paragraph, the proposed regulations sought to amend § 10.82 to assist in clarifying the distinction between expedited suspension procedures and the procedures generally applicable to disciplinary proceedings instituted under § 10.60. The 30-day period was not a change from the prior time period contained in § 10.82(d). The IRS has not experienced that individuals outside the country are defaulting on expedited suspension show cause orders (formerly referred to as complaints) or requesting additional time more frequently, as a general matter, than individuals inside the country to whom a show cause order has been issued. Therefore, Treasury and the IRS do not believe that it is necessary to extend the 30-day period for responding to show cause orders for those outside the United States at this time.

Section 10.82(g), as amended, clarifies that practitioners subject to an expedited proceeding may demand a complaint under § 10.60. Former § 10.82(g) provided that the IRS has 30 days to issue a complaint after receiving the practitioner's demand for a complaint. In some cases, extra time may be necessary to provide the practitioner and Administrative Law Judge with the most current information regarding the practitioner's fitness to practice as a representative of persons before the IRS. The proposed regulations increased the time to file the requested complaint to 45 days. No comments were received on this proposal. But, after further consideration, Treasury and the IRS have determined that, in some cases, more than 45 days may be needed for the IRS to provide the Administrative Law Judge with the most current information regarding the practitioner's fitness to practice. Treasury and the IRS believe that 60 days will provide the IRS with sufficient time to ensure the complaint complies with the requirements in § 10.62. Accordingly, final § 10.82(g) provides that the IRS has 60 days to issue a complaint after receiving a demand for a complaint from a practitioner suspended under the expedited procedures.

Commenters expressed concern about what would happen if the IRS does not file a complaint within the period provided in § 10.82(g). In response to this concern, revised § 10.82 is clarified to provide that if the IRS does not issue a complaint within 60 days of receiving the demand, the suspension is lifted automatically. Lifting the suspension in these circumstances will not, however, preclude the Commissioner, or delegate, from instituting a proceeding under § 10.60.

VI. Scope of the Office of Professional Responsibility

Proposed § 10.1(a)(1) clarified that the Office of Professional Responsibility has exclusive responsibility for matters related to practitioner discipline, including disciplinary proceedings and sanctions. Commenters stated this amendment would abate previously expressed concerns that other IRS offices may be authorized to handle practitioner disciplinary proceedings. Accordingly, the final regulations retain this clarification. However, the effective date provision of § 10.1(d) is revised to clarify that the only provision of § 10.1 that has an effective date of June 12, 2014 is § 10.1(a)(1).

Effect on Other Documents

Notice 2005–47 (2005–1 CB 1373) will be obsolete beginning on June 12, 2014. Notice 2005–47 provided interim guidance and information concerning State or local bond opinions under § 10.35 of Circular 230, and is obsolete because § 10.35 is removed.

Availability of IRS Documents

IRS notices cited in this preamble are made available by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Special Analyses

This rule has been designated a ''significant regulatory action'' although not economically significant, under section 3(f) of Executive Order 12866. Accordingly, the rule has been reviewed by the Office of Management and Budget. It is hereby certified that these regulations will not have a significant economic impact on a substantial number of small entities. The final rule affects individuals who practice as representatives of persons before the IRS. Persons authorized to practice before the IRS have long been required to comply with certain standards of conduct, and those who provide written tax advice currently must comply with specific rules for this advice. Because the final regulations replace rigid rules for written tax advice with more flexible rules and eliminate the necessity to provide disclaimers in certain written tax advice, the rules will reduce the burden imposed on small entities that issue written tax advice. Therefore, the amendments and requirements for written advice imposed by these regulations will not have a significant economic impact on a substantial number of small entities, and a regulatory flexibility analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required. Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking published on September 17, 2012 was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small businesses, and no comments were received. These regulations are necessary to provide practitioners and taxpayers with immediate guidance and to inform taxpayers and practitioners of the burden reduction associated with these regulations at the earliest possible date. Accordingly, good cause is found for dispensing with a delayed effective date pursuant to 5 U.S.C. 553(d).

Drafting Information

The principal author of these regulations is Matthew D. Lucey of the Office of the Associate Chief Counsel (Procedure and Administration).

List of Subjects in 31 CFR Part 10

Accountants, Administrative practice and procedure, Lawyers, Reporting and recordkeeping requirements, Taxes.

Adoption of Amendments to the Regulations

Accordingly, 31 CFR part 10 is amended as follows:

PART 10—PRACTICE BEFORE THE INTERNAL REVENUE SERVICE

■ **Paragraph 1.** The authority citation for 31 CFR part 10 continues to read as follows:

Authority: Sec. 3, 23 Stat. 258, secs. 2–12, 60 Stat. 237 et. seq.; 5 U.S.C. 301, 500, 551–559; 31 U.S.C. 321; 31 U.S.C. 330; Reorg. Plan No. 26 of 1950, 15 FR 4935, 64 Stat. 1280, 3 CFR, 1949–1953 Comp., p. 1017.

■ **Par. 2.** Section 10.1 is amended by revising paragraphs (a)(1) and (d) to read as follows:

§ 10.1 Offices.

(a) * * *

(1) The Office of Professional Responsibility, which shall generally have responsibility for matters related to practitioner conduct and shall have exclusive responsibility for discipline, including disciplinary proceedings and sanctions; and

* * * * *

(d) *Effective/applicability date.* This section is applicable beginning August 2, 2011, except that paragraph (a)(1) is applicable beginning June 12, 2014.

■ **Par. 3.** Section 10.3 is amended by revising paragraphs (a), (b), (g), and (j) to read as follows:

§ 10.3 Who may practice.

(a) *Attorneys.* Any attorney who is not currently under suspension or disbarment from practice before the Internal Revenue Service may practice before the Internal Revenue Service by filing with the Internal Revenue Service a written declaration that the attorney is currently qualified as an attorney and is authorized to represent the party or parties. Notwithstanding the preceding sentence, attorneys who are not currently under suspension or disbarment from practice before the Internal Revenue Service are not required to file a written declaration with the IRS before rendering written advice covered under § 10.37, but their rendering of this advice is practice before the Internal Revenue Service.

(b) *Certified public accountants.* Any certified public accountant who is not currently under suspension or disbarment from practice before the Internal Revenue Service may practice before the Internal Revenue Service by filing with the Internal Revenue Service a written declaration that the certified public accountant is currently qualified as a certified public accountant and is authorized to represent the party or parties. Notwithstanding the preceding sentence, certified public accountants who are not currently under suspension or disbarment from practice before the Internal Revenue Service are not required to file a written declaration with the IRS before rendering written advice covered under § 10.37, but their rendering of this advice is practice before the Internal Revenue Service.

* * * * *

(g) *Others.* Any individual qualifying under § 10.5(e) or § 10.7 is eligible to practice before the Internal Revenue Service to the extent provided in those sections.

* * * * *

(j) *Effective/applicability date.* Paragraphs (a), (b), and (g) of this section are applicable beginning June 12, 2014. Paragraphs (c) through (f), (h), and (i) of this section are applicable beginning August 2, 2011.

■ **Par. 4.** Section 10.22 is amended by revising paragraphs (b) and (c) to read as follows:

§ 10.22 Diligence as to accuracy.

* * * * *

(b) *Reliance on others.* Except as modified by §§ 10.34 and 10.37, a practitioner will be presumed to have exercised due diligence for purposes of this section if the practitioner relies on the work product of another person and the practitioner used reasonable care in engaging, supervising, training, and evaluating the person, taking proper account of the nature of the relationship between the practitioner and the person.

(c) *Effective/applicability date.* Paragraph (a) of this section is applicable on September 26, 2007. Paragraph (b) of this section is applicable beginning June 12, 2014.

■ **Par. 5.** Section 10.31 is revised to read as follows:

§ 10.31 Negotiation of taxpayer checks.

(a) A practitioner may not endorse or otherwise negotiate any check (including directing or accepting payment by any means, electronic or otherwise, into an account owned or controlled by the practitioner or any firm or other entity with whom the practitioner is associated) issued to a client by the government in respect of a Federal tax liability.

(b) *Effective/applicability date.* This section is applicable beginning June 12, 2014.

■ **Par. 6.** Section 10.35 is revised to read as follows:

§ 10.35 Competence.

(a) A practitioner must possess the necessary competence to engage in practice before the Internal Revenue Service. Competent practice requires the appropriate level of knowledge, skill, thoroughness, and preparation necessary for the matter for which the practitioner is engaged. A practitioner may become competent for the matter for which the practitioner has been engaged through various methods, such as consulting with experts in the relevant area or studying the relevant law.

(b) *Effective/applicability date.* This section is applicable beginning June 12, 2014.

■ **Par. 7.** Section 10.36 is revised to read as follows:

§ 10.36 Procedures to ensure compliance.

(a) Any individual subject to the provisions of this part who has (or individuals who have or share) principal authority and responsibility for overseeing a firm's practice governed by this part, including the provision of advice concerning Federal tax matters and preparation of tax returns, claims for refund, or other documents for submission to the Internal Revenue Service, must take reasonable steps to ensure that the firm has adequate procedures in effect for all members, associates, and employees for purposes of complying with subparts A, B, and C of this part, as applicable. In the absence of a person or persons identified by the firm as having the principal authority and responsibility described in this paragraph, the Internal Revenue Service may identify one or more individuals subject to the provisions of this part responsible for compliance with the requirements of this section.

(b) Any such individual who has (or such individuals who have or share) principal authority as described in paragraph (a) of this section will be subject to discipline for failing to comply with the requirements of this section if—

(1) The individual through willfulness, recklessness, or gross incompetence does not take reasonable steps to ensure that the firm has adequate procedures to comply with this part, as applicable, and one or more individuals who are members of, associated with, or employed by, the firm are, or have, engaged in a pattern or practice, in connection with their practice with the firm, of failing to comply with this part, as applicable;

(2) The individual through willfulness, recklessness, or gross incompetence does not take reasonable steps to ensure that firm procedures in effect are properly followed, and one or more individuals who are members of, associated with, or employed by, the firm are, or have, engaged in a pattern or practice, in connection with their practice with the firm, of failing to comply with this part, as applicable; or

(3) The individual knows or should know that one or more individuals who are members of, associated with, or employed by, the firm are, or have, engaged in a pattern or practice, in connection with their practice with the firm, that does not comply with this part, as applicable, and the individual, through willfulness, recklessness, or gross incompetence fails to take prompt action to correct the noncompliance.

(c) *Effective/applicability date.* This section is applicable beginning June 12, 2014.

■ **Par. 8.** Section 10.37 is revised to read as follows:

§ 10.37 Requirements for written advice.

(a) *Requirements.* (1) A practitioner may give written advice (including by means of electronic communication) concerning one or more Federal tax matters subject to the requirements in paragraph (a)(2) of this section. Government submissions on matters of general policy are not considered written advice on a Federal tax matter for purposes of this section. Continuing education presentations provided to an audience solely for the purpose of enhancing practitioners' professional knowledge on Federal tax matters are not considered written advice on a Federal tax matter for purposes of this section. The preceding sentence does not apply to presentations marketing or promoting transactions.

(2) The practitioner must—

(i) Base the written advice on reasonable factual and legal assumptions (including assumptions as to future events);

(ii) Reasonably consider all relevant facts and circumstances that the practitioner knows or reasonably should know;

(iii) Use reasonable efforts to identify and ascertain the facts relevant to written advice on each Federal tax matter;

(iv) Not rely upon representations, statements, findings, or agreements (including projections, financial forecasts, or appraisals) of the taxpayer or any other person if reliance on them would be unreasonable;

(v) Relate applicable law and authorities to facts; and

(vi) Not, in evaluating a Federal tax matter, take into account the possibility that a tax return will not be audited or that a matter will not be raised on audit.

(3) Reliance on representations, statements, findings, or agreements is unreasonable if the practitioner knows or reasonably should know that one or more representations or assumptions on which any representation is based are incorrect, incomplete, or inconsistent.

(b) *Reliance on advice of others.* A practitioner may only rely on the advice of another person if the advice was reasonable and the reliance is in good faith considering all the facts and circumstances. Reliance is not reasonable when—

(1) The practitioner knows or reasonably should know that the opinion of the other person should not be relied on;

(2) The practitioner knows or reasonably should know that the other person is not competent or lacks the necessary qualifications to provide the advice; or

(3) The practitioner knows or reasonably should know that the other person has a conflict of interest in violation of the rules described in this part.

(c) *Standard of review.* (1) In evaluating whether a practitioner giving written advice concerning one or more Federal tax matters complied with the requirements of this section, the Commissioner, or delegate, will apply a reasonable practitioner standard, considering all facts and circumstances, including, but not limited to, the scope of the engagement and the type and specificity of the advice sought by the client.

(2) In the case of an opinion the practitioner knows or has reason to know will be used or referred to by a person other than the practitioner (or a person who is a member of, associated with, or employed by the practitioner's firm) in promoting, marketing, or recommending to one or more taxpayers a partnership or other entity, investment plan or arrangement a significant purpose of which is the avoidance or evasion of any tax imposed by the Internal Revenue Code, the Commissioner, or delegate, will apply a reasonable practitioner standard, considering all facts and circumstances, with emphasis given to the additional risk caused by the practitioner's lack of knowledge of the taxpayer's particular circumstances, when determining whether a practitioner has failed to comply with this section.

(d) *Federal tax matter.* A Federal tax matter, as used in this section, is any matter concerning the application or interpretation of—

(1) A revenue provision as defined in section 6110(i)(1)(B) of the Internal Revenue Code;

(2) Any provision of law impacting a person's obligations under the internal revenue laws and regulations, including but not limited to the person's liability to pay tax or obligation to file returns; or

(3) Any other law or regulation administered by the Internal Revenue Service.

(e) *Effective/applicability date.* This section is applicable to written advice rendered after June 12, 2014.

■ **Par. 9.** Section 10.81 is revised to read as follows:

§ 10.81 Petition for reinstatement.

(a) *In general.* A practitioner disbarred or suspended under § 10.60, or suspended under § 10.82, or a disqualified appraiser may petition for reinstatement before the Internal Revenue Service after the expiration of 5 years following such disbarment, suspension, or disqualification (or immediately following the expiration of the suspension or disqualification period, if shorter than 5 years). Reinstatement will not be granted unless the Internal Revenue Service is satisfied that the petitioner is not likely to engage thereafter in conduct contrary to the regulations in this part, and that granting such reinstatement would not be contrary to the public interest.

(b) *Effective/applicability date.* This section is applicable beginning June 12, 2014.

■ **Par 10.** Section 10.82 is amended by:

■ 1. Revising paragraph (a) and paragraph (b) introductory text.

■ 2. Adding paragraph (b)(5).

■ 3. Revising paragraphs (c), (d), (e), (f), (g), and (h).

The revisions and additions read as follows:

§ 10.82 Expedited suspension.

(a) *When applicable.* Whenever the Commissioner, or delegate, determines that a practitioner is described in paragraph (b) of this section, the expedited procedures described in this section may be used to suspend the practitioner from practice before the Internal Revenue Service.

(b) *To whom applicable.* This section applies to any practitioner who, within 5 years prior to the date that a show cause order under this section's expedited suspension procedures is served:

* * * * *

(5) Has demonstrated a pattern of willful disreputable conduct by—

(i) Failing to make an annual Federal tax return, in violation of the Federal tax laws, during 4 of the 5 tax years immediately preceding the institution of a proceeding under paragraph (c) of this section and remains noncompliant with any of the practitioner's Federal tax filing obligations at the time the notice of suspension is issued under paragraph (f) of this section; or

(ii) Failing to make a return required more frequently than annually, in violation of the Federal tax laws, during 5 of the 7 tax periods immediately preceding the institution of a proceeding under paragraph (c) of this section and remains noncompliant with any of the practitioner's Federal tax filing obligations at the time the notice of suspension is issued under paragraph (f) of this section.

(c) *Expedited suspension procedures.* A suspension under this section will be proposed by a show cause order that names the respondent, is signed by an authorized representative of the Internal Revenue Service under § 10.69(a)(1),

and served according to the rules set forth in § 10.63(a). The show cause order must give a plain and concise description of the allegations that constitute the basis for the proposed suspension. The show cause order must notify the respondent—

(1) Of the place and due date for filing a response;

(2) That an expedited suspension decision by default may be rendered if the respondent fails to file a response as required;

(3) That the respondent may request a conference to address the merits of the show cause order and that any such request must be made in the response; and

(4) That the respondent may be suspended either immediately following the expiration of the period within which a response must be filed or, if a conference is requested, immediately following the conference.

(d) *Response.* The response to the show cause order described in this section must be filed no later than 30 calendar days following the date the show cause order is served, unless the time for filing is extended. The response must be filed in accordance with the rules set forth for answers to a complaint in § 10.64, except as otherwise provided in this section. The response must include a request for a conference, if a conference is desired. The respondent is entitled to the conference only if the request is made in a timely filed response.

(e) *Conference.* An authorized representative of the Internal Revenue Service will preside at a conference described in this section. The conference will be held at a place and time selected by the Internal Revenue Service, but no sooner than 14 calendar days after the date by which the response must be filed with the Internal Revenue Service, unless the respondent agrees to an earlier date. An authorized representative may represent the respondent at the conference.

(f) *Suspension*—(1) *In general.* The Commissioner, or delegate, may suspend the respondent from practice before the Internal Revenue Service by a written notice of expedited suspension immediately following:

(i) The expiration of the period within which a response to a show cause order must be filed if the respondent does not file a response as required by paragraph (d) of this section;

(ii) The conference described in paragraph (e) of this section if the Internal Revenue Service finds that the respondent is described in paragraph (b) of this section; or

(iii) The respondent's failure to appear, either personally or through an authorized representative, at a conference scheduled by the Internal Revenue Service under paragraph (e) of this section.

(2) *Duration of suspension.* A suspension under this section will commence on the date that the written notice of expedited suspension is served on the practitioner, either personally or through an authorized representative. The suspension will remain effective until the earlier of:

(i) The date the Internal Revenue Service lifts the suspension after determining that the practitioner is no longer described in paragraph (b) of this section or for any other reason; or

(ii) The date the suspension is lifted or otherwise modified by an Administrative Law Judge or the Secretary of the Treasury, or delegate deciding appeals, in a proceeding referred to in paragraph (g) of this section and instituted under § 10.60.

(g) *Practitioner demand for § 10.60 proceeding.* If the Internal Revenue Service suspends a practitioner under the expedited suspension procedures described in this section, the practitioner may demand that the Internal Revenue Service institute a proceeding under § 10.60 and issue the complaint described in § 10.62. The demand must be in writing, specifically reference the suspension action under § 10.82, and be made within 2 years from the date on which the practitioner's suspension commenced. The Internal Revenue Service must issue a complaint demanded under this paragraph (g) within 60 calendar days of receiving the demand. If the Internal Revenue Service does not issue such complaint within 60 days of receiving the demand, the suspension is lifted automatically. The preceding sentence does not, however, preclude the Commissioner, or delegate, from instituting a regular proceeding under § 10.60 of this part.

(h) *Effective/applicability date.* This section is generally applicable beginning June 12, 2014, except that paragraphs (b)(1) through (4) of this section are applicable beginning August 2, 2011.

■ **Par. 11.** Section 10.91 is revised to read as follows:

§ 10.91 Saving provision.

Any proceeding instituted under this part prior to June 12, 2014, for which a final decision has not been reached or for which judicial review is still available is not affected by these revisions. Any proceeding under this part based on conduct engaged in prior to June 12, 2014, which is instituted after that date, will apply subpart D and E of this part as revised, but the conduct engaged in prior to the effective date of these revisions will be judged by the regulations in effect at the time the conduct occurred.

John Dalrymple,

Deputy Commissioner for Services and Enforcement.

Approved: June 3, 2014,

Christopher J. Meade,

General Counsel.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0418]

Drawbridge Operation Regulation; Trent River, New Bern, NC

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule of the US 70/Alfred C. Cunningham Bridge across the Trent River mile 0.0, at New Bern, NC. The deviation is necessary to facilitate the annual Bike Multiple Sclerosis (MS): Historic New Bern Ride. This deviation allows the bridge to remain in the closed position so that cyclists can safely exit Union Point Park and enter the bike route.

DATES: This deviation is effective from 8 a.m. to 9:30 a.m. on September 6, 2014 and again from 8 a.m. to 9:30 a.m. on September 7, 2014.

ADDRESSES: Documents mentioned in this preamble as being available in the docket are part of docket USCG–2014–0418 and are available online by going to *http://www.regulations.gov*, inserting USCG–2014–0418 in the ''Search'' box and then clicking ''Search''. They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mrs. Kashanda L. Booker, Bridge Management Specialist, Fifth District;

Coast Guard; telephone 757–398–6227, email *Kashanda.L.Booker@uscg.mil.* If you have questions on viewing the docket, Cheryl Collins, Program Manager, Docket Operations, 202–366–9826.

SUPPLEMENTARY INFORMATION: The Event Director for the Bike MS: Historic New Bern Ride along with approval from the North Carolina Department of Transportation, owner of the drawbridge, has requested a temporary deviation from the current operating schedule to accommodate the MS Bike Ride.

The US 70/Alfred C. Cunningham Bridge across the Trent River, mile 0.0, a double-leaf bascule drawbridge, in New Bern, NC, has a vertical clearance in the closed position of 14 feet, above mean high water. Under the normal operating schedule, the US 70/Alfred C. Cunningham Bridge would open on signal during this timeframe. However, under this temporary deviation, the drawbridge will be allowed to remain in the closed-to-navigation position from 8 a.m. to 9:30 a.m. on Saturday, September 6, 2014; and from 8 a.m. to 9:30 a.m. on Sunday, September 7, 2014 to accommodate the Bike MS: Historic New Bern Bike Ride.

Vessels that can pass under the bridge without a bridge opening may do so at all times. There are no alternate routes for vessels and the bridge will be able to open in the event of an emergency. The Coast Guard will inform the users of the waterway through our Local and Broadcast Notices to Mariners of the closure periods so that vessels can plan their transits to minimize any impact caused by the temporary deviation. At all other times during the affected period, the bridge will operate as outlined at 33 CFR 117.843(a).

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 2, 2014.

Waverly W. Gregory, Jr.,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2014–13754 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0438]

Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Montlake Bridge across the Lake Washington Ship Canal, mile 5.2, at Seattle, WA. This deviation is necessary to accommodate the University of Washington, and University of Washington Bothell commencement ceremony traffic. This deviation allows the bridge to remain in the closed position to allow timely movement of commencement traffic.

DATES: This deviation is effective from 9:30 a.m. on June 14, 2014 to 6 p.m. on June 15, 2014.

ADDRESSES: The docket for this deviation, [USCG–2014–0438] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Steven Fischer, Bridge Administrator, Thirteenth Coast Guard District; telephone 206–220–7282, email *Steven.M.Fischer3@uscg.mil.* If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The University of Washington through the Washington Department of Transportation has requested that the Montlake Bridge bascule span remain closed and need not open to vessel traffic to facilitate timely movement of Commencement traffic. The Montlake Bridge crosses the Lake Washington Ship Canal at mile 5.2 and while in the closed position provides 30 feet of vertical clearance throughout the navigation channel and 46 feet of vertical clearance throughout the center 60-feet of the bridge; vertical clearance referenced to the Mean Water Level of Lake Washington. Vessels which do not require a bridge opening may continue to transit beneath the bridge during this closure period. Under normal conditions this bridge opens on signal, subject to the list of exceptions provided in 33 CFR 117.1051(e).

This deviation period is from 9:30 a.m. on June 14, 2014 to 6 p.m. on June 15, 2014. The deviation allows the bascule span of the Montlake Bridge to remain in the closed position and need not open for maritime traffic from 9:30 a.m. to 12:30 p.m. and 4:30 p.m. to 6:30 p.m. on June 14, 2014 and from 11 a.m. to 6 p.m. on June 15, 2014. The bridge shall operate in accordance to 33 CFR 117.1051(e) at all other times. Waterway usage on the Lake Washington Ship Canal ranges from commercial tug and barge to small pleasure craft. Mariners will be notified and kept informed of the bridge's operational status via the Coast Guard Notice to Mariners publication and Broadcast Notice to Mariners as appropriate. The draw span will be required to open, if needed, for vessels engaged in emergency response operations during this closure period.

In accordance with 33 CFR 117.35(e), the drawbridges must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 30, 2014.

Steven M. Fischer,

Bridge Administrator, Thirteenth Coast Guard District.

[FR Doc. 2014–13755 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2014–0301]

RIN 1625–AA00

Safety Zone, Tennessee River Mile 4.8 to 5.8; Ledbetter, KY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing an emergency temporary safety zone for all waters of the Tennessee River, extending the entire

width from mile 4.8 to 5.8. This safety zone is needed to protect persons, property and infrastructure from the potential damage and safety hazards associated with structural concerns of the George Rogers Clark Memorial Bridge, mile 5.3 Tennessee River. Entry into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Ohio Valley or a designated representative.

DATES: This rule is effective without actual notice from June 12, 2014 until June 30, 2014. For the purposes of enforcement, actual notice will be used from the date the rule was signed, April 30, 2014, until June 12, 2014.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2014–0301. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Dan McQuate, Marine Safety Unit Paducah Waterways Management Branch, U.S. Coast Guard; telephone 270–442–1621, email: *Daniel.J.McQuate@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
KYTC Kentucky Transportation Cabinet
MSU Marine Safety Unit
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule.

On April 30, 2014 the KYTC notified Coast Guard MSU Paducah, KY that there are structural concerns with the George Rogers Clark Memorial Bridge at mile 5.3 Tennessee River, creating a hazardous situation. The visible structural concerns are to the approach spans of the bridge on the left descending bank, but KYTC is unsure if the collapse of these spans would negatively impact the channel spans of the bridge. This situation requires immediate emergency safety measures to protect persons and property, and a safety zone is in effect to stop all vessel traffic from transiting from mile 4.8 to mile 5.8 Tennessee River. Deviation from this rule may be requested from the Captain of the Port and requests to deviate and transit through this area may be permitted on a case-by-case basis. Once a structural analysis of the bridge is completed, the safety zone will be canceled or modified to allow vessel traffic to transit through spans of the bridge that are deemed to pose no risk to the public. Delaying this rulemaking to provide a comment period before implementing the necessary safety zone would be contrary to the public interest by delaying the immediate action needed to protect persons, property and infrastructure from the potential damage and safety hazards associated with the structural concerns of this bridge.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Providing 30 days notice and delaying its effective date would be contrary to public interest because immediate action is needed to protect persons, property and infrastructure from the potential damage and safety hazards associated with structural concerns of the George Rogers Clark Memorial Bridge at mile 5.3 Tennessee River.

B. Basis and Purpose

The legal basis and authorities for this rule are found in 33 U.S.C. 1231, 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Public Law 107–295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish and define regulatory safety zones.

The purpose of this safety zone is to protect persons and vessels from the structurally deficient bridge at mile 5.3 Tennessee River. The approach spans of the bridge have begun to collapse, and this poses significant safety hazards to vessels in the area. For this reason, the Coast Guard is prohibiting entry into this zone by all vessels during the enforcement period unless authorized by the COTP Ohio Valley or a designated representative. Upon a structural analysis of this bridge by KYTC, the Coast Guard may change the exact restrictions for operating around this bridge.

C. Discussion of the Rule

The Coast Guard is establishing a temporary safety zone on the Tennessee River from mile 4.8 to 5.8, extending the entire width of the river. Entry into this zone is prohibited to all vessels and persons unless specifically authorized by the COTP Sector Ohio Valley or a designated representative.

This rule is effective and enforceable with actual notice on April 30, 2014 through June 30, 2014, or until a structural analysis of the bridge can be completed, and deemed to no longer pose a threat to the public. At that time the safety zone will be canceled or modified to allow vessel traffic to transit through spans of the bridge that are deemed to pose no risk to the public. Any exceptions to these operational restrictions must be authorized by the COTP Ohio Valley or a designated representative. The COTP or a designated representative may be contacted by telephone at 502–779–5422.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. This rule establishes a temporary safety zone on all waters of the Tennessee River, extending the entire width from mile 4.8 to 5.8. Notifications to the marine community will be made through Broadcast Notices to Mariners (BNM). The impacts on routine navigation are expected to be minimal as the restrictions will be enforced only as necessary while a

structural analysis of the George Rogers Clark Memorial Bridge, mile 5.3 Tennessee River, is conducted. After this analysis, the safety zone will be canceled or modified to allow vessel traffic to transit through spans of the bridge that are deemed to pose no risk to the public. Additionally, deviation from the safety zone restriction may be requested from the COTP Ohio Valley or designated representative and will be considered on a case-by-case basis.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit the Tennessee River from mile 4.8 to 5.8 from April 30, 2014 through June 30, 2014. This safety zone will not have a significant economic impact on a substantial number of small entities. Traffic in this area is limited to almost entirely recreational vessels and commercial towing vessels, and the restrictions will be enforced only as necessary while a structural analysis of the George Rogers Clark Memorial Bridge is being completed. When this is completed, the safety zone will be canceled or modified to allow vessel traffic to transit through spans of the bridge that are deemed to pose no risk to the public. Deviation from the safety zone restriction may be requested from the COTP Ohio Valley or designated representative and will be considered on a case-by-case basis.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule involves the creation of a safety zone in response to an emergency situation. The safety zone is implemented to protect persons and property due to a structurally deficient bridge at mile 5.3 Tennessee River. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist and a categorical exclusion determination will be made available as indicated under the **ADDRESSES** section.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. A new temporary § 165.T08–0301 is added to read as follows:

§ 165.T08–0301 Safety Zone; Tennessee River MM 4.8 to 5.8, Ledbetter, KY.

(a) *Location.* The following area is a safety zone: All waters of the Tennessee River from mile 4.8 to 5.8, extending the entire width of the river.

(b) *Effective dates.* This rule is effective without actual notice from June 12, 2014 until June 30, 2014. For the purposes of enforcement, actual notice will be used from the date the rule was signed, April 30, 2014, until June 12, 2014. When a structural analysis of the George Rogers Clark Memorial Bridge can be completed, and deemed to no longer pose a threat to the public the safety zone will be canceled or modified to allow vessel traffic to transit through spans of the bridge that are deemed to pose no risk to the public.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone during the effective period is prohibited unless authorized by the COTP Ohio Valley or a designated representative.

(2) All persons and vessels shall comply with the instructions of the COTP and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(3) Persons or vessels may request deviation from the safety zone restriction prescribed under paragraph (c)(1) of this section from the COTP Ohio Valley or a designated representative who may be a commissioned, warrant, or petty officer of the Coast Guard. The COTP Ohio Valley may be contacted by telephone at 1–800–253–7465 or on VHF–FM channel 16.

(d) *Informational broadcasts.* The COTP, Ohio Valley or a designated representative will inform the public through broadcast notices to mariners (BNM) of the effective period for the safety zone and of any changes in the effective period, size, or restrictions of the safety zone.

Dated: April 30, 2014.

R.V. Timme,

Captain, U.S. Coast Guard, Captain of the Port Ohio Valley.

[FR Doc. 2014–13750 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2014–0382]

Safety Zone; Fourth of July Fireworks, City of Sausalito, San Francisco Bay, Sausalito, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Fourth of July Fireworks, City of Sausalito in the Captain of the Port, San Francisco area of responsibility during the dates and times noted below. This action is necessary to protect life and property of the maritime public from the hazards associated with the fireworks display. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone, unless authorized by the Patrol Commander (PATCOM).

DATES: The regulations in 33 CFR 165.1191, Table 1, Item number 10 will be enforced from 9 a.m. to 9:40 p.m. on July 4, 2014.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Lieutenant Junior Grade William Hawn, U.S. Coast Guard Sector San Francisco; telephone (415) 399–7442 or email at *D11-PF-MarineEvents@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a 100 foot safety zone around the fireworks barge during the loading, transit, and arrival of the fireworks barge at the display location and until the start of the fireworks display. From 9 a.m. until 2 p.m. on July 4, 2014, the fireworks barge will be loading pyrotechnics off of Pier 50 in approximate position 37°46′28″ N, 122°23′06″ W (NAD 83). From 7 p.m. to 8:30 p.m. on July 4, 2014 the loaded fireworks barge will transit from Pier 50 to the launch site near Sausalito, CA in approximate position 37°51′31″ N, 122°28′28″ W (NAD83) where it will remain until the conclusion of the scheduled fireworks display. Upon the commencement of the fireworks display, scheduled to begin at 9:15 p.m. on July 4, 2014, the safety zone will increase in size and encompass the navigable waters around and under the fireworks barge within a radius 1,000 feet in approximate position 37°51′31″ N, 122°28′28″ W (NAD83) for the Fourth of July Fireworks, City of Sausalito in 33 CFR 165.1191, Table 1, Item number 10. This safety zone will be in effect from 9 a.m. to 9:40 p.m. on July 4, 2014.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM. Additionally, each person who receives notice of a lawful order or direction issued by an official patrol vessel shall obey the order or direction. The PATCOM is empowered to forbid entry into and control the regulated area. The PATCOM shall be designated by the Commander, Coast Guard Sector San Francisco. The PATCOM may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

This document is issued under authority of 33 CFR 165.1191 and 5 U.S.C. 552(a). In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with extensive advance notification of the safety zone and its enforcement period via the Local Notice to Mariners.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: May 23 2014.

Gregory G. Stump,

Captain, U.S. Coast Guard, Captain of the Port San Francisco.

[FR Doc. 2014–13765 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2014–0425]

RIN 1625–AA00

Safety Zone; I–90 Inner-Belt Bridge Demolition, Cuyahoga River, Cleveland, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on Cuyahoga River, Cleveland, OH. This safety zone is intended to restrict vessels from a portion of Cuyahoga River while demolition of the old I–90 Inner-belt bridge spanning the Cuyahoga River is undertaken. This temporary safety zone is necessary to protect mariners and vessels from the navigational hazards associated with the removal of a span across the river.

DATES: This temporary final rule is effective without actual notice from June 12, 2014 through 6 a.m. on June 27, 2014. For the purposes of enforcement, actual notice will be used from 6 a.m. on June 2, 2014, until June 12, 2014, for any enforcement periods identified in this rule that occur before June 12, 2014.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2014–0425]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LT Christopher Mercurio, Chief of Waterways Management, U.S. Coast Guard Sector Buffalo; telephone 716–843–9573, email *SectorBuffaloMarineSafety@uscg.mil.* If you have questions on viewing the docket, call Ms. Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826 or 1–800–647–5527.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable and contrary to the public interest. The final details for this event were not known to the Coast Guard until there was insufficient time remaining before the event to publish an NPRM. Thus, delaying the effective date of this rule to wait for a comment period to run would be both impracticable and contrary to the public interest because it would inhibit the Coast Guard's ability to protect vessels and mariners from the hazards associated with the removal of a span across the river.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, waiting for a 30 day notice period to run would be impracticable and contrary to the public interest.

B. Basis and Purpose

Between 6 a.m. on June 2 through 6 a.m. on June 6, 2014, and on the subsequent dates and times as necessary, demolition work on the old I–90 Inner-belt bridge span crossing the Cuyahoga River, Cleveland, OH, is scheduled: 6 a.m. on June 11, 2014, through 6 a.m. on June 13, 2014; 6 a.m. on June 18, 2014, through 6 a.m. on June 20, 2014; and 6 a.m. on June 25, 2014, through 6 a.m. on June 27, 2014. The bridge removal and demolition work will involve of cutting and dropping 6′ x 8′ sections of steel beams into the river and retrieving them via barge-mounted extractor backhoe. These operations are to be conducted during hours and dates stated above. During these enforcement periods, there will be a continuous closure of a portion of the Cuyahoga River at MM 3.42 and resultant stoppage of any traffic beyond MM 3.42 south to the terminus of the maintained navigable channel. It has been determined that these demolition operations will pose a significant risk to the maritime public. Thus, under the authority within 33 U.S.C. 1225 and 1231, the Captain of the Port, Sector Buffalo, has determined it necessary to establish a temporary safety zone on the Cuyahoga River.

C. Discussion of the Temporary Final Rule

As mentioned above, the Captain of the Port Buffalo has determined that this temporary safety zone is necessary to ensure the safety of mariners and vessels during the old I–90 Inner-belt bridge demolition operation. This safety zone regulation will be enforced from 6 a.m. on June 2, 2014, through 6 a.m. on June 6, 2014, and on the following subsequent dates and times as necessary: From 6 a.m. on June 11, 2014, through 6 a.m. on June 13, 2014; 6 a.m. on June 18, 2014, through 6 a.m. on June 20, 2014, and 6 a.m. on June 25, 2014, through 6 a.m. on June 27, 2014. The safety zone will encompass waters of the Cuyahoga River in the vicinity of the old I–90 interstate bridge span crossing over the Cuyahoga River at river mile marker 3.42. Specifically, the safety zone will cover an area 200 yards upstream and 200 yards downstream of the bridge from position 41°29′10″ N, 081°41′25″ W, (NAD 83).

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. It is not ''significant'' under the regulatory policies and procedures of

the Department of Homeland Security (DHS).

We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for a maximum initial duration of 96 hours with subsequent dates enforcement time limited to a maximum duration of 48 hours and only if demolition has not been completed. Also, the safety zone is designed to minimize its impact on commercial traffic operating the navigable waters. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

2. Impact on Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered the impact of this rule on small entities. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit a portion of the Cuyahoga River in Cleveland, Ohio, from June 2–6, 2014; June 11–13, 2014; June 18–20, 2014; and June 25–27, 2014.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: This safety zone has been developed and scheduled in cooperation with the local marine industry and shore facilities to mitigate the impact on scheduled commerce and will allow for the passage of vessels through the zone with the permission of the Captain of the Port. The Captain of the Port can be reached via VHF channel 16. Before the activation of the zone, we would issue local Broadcast Notice to Mariners.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a safety zone and, therefore it is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under

ADDRESSES. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapters 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0425 to read as follows:

§ 165.T09–0425 Safety Zone; I–90 Inner-belt Bridge Demolition, Cuyahoga River, Cleveland, OH.

(a) *Location.* This safety zone will encompass all waters of the Cuyahoga River in the vicinity of the old I–90 Inner-belt Bridge crossing over the Cuyahoga River at river mile marker 3.42 within 200 yards upstream or 200 yards downstream of the bridge near position 41°29′10″ N, 081°41′25″ W, (NAD 83).

(b) *Enforcement periods.* This section will be enforced from 6 a.m. on June 2, 2014, through 6 a.m. on June 6, 2014, and on the following subsequent dates and times if necessary: From 6 a.m. on June 11, 2014, through 6 a.m. on June 13, 2014; from 6 a.m. on June 18, 2014, through 6 a.m. on June 20, 2014; and from 6 a.m. on June 25, 2014, through 6 a.m. on June 27, 2014.

(c) *Regulations.* (1) Under general regulations in § 165.23, entry into, transiting, or anchoring within the safety zone described in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone need to contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

Dated: May 28, 2014.

B.W. Roche,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. 2014–13767 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2014–0339]

Safety Zone; Fourth of July Fireworks, Tahoe City, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Fourth of July Fireworks, Tahoe City, CA in the Captain of the Port, San Francisco area of responsibility on July 4, 2014. This action is necessary to protect life and property of the maritime public from the hazards associated with the fireworks display. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone, unless authorized by the Patrol Commander (PATCOM).

DATES: The regulations in 33 CFR 165.1191, Table 1, Item number 15, will be enforced from 7 a.m. through 10 p.m. on July 4, 2014.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Lieutenant Junior Grade William Hawn, Sector San Francisco Waterways Safety Division, U.S. Coast Guard; telephone 415–399–7442, email *D11-PF-MarineEvents@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone in navigable waters around and under the fireworks barge within a radius of 100 feet during the loading, transit, and arrival of the fireworks barge to the display location and until the start of the fireworks display. From 7 a.m. until 8 a.m. on July 4, 2014, the fireworks barge will be loading pyrotechnics off of Tahoe Keys Marina in South Lake Tahoe, CA in approximate position 38°56′05″ N, 120°00′09″ W (NAD 83). From 8 a.m. to 2 p.m. on July 4, 2014, the loaded fireworks barge will transit from Tahoe Keys Marina to the launch site off of Tahoe City, CA in approximate position 39°10′09″ N, 120°08′16″ W (NAD 83) where it will remain until the commencement of the fireworks display. Upon the commencement of the 30 minute fireworks display, scheduled to begin at 9:30 p.m. on July 4, 2014, the safety zone will increase in size to encompass the navigable waters around and under the fireworks barge within a radius 1,000 feet in approximate position 39°10′09″ N, 120°08′16″ W (NAD 83) for the Fourth of July Fireworks, Tahoe City, CA in 33 CFR 165.1191, Table 1, Item number 15. This safety zone will be in effect from 7 a.m. until 10 p.m. on July 4, 2014.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM. Additionally, each person who receives notice of a lawful order or direction issued by an official patrol vessel shall obey the order or direction. The PATCOM is empowered to forbid entry into and control the regulated area. The PATCOM shall be designated by the Commander, Coast Guard Sector San Francisco. The PATCOM may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

This document is issued under authority of 33 CFR 165.1191 and 5 U.S.C. 552(a). In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with extensive advance notification of the safety zone and its enforcement period via the Local Notice to Mariners. If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: May 22, 2014.

Gregory G. Stump,

Captain, U.S. Coast Guard, Captain of the Port San Francisco.

[FR Doc. 2014–13774 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2014–0311]

RIN 1625–AA00

Safety Zone: Petaluma River Closure for Highway Widening, Petaluma River, Petaluma, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the navigable waters of the Petaluma River near the Highway 101 Bridge in support of the Petaluma River closure for the highway widening project taking place from June 9, 2014 through June 21, 2014. This safety zone is established to ensure the safety of mariners transiting the area from the dangers associated with overhead bridge construction. Unauthorized persons or vessels are prohibited from entering into, transiting through, or remaining in the safety zone without permission of the Captain of the Port or their designated representative.

DATES: This rule is effective without actual notice from June 12, 2014 through 5 a.m. on June 21, 2014. For the purposes of enforcement, actual notice will be used from 10 p.m. on June 9, 2014, through June 12, 2014.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2014–0311. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Junior Grade William J. Hawn, U.S. Coast Guard Sector San Francisco; telephone (415) 399–7442 or email at *D11-PF-MarineEvents@uscg.mil.* If you have questions on viewing or submitting material to the docket, call the Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

CALTRANS California Department of Transportation
DHS Department of Homeland Security
FR Federal Register
NOAA National Oceanic and Atmospheric Administration
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.''

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The Coast Guard received the information about the highway widening project over the Petaluma River on April 22, 2014, and the project would occur before the rulemaking process would be completed. Because of the dangers posed by the overhead bridge construction project, the safety zone is necessary to provide for the safety of mariners transiting the area during the suspension and installation of the girders. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event.

B. Basis and Purpose

The legal basis for the proposed rule is 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish safety zones.

The California Department of Transportation (CALTRANS) will sponsor the Petaluma River closure for the Highway 101 widening project that will take place from June 9, 2014 through June 21, 2014, over the Petaluma River near Petaluma, CA in approximate position 38°13′44″ N, 122°36′57″ W (NAD83) as depicted in National Oceanic and Atmospheric Administration (NOAA) Chart 18654. This safety zone establishes a temporary restricted area on the waters within 200 feet of the Highway 101 Bridge crossing the Petaluma River during the girder suspension and installation portion of the highway widening project. This restricted area around the construction project is necessary to protect mariners from the hazards associated with the overhead bridge construction project.

C. Discussion of the Final Rule

The Coast Guard will enforce a safety zone in navigable waters around and under the Highway 101 Bridge crossing the Petaluma River within 200 feet in approximate position 38°13′44″ N, 122°36′57″ W (NAD83) during the girder suspension and installation portion of the highway widening project taking place from June 9, 2014 through June 21, 2014 between the hours of 10 p.m. and 5 a.m. daily.

The effect of the temporary safety zone will be to restrict navigation in the vicinity of the construction site until the conclusion of the scheduled girder suspension and installation project. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the restricted area. These regulations are needed to keep vessels away from the immediate vicinity of the construction area to ensure the safety of mariners transiting the area.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

We expect the economic impact of this rule will not rise to the level of necessitating a full Regulatory Evaluation. The safety zone is limited in duration, and is limited to a narrowly tailored geographic area. In addition, although this rule restricts access to the waters encompassed by the safety zone, the effect of this rule will not be significant because the local waterway users will be notified via public Broadcast Notice to Mariners to ensure the safety zone will result in minimum impact. The entities most likely to be affected are waterfront facilities,

commercial vessels, and pleasure craft engaged in recreational activities.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

This rule may affect owners and operators of waterfront facilities, commercial vessels, and pleasure craft engaged in recreational activities and sightseeing. This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons. This safety zone would be activated, and thus subject to enforcement, for a limited duration. When the safety zone is activated, vessel traffic may coordinate movements through the safety zone by contacting the onsite safety representative on VHF–13 or telephone (775) 530–3275. The maritime public will be advised in advance of this safety zone via Broadcast Notice to Mariners.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone of limited size and duration. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T11–634 to read as follows:

§ 165.T11–634 Safety Zone; Petaluma River Closure for Highway Widening, Petaluma River, Petaluma, CA.

(a) *Location.* This temporary safety zone is established in the navigable waters of the Petaluma River near the Highway 101 Bridge in Petaluma, CA in approximate position 38°13′44″ N, 122°36′57″ W (NAD83) as depicted in NOAA Chart 18654. The temporary safety zone applies to the nearest point of the Highway 101 Bridge crossing over the Petaluma River within 200 feet.

(b) *Enforcement period.* The zone described in paragraph (a) of this section will be enforced from June 9, 2014 through June 21, 2014 between the hours of 10 p.m. and 5 a.m. daily. The Captain of the Port San Francisco (COTP) will notify the maritime community of periods during which this zone will be enforced via Broadcast Notice to Mariners in accordance with 33 CFR 165.7.

(c) *Definitions.* As used in this section, ''designated representative'' means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer on a Coast Guard vessel or a Federal, State, or local officer designated by or assisting the COTP in the enforcement of the safety zone.

(d) *Regulations.* (1) Under the general regulations in 33 CFR part 165, subpart C, entry into, transiting or anchoring within this safety zone is prohibited unless authorized by the COTP or a designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or a designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP or a designated representative. Persons and vessels may request permission to enter the safety zone by contacting the onsite safety officer on VHF–13 or telephone (775) 530–3275 or through the 24-hour Command Center at telephone (415) 399–3547.

Dated: May 27, 2014.

Gregory G. Stump,

Captain, U.S. Coast Guard, Captain of the Port San Francisco.

[FR Doc. 2014–13769 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket No. 02–6; GN Docket No. 09–51; DA 14–712]

Schools and Libraries Universal Service Support Mechanism, a National Broadband Plan for Our Future

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this Order, the Wireline Competition Bureau revises its guidance for the E-rate program with respect to the requirement that applicants deduct from their E-rate funding requests the value of ineligible services bundled with services eligible for E-rate support, a process referred to in the E-rate program as cost allocation. The *2010 Clarification Order* permitted, under limited circumstances, E-rate applicants to seek E-rate support for purchases of eligible services bundled with ineligible components without providing a cost allocation separating out the value of the ineligible components. The Wireline Competition Bureau finds that, allowing E-rate applicants to purchase bundles of eligible products or services and ineligible components without deducting the value of the ineligible components risks having the universal service fund (Fund) overpay for services and resulted in applicant and service provider confusion. The Wireline Competition Bureau determined that E-rate applicants must deduct the value of ineligible components bundled with eligible services unless those ineligible components qualify as ''ancillary'' to the eligible services under the Commission's rules.

DATES: Effective July 14, 2014.

FOR FURTHER INFORMATION CONTACT: Cara Voth, Attorney, Wireline Competition Bureau, (202) 418–0025; Bryan Boyle, Attorney, Wireline Competition Bureau, (202) 418–7924 or TTY: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Wireline Competition Bureau's Order in CC Docket No. 02–6 and GN Docket No. 09–51; DA 14–712, released on May 23, 2014. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY–A257, 445 12th Street, SW., Washington, DC 20554 or at the following Internet address: *http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0523/DA-14-712A1.pdf.*

I. Introduction

1. In this Order, the Wireline Competition Bureau (Bureau) revises our guidance for the E-rate program (more formally known as the schools and libraries universal service support program) with respect to the requirement that applicants deduct from their E-rate funding requests the value of ineligible services bundled with services eligible for E-rate support, a process referred to in the E-rate program as cost allocation. The *2010 Clarification Order* permitted, under limited circumstances, E-rate applicants to seek E-rate support for purchases of eligible services bundled with ineligible components without providing a cost allocation separating out the value of the ineligible components. Beginning in funding year 2015, we once again require E-rate recipients to cost allocate ineligible components that are bundled with eligible products or services, even under the limited circumstances allowed for by the *2010 Clarification Order.* Based on our review of the record, we find that allowing E-rate applicants to purchase bundles of eligible products or services and ineligible components without deducting the value of the ineligible components risks having the federal universal service fund (Fund) overpay for services, and resulted in applicant and service provider confusion. We therefore determine that E-rate applicants must deduct the value of ineligible components bundled with eligible services unless those ineligible components qualify as ''ancillary'' to the eligible services under the Commission's rules. This revised interpretation of our rules shall be effective beginning in funding year 2015.

II. Discussion

2. Based on our review of the record, we now adopt the proposal made in the *E-rate Bundled Components Public Notice,* 78 FR 23877, April 23, 2013, and revise our guidance regarding cost allocation for bundles of eligible services and ineligible components to more properly align with the Commission's cost allocation rules for the E-rate program, the best interests of the Fund, and the best interests of applicants for E-rate support. As a result, beginning with funding year 2015, E-rate recipients must cost allocate non-ancillary ineligible components that are bundled with eligible products or services, including those components that previously would have fallen within the scope of components not requiring cost

allocation as described in the *2010 Clarification Order.* Applicants may continue to seek E-rate funding for the eligible components of any bundled service offering but now must cost allocate non-ancillary ineligible components including, but not limited to, end user devices such as telephone handsets, VoIP handsets, computers, cell phones, and other components that are not eligible for E-rate discounts. We make no other changes to the gift guidance in the *2010 Clarification Order.* If a gift was prohibited prior to today's Order, it remains prohibited by our rules.

3. The record persuades us that the *2010 Clarification Order* guidance, which was focused on providing a further explanation of the Commission's E-rate program gift rules, is not the best reading of the Commission's rules because it did not fully consider the interplay between the gift rules and cost allocation requirements. As a result, the guidance in that order created substantial uncertainty for applicants and service providers about which ineligible components were required to be cost allocated. Moreover, because the *2010 Clarification Order* did not impose limitations on what types of equipment or services could be bundled, we have become increasingly concerned that it unintentionally created risk that bundled offerings could result in expenditures for ineligible equipment or services that could drain the resources available for eligible equipment or services.

4. The *2010 Clarification Order* guidance has proven to be incompatible with the Commission's E-rate rules regarding eligible services and cost allocation, which serve to prevent the E-rate program from paying for more than just eligible services. Permitting E-rate support for bundled ineligible components without requiring cost allocation creates the risk that E-rate funds will pay for ineligible services, leaving less money for eligible services. The Commission's ongoing commitment to strong stewardship of the Fund and to combatting waste, fraud and abuse in the E-rate program requires us to strive to ensure that E-rate support is not diverted to ineligible services, and the interpretation of our rules adopted here helps guard against that risk.

5. In addition, we have found that the *2010 Clarification Order* has caused confusion over the interplay between that order and the Commission's cost allocation rules. The Commission's cost allocation rules require that ''[a] request for discounts for a product or service that includes both eligible and ineligible components must allocate the cost of the contract to eligible and ineligible components.'' By exempting some bundled offerings from those general cost allocation rules, the cost allocation guidance in the *2010 Clarification Order* inadvertently created substantial tension between the guidance provided by the Bureau and the Commission's rules. Moreover, commenters expressed frustration that the *2010 Clarification Order* cost allocation guidance did not make clear what products or services, other than cell phones, did not require cost allocation. Rescinding the cost allocation guidance of the *2010 Clarification Order* and once again requiring cost allocation of all non-ancillary ineligible components of a bundle reflects the best reading of Commission rules and will make it easier for applicants to determine what must be cost allocated. We agree with the commenter who stated that the longstanding cost allocation requirement is ''a simple and conceptually sound approach.''

6. Some commenters recommended that the Bureau reaffirm the cost allocation language in the *2010 Clarification Order,* but limit its reach to bundles of cell phone handsets and service. Having a separate cost allocation policy for cell phones might be a practical approach to address the difficulties in assessing equipment price, but allowing bundling without cost allocation, even in relatively narrow circumstances, is in tension with the Commission's rules. Moreover, treating bundles of cell phones and cell phone service differently than other bundles of eligible services and ineligible components is inconsistent with the Commission's general commitment to technological neutrality, and risks having the E-rate program funds overpay for cell phone service. Requiring cost allocation for all bundled ineligible components, including cell phones, comports more fully with Commission rules.

7. Some commenters argue that we should maintain the guidance in the *2010 Clarification Order* because bundling eligible and ineligible services is often the most economical way for E-rate recipients to receive services. But under today's decision, E-rate applicants may continue to achieve those economies by purchasing bundles containing eligible products or services and ineligible components. They are merely required to deduct the value of these ineligible components from their funding requests when they seek discounts for purchases of bundled services. In practical terms, this means that when applicants submit requests for funding on an FCC Form 471, they must identify which costs in the bundle are eligible and which costs are ineligible.

8. Several commenters have asked for guidance on the Commission's cost allocation requirements. We recognize that, as explained above, cost allocation requires some administrative effort, but compliance with the requirement is relatively simple. Under the Commission's rules, if a product or service contains ineligible components, costs should be allocated to the extent that a clear delineation can be made between the eligible and ineligible components. The clear delineation must have a tangible basis and the price for the eligible portion must be the most cost-effective means of receiving the eligible service.

9. Finally, as explained above, cost allocation is not required for ineligible ancillary components as defined by the Commission's rules. Although some commenters recommend amending the definition of ''ancillary'', a substantive change to the Commission's rule on ancillary components is beyond the scope of this proceeding. We remind applicants that the definition of ancillary requires that the price for the otherwise ineligible component cannot be determined separately and independently from the price of the eligible components, and that the specific service which contains the ineligible ancillary component remains the most cost-effective way for the applicant to receive that service. USAC reviews requests for E-rate funding to ensure that any ineligible components deemed as ancillary to eligible services are truly ancillary under the Commission's definition.

III. Procedural Matters

A. Final Regulatory Flexibility Analysis

10. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Wireline Competition Bureau (Bureau) included an Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities by the policies and rules proposed in the *E-rate Bundled Components Public Notice* in CC Docket No. 02–6 and GN Docket No 09–51. The Bureau sought written public comment on the proposals in the *E-rate Bundled Components Public Notice,* including comment on the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.

B. Need for, and Objectives of, the Proposed Rule

11. This Order continues the Bureau's efforts to simplify the E-rate program and encourage the prudent use of limited E-rate funds. In it, we clarify that beginning with applications seeking discounts for E-rate funding year 2015, any ineligible components must be cost allocated, even if bundled with E-rate eligible services and offered to the public or some class of users. The prudent use of limited E-rate funding and clarity about E-rate rules are important to the long-term efficacy of the federal universal service fund (Fund). This clarification will help to achieve the Commission's goal of maintaining Fund solvency and providing clear rules for E-rate recipients.

C. Summary of Significant Issues Raised by Public Comments to the IRFA

12. No comments specifically addressed the IRFA.

D. Description and Estimate of the Number of Small Entities To Which the Proposed Rules May Apply

13. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A small business concern is one that: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). Nationwide, there are a total of approximately 28.2 million small businesses, according to the SBA. A ''small organization'' is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.''

14. Nationwide, as of 2002, there were approximately 1.6 million small organizations. The term ''small governmental jurisdiction'' is defined generally as ''governments of cities, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.'' Census Bureau data for 2002 indicate that there were 87,525 local governmental jurisdictions in the United States. We estimate that, of this total, 84,377 entities were ''small governmental jurisdictions.'' Thus, we estimate that most governmental jurisdictions are small.

15. Small entities potentially affected by the proposals herein include eligible schools and libraries and the eligible service providers offering them discounted services.

16. *Schools and Libraries.* As noted, ''small entity'' includes non-profit and small government entities. Under the schools and libraries universal service support mechanism, which provides support for elementary and secondary schools and libraries, an elementary school is generally ''a non-profit institutional day or residential school that provides elementary education, as determined under state law.'' A secondary school is generally defined as ''a non-profit institutional day or residential school that provides secondary education, as determined under state law,'' and not offering education beyond grade 12. For-profit schools and libraries, and schools and libraries with endowments in excess of $50,000,000, are not eligible to receive discounts under the program, nor are libraries whose budgets are not completely separate from any schools. Certain other statutory definitions apply as well. The SBA has defined for-profit, elementary and secondary schools and libraries having $6 million or less in annual receipts as small entities. In funding year 2007, approximately 105,500 schools and 10,950 libraries received funding under the schools and libraries universal service mechanism. Although we are unable to estimate with precision the number of these entities that would qualify as small entities under SBA's size standard, we estimate that fewer than 105,500 schools and 10,950 libraries might be affected annually by our action, under current operation of the program.

17. *Telecommunications Service Providers.* First, neither the Commission nor the SBA has developed a size standard for small incumbent local exchange services. The closest size standard under SBA rules is for Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees. According to Commission data, 1,307 incumbent carriers reported that they were engaged in the provision of local exchange services. Of these 1,307 carriers, an estimated 1,006 have 1,500 or fewer employees and 301 have more than 1,500 employees. Thus, under this category and associated small business size standard, we estimate that the majority of entities are small. We have included small incumbent local exchange carriers in this RFA analysis. A ''small business'' under the RFA is one that, inter alia, meets the pertinent small business size standard (e.g., a telephone communications business having 1,500 or fewer employees), and ''is not dominant in its field of operation.'' The SBA's Office of Advocacy contends that, for RFA purposes, small incumbent local exchange carriers are not dominant in their field of operation because any such dominance is not ''national'' in scope. We have therefore included small incumbent carriers in this RFA analysis, although we emphasize that this RFA action has no effect on the Commission's analyses and determinations in other, non-RFA contexts.

18. Second, neither the Commission nor the SBA has developed a definition of small entities specifically applicable to providers of interexchange services (IXCs). The closest applicable definition under the SBA rules is for wired telecommunications carriers. This provides that a wired telecommunications carrier is a small entity if it employs no more than 1,500 employees. According to the Commission's 2010 Trends Report, 359 companies reported that they were engaged in the provision of interexchange services. Of these 300 IXCs, an estimated 317 have 1,500 or few employees and 42 have more than 1,500 employees. Consequently, the Commission estimates that most providers of interexchange services are small businesses.

19. Third, neither the Commission nor the SBA has developed a definition of small entities specifically applicable to competitive access services providers (CAPs). The closest applicable definition under the SBA rules is for wired telecommunications carriers. This provides that a wired telecommunications carrier is a small entity if it employs no more than 1,500 employees. According to the 2010 Trends Report, 1,442 CAPs and competitive local exchange carriers (competitive LECs) reported that they were engaged in the provision of competitive local exchange services. Of these 1,442 CAPs and competitive LECs, an estimated 1,256 have 1,500 or fewer employees and 186 have more than 1,500 employees. Consequently, the Commission estimates that most providers of competitive exchange services are small businesses.

20. *Wireless Telecommunications Carriers (except Satellite).* Since 2007, the Census Bureau has placed wireless firms within this new, broad, economic census category. Prior to that time, such

firms were within the now-superseded categories of ''Paging'' and ''Cellular and Other Wireless Telecommunications.'' Under the present and prior categories, the SBA has deemed a wireless business to be small if it has 1,500 or fewer employees. Because Census Bureau data are not yet available for the new category, we will estimate small business prevalence using the prior categories and associated data. For the category of Paging, data for 2002 show that there were 807 firms that operated for the entire year. Of this total, 804 firms had employment of 999 or fewer employees, and three firms had employment of 1,000 employees or more. For the category of Cellular and Other Wireless Telecommunications, data for 2002 show that there were 1,397 firms that operated for the entire year. Of this total, 1,378 firms had employment of 999 or fewer employees, and 19 firms had employment of 1,000 employees or more. Thus, we estimate that the majority of wireless firms are small.

21. Wireless telephony includes cellular, personal communications services, and specialized mobile radio telephony carriers. As noted, the SBA has developed a small business size standard for Wireless Telecommunications Carriers (except Satellite). Under the SBA small business size standard, a business is small if it has 1,500 or fewer employees. According to the 2010 Trends Report, 413 carriers reported that they were engaged in wireless telephony. Of these, an estimated 261 have 1,500 or fewer employees and 152 have more than 1,500 employees. We have estimated that 261 of these are small under the SBA small business size standard.

22. *Common Carrier Paging.* As noted, since 2007 the Census Bureau has placed paging providers within the broad economic census category of Wireless Telecommunications Carriers (except Satellite). Prior to that time, such firms were within the now-superseded category of ''Paging.'' Under the present and prior categories, the SBA has deemed a wireless business to be small if it has 1,500 or fewer employees. Because Census Bureau data are not yet available for the new category, we will estimate small business prevalence using the prior category and associated data. The data for 2002 show that there were 807 firms that operated for the entire year. Of this total, 804 firms had employment of 999 or fewer employees, and three firms had employment of 1,000 employees or more. Thus, we estimate that the majority of paging firms are small.

23. In addition, in the *Paging Second Report and Order,* the Commission adopted a size standard for ''small businesses'' for purposes of determining their eligibility for special provisions such as bidding credits and installment payments. A small business is an entity that, together with its affiliates and controlling principals, has average gross revenues not exceeding $15 million for the preceding three years. The SBA has approved this definition. An initial auction of Metropolitan Economic Area (''MEA'') licenses was conducted in the year 2000. Of the 2,499 licenses auctioned, 985 were sold. Fifty-seven companies claiming small business status won 440 licenses. A subsequent auction of MEA and Economic Area (''EA'') licenses was held in the year 2001. Of the 15,514 licenses auctioned, 5,323 were sold. One hundred thirty-two companies claiming small business status purchased 3,724 licenses. A third auction, consisting of 8,874 licenses in each of 175 EAs and 1,328 licenses in all but three of the 51 MEAs, was held in 2003. Seventy-seven bidders claiming small or very small business status won 2,093 licenses.

24. Currently, there are approximately 74,000 Common Carrier Paging licenses. According to the most recent Trends in Telephone Service, 291 carriers reported that they were engaged in the provision of ''paging and messaging'' services. Of these, an estimated 289 have 1,500 or fewer employees and two have more than 1,500 employees. We estimate that the majority of common carrier paging providers would qualify as small entities under the SBA definition.

25. *Internet Service Providers.* The 2007 Economic Census places these firms, whose services might include voice over Internet protocol (VoIP), in either of two categories, depending on whether the service is provided over the provider's own telecommunications facilities (e.g., cable and DSL ISPs), or over client-supplied telecommunications connections (e.g., dial-up ISPs). The former are within the category of Wired Telecommunications Carriers, which has an SBA small business size standard of 1,500 or fewer employees. The latter are within the category of All Other Telecommunications, which has a size standard of annual receipts of $25 million or less. The most current Census Bureau data for all such firms, however, are the 2002 data for the previous census category called Internet Service Providers. That category had a small business size standard of $21 million or less in annual receipts, which was revised in late 2005 to $23 million. The 2002 data show that there were 2,529 such firms that operated for the entire year. Of those, 2,437 firms had annual receipts of under $10 million, and an additional 47 firms had receipts of between $10 million and $24,999,999. Consequently, we estimate that the majority of ISP firms are small entities.

26. *Vendors of Internal Connections: Telephone Apparatus Manufacturing.* The Census Bureau defines this category as follows: ''This industry comprises establishments primarily engaged in manufacturing wire telephone and data communications equipment. These products may be standalone or board-level components of a larger system. Examples of products made by these establishments are central office switching equipment, cordless telephones (except cellular), PBX equipment, telephones, telephone answering machines, LAN modems, multi-user modems, and other data communications equipment, such as bridges, routers, and gateways.'' The SBA has developed a small business size standard for Telephone Apparatus Manufacturing, which is: all such firms having 1,000 or fewer employees. According to Census Bureau data for 2002, there were a total of 518 establishments in this category that operated for the entire year. Of this total, 511 had employment of under 1,000, and an additional seven had employment of 1,000 to 2,499. Thus, under this size standard, the majority of firms can be considered small.

27. *Vendors of Internal Connections: Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing.* The Census Bureau defines this category as follows: ''This industry comprises establishments primarily engaged in manufacturing radio and television broadcast and wireless communications equipment. Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, GPS equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment.'' The SBA has developed a small business size standard for firms in this category, which is: all such firms having 750 or fewer employees. According to Census Bureau data for 2002, there were a total of 1,041 establishments in this category that operated for the entire year. Of this total, 1,010 had employment of under 500, and an additional 13 had employment of 500 to 999. Thus, under this size standard, the majority of firms can be considered small.

28. *Vendors of Internal Connections: Other Communications Equipment*

Manufacturing. The Census Bureau defines this category as follows: ''This industry comprises establishments primarily engaged in manufacturing communications equipment (except telephone apparatus, and radio and television broadcast, and wireless communications equipment).'' The SBA has developed a small business size standard for Other Communications Equipment Manufacturing, which is having 750 or fewer employees. According to Census Bureau data for 2002, there were a total of 503 establishments in this category that operated for the entire year. Of this total, 493 had employment of under 500, and an additional 7 had employment of 500 to 999. Thus, under this size standard, the majority of firms can be considered small.

E. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

29. This Order reinstates the requirement that E-rate applicants cost allocate all bundled ineligible components other than those that fall under the Commission's definition of ''ancillary.'' Cost allocation requirements are already part of § 54.504(e) of the Commission's rules, which requires a clear delineation of eligible and ineligible services that are included on an application requesting E-rate discounts. The rulemaking results in minimal additional reporting requirements.

30. The result of this rulemaking is that small entities that had not been cost allocating certain bundled ineligible components will again be required to comply with § 54.504(e) requirements for cost allocating these components. Small entities that are service providers and vendors in the E-rate program will also be required to reexamine offerings in accordance to any changed requirements.

F. Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

31. The RFA requires an agency to describe any significant, specifically small business, alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): ''(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.''

32. This rulemaking could impose minimal additional burdens on small entities. The only additional administrative burden the rulemaking could impose on small entities, however, would be requiring them to cost allocate ineligible components that they may have presumed were exempted from the cost allocation requirements by the *2010 Clarification Order.* Cost allocation requires determining the costs of eligible and ineligible components and reporting the delineation of those costs in a request for E-rate discounts on the FCC Form 471. E-rate recipients had been required to cost allocate ineligible components bundled with eligible services prior to the *2010 Clarification Order,* and are already generally required to cost allocate all ineligible components.

G. Report to Congress

33. The Commission will send a copy of this Order, including this FRFA, in a report to be sent to Congress pursuant to the SBREFA. In addition, the Commission will send a copy of the Order, including the FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the Order and the FRFA (or summaries thereof) will also be published in the **Federal Register**.

H. Paperwork Reduction Act Analysis

34. This document contains revised information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507 of the PRA. We note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, the Commission previously sought specific comment on how it might further reduce the information collection burden on small business concerns with fewer than 25 employees.

35. In the present document, we rescind the guidance in the *2010 Clarification Order* regarding cost allocation requirements in the E-rate program (more formally known as the schools and libraries universal service support program). We have determined that it is in the best interest of the E-rate program and its participants to require E-rate recipients to cost allocate ineligible components that are bundled with eligible services and that may have been subject to the limited exemption provided by the guidance in the *2010 Clarification Order.* Any information collected from applicants is limited to information explaining the cost allocation.

I. Congressional Review Act

36. The Bureau will include a copy of this Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.

IV. Ordering Clause

37. Accordingly, *it is ordered,* that pursuant to the authority contained in sections 1 through 4, 254, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151 through 154, 254, and 303(r), and authority delegated in *Federal-State Joint Board on Universal Service,* CC Docket No. 96–45, Third Report and Order, 12 FCC Rcd 22485, 22488 through 89, paragraph 6 (1997), this Order *is adopted,* effective July 14, 2014.

Federal Communications Commission.

Julie A. Veach,

Chief, Wireline Competition Bureau.

[FR Doc. 2014–13658 Filed 6–11–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[WC Docket No. 12–375; FCC 13–113]

Rates for Interstate Inmate Calling Services

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: On September 26, 2013, the Federal Communications Commission (Commission) released a Report and Order and Further Notice of Proposed Rulemaking, *Rates for Interstate Inmate Calling Services,* WC Docket No. 12–375, FCC 13–113, (Report and Order) which required, among other things, that all ICS providers comply with a one-time mandatory data collection provided in Section III.I of the Report and Order. This information collection requirement in the Report and Order required approval from the Office of Management and Budget (OMB). This document announces the approval of and effective date of the one-time mandatory data collection requirement.

DATES: The information collection requirement in Section III.I, published on November 13, 2013 (78 FR 67956), was approved by the OMB on June 2, 2014. Accordingly, the information

collection requirements provided in Section III.I of the Report and Order are effective June 12, 2014.

FOR FURTHER INFORMATION CONTACT: Lynne Hewitt Engledow, Wireline Competition Bureau, (202) 418–1520 or *lynne.engledow@fcc.gov.*

SUPPLEMENTARY INFORMATION: The Report and Order stated that the information collection requirements would be effective immediately upon announcement in the **Federal Register** of OMB approval. On June 2, 2014, OMB approved the information collection requirement contained in Section III.I of this Report and Order pursuant to OMB Control Number: 3060–1196, Inmate Calling Services (ICS) Data Collection. Accordingly, the information collection requirement contained in Section III.I of the Report and Order is effective June 12, 2014. The expiration date for the information collection is June 30, 2017. The Commission will announce, in a separate notice, the due date by which respondents must submit the required data.

Pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3520, an agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with the collection of information subject to the Paperwork Reduction Act that does not display a valid control number. Questions concerning this information collection, 3060–1196, should be directed to Leslie F. Smith, Federal Communications Commission at (202) 418–0217 or *leslie.smith@fcc.gov.*

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1196.

OMB Approval Date: June 2, 2014.

OMB Expiration Date: June 30, 2017.

Title: Rates for Inmate Calling Services Data Collection.

Form Number: N/A.

Respondents: Business or other for profit, federal government.

Number of Respondents and Responses: 25 respondents; 25 responses.

Estimated Time per Response: 90 hours.

Frequency of Response: One-time reporting requirement and one-time recordkeeping requirement.

Obligation to Respond: Required to obtain or maintain benefits.

Total Annual Burden: 2,250 hours.

Total Annual Cost: None.

Nature and Extent of Confidentiality: The Commission anticipates providing confidential treatment for proprietary information submitted by ICS providers. Parties that comply with the terms of a protective order for the proceeding will have an opportunity to comment on the data.

Needs and Uses: The Commission's Report and Order required that all inmate calling service (ICS) providers comply with a one-time mandatory data collection. The Report and Order requires ICS providers to submit data on the costs of providing interstate, intrastate toll, and local ICS. Data required to be submitted include data on the costs of telecommunications service, interconnection fees, equipment investment, installation and maintenance, security, ancillary services, and other costs. Providers will also be required to provide certain related rate, demand, and forecast data. The data will be used to inform the Commission's evaluation of rate reform options in the FNPRM, to enable the Commission to transition from interim rate reform to permanent rate reform, and to enable the Commission to discharge its core responsibility of ensuring just, reasonable and fair rates as required by sections 201 and 276 by ensuring ICS rates are just, reasonable, and fair pursuant to sections 201(b) and 276 of the Communications Act of 1934, as amended.

Federal Communications Commission.

Sheryl Todd,

Deputy Secretary.

[FR Doc. 2014–13782 Filed 6–11–14; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 79, No. 113
Thursday, June 12, 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.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 860

[Docket No. FDA–2013–N–1529]

Medical Device Classification Procedures; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending the comment period for the proposed rule that appeared in the **Federal Register** of March 25, 2014. In the proposed rule, FDA requested comments on its proposal to amend its regulations governing classification and reclassification of medical devices to conform to the applicable provisions in the Food and Drug Administration Safety and Innovation Act (FDASIA), to update its regulations by proposing changes unrelated to the new FDASIA requirements, and to codify the procedures and criteria that apply to classification and reclassification of medical devices and to provide for classification of devices in the lowest regulatory class consistent with the public health and the statutory scheme for device regulation. The Agency is taking this action in response to requests for an extension to allow interested persons additional time to submit comments.

DATES: FDA is extending the comment period on the proposed rule published March 25, 2014 (79 FR 16252). Submit either electronic or written comments by September 22, 2014.

ADDRESSES: You may submit comments, identified by Agency name and Docket No. FDA–2013–N–1529, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Written Submissions

Submit written submissions in the following ways:

• *Mail/Hand delivery/Courier (for paper submissions):* Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the Agency name and Docket No. FDA–2013–N–1529 for this rulemaking. All comments received may be posted without change to *http://www.regulations.gov*, including any personal information provided. For additional information on submitting comments, see the ''Comments'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Marjorie Shulman, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1536, Silver Spring, MD 20993–0002, 301–796–6572; or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of March 25, 2014 (79 FR 16252), FDA published a proposed rule with a 90-day comment period to request comments on the Agency's regulations governing classification and reclassification of medical devices to conform to the applicable provisions in FDASIA and proposed changes unrelated to the new FDASIA requirements to update its regulations governing classification and reclassification of medical devices. Comments on the proposed rule will inform FDA's rulemaking to establish regulations for governing classification and reclassification of medical devices to conform to the applicable provisions in FDASIA and proposed changes unrelated to the new FDASIA requirements to update its regulations governing classification and reclassification of medical devices.

The Agency has received requests for an extension of the comment period for the proposed rule. Each request conveyed concern that the current 90-day comment period does not allow sufficient time to develop a meaningful or thoughtful response to the proposed rule. The Agency believes that a 90-day extension allows adequate time for interested persons to submit comments without significantly delaying rulemaking on these important issues.

II. Request for Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov*.

Dated: June 6, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13705 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 882

[Docket Nos. FDA–2011–N–0504 and FDA–2013–N–0195]

Neurological Devices; Withdrawal of Proposed Effective Date of Requirement for Premarket Approval for Cranial Electrotherapy Stimulator Devices

AGENCY: Food and Drug Administration, HHS.

ACTION: Withdrawal of proposed rule and proposed order.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing the proposed rule the Agency issued in the **Federal Register** of August 8, 2011, and the proposed order the Agency issued in the **Federal Register** of April 4, 2013, in part. In those documents, FDA proposed to require the filing of a premarket approval application (PMA) or a notice of completion of a product development protocol (PDP) for the class III preamendment device, cranial electrotherapy stimulator (CES). In response to information received in response to these two proposed actions, FDA is withdrawing the proposed rule and proposed order.

DATES: The proposed rule and the proposed order, in part, are withdrawn on June 12, 2014.

FOR FURTHER INFORMATION CONTACT: Melissa Burns, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1646, Silver Spring, MD 20993, 301–796–5616, *Melissa.Burns@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background—Regulatory Authorities

In the **Federal Register** of August 8, 2011 (76 FR 48062), FDA issued a proposed rule to require the filing of a PMA or a notice of completion of a PDP for the class III preamendments device, CES. This device applies electrical current to a patient's head to treat insomnia, depression, or anxiety. The Agency also summarized its proposed findings regarding the degree of risk of illness or injury designed to be eliminated or reduced by requiring the devices to meet the statute's approval requirements and the benefits to the public from the use of the devices. In addition, FDA announced the opportunity for interested persons to request that the Agency change the classification of any of the aforementioned devices based on new information.

In response to the proposed rule, FDA received three petitions conforming to the requirements of 21 CFR 860.123 requesting a change in the classification of CES devices. FDA referred the petitions to the Neurological Device Panel (''the Panel'') on February 10, 2011, for the Panel's recommendation on the requested change in classification (Ref. 1). The Panel recommended that the CES device for treatment of insomnia, depression, or anxiety should remain in class III requiring PMAs.

On July 9, 2012, the Food and Drug Administration Safety and Innovation Act (FDASIA) was enacted. Section 608(a) of FDASIA (126 Stat. 1056) amended section 513(e) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360c(e)), changing the process for reclassifying a device from rulemaking to an administrative order. Subsequently, on April 4, 2013 (78 FR 20268), FDA issued a proposed administrative order for several device types, including CES, to comply with the new procedural requirement created by FDASIA. This proposed order also proposed requiring filing of a PMA or a notice of completion of a PDP for the CES device.

II. Withdrawal of the Proposed Rule and Proposed Order

FDA provided an opportunity for interested parties to comment on the proposed rule and proposed order for CES devices (76 FR 48062, August 8, 2011, and 78 FR 20268, April 4, 2013). FDA received over 300 comments to the docket in response to the proposed rule and proposed order related to CES devices. Comments that expressed an opinion about the classification of CES devices were usually in favor of a class II designation. Some comments did not openly state an opinion, but included arguments against the proposed rule or order that could reasonably be interpreted as support for a class II designation. There were also comments that agreed with a class III designation. In addition to the comments, FDA received four separate submissions to request a change in the classification of CES from class III to class II. FDA has considered the information before the Agency, including the deliberations of the February 10, 2012, Neurological Devices Panel and the reclassification petitions submitted for these devices, and has determined that there is sufficient information to establish special controls, and that these special controls, together with general controls, will provide a reasonable assurance of safety and effectiveness for CES devices. In this action, FDA is withdrawing the proposed rule and proposed order to call for PMAs for CES devices. FDA plans to issue a proposed order in the future for the reclassification of the CES device into class II. For the reasons described in this document, FDA is withdrawing the aforementioned proposed rule and proposed order.

III. Reference

The following reference has been placed on display in the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday, and is available electronically at *http://www.regulations.gov.* (FDA has verified the Web site address in this reference section, but we are not responsible for any subsequent changes to the Web site after this document publishes in the **Federal Register**.)

1. FDA's Neurological Devices Panel transcript and other meeting materials are available on FDA's Web site at *http://www.fda.gov/AdvisoryCommittees/CommitteesMeetingMaterials/MedicalDevices/MedicalDevicesAdvisoryCommittee/NeurologicalDevicesPanel/ucm289361.htm.*

Dated: June 9, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13756 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

Notices

Federal Register

Vol. 79, No. 113

Thursday, June 12, 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

June 9, 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 July 14, 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 Plant and Health Inspection Service

Title: Plants for Planting Regulation.

OMB Control Number: 0579–0190.

Summary of Collection: Under the Plant Protection Act (PPA) (7 U.S.C. 7701 *et seq.*), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of plant pests and other articles, to prevent the introduction of plant pests into the United States. The regulations in 7 CFR Part 319 prohibits or restricts the importation of certain plants and plants products into the United States to prevent the introduction of plant pests and noxious weeds. The regulations contained in ''Subpart-Plants for Planting,'' §§ 319.37 through 319.37–14, restrict, among other things, the importation of living plants, plant parts, and seed for propagation. The nursery stock regulations require the Animal and Plant Health Inspection Service (APHIS) to collect information from a variety of individuals who are involved in growing, exporting, and importing nursery stock.

Need and Use of the Information: APHIS will collect information to ensure that plant pests are not introduced into the United States. The information APHIS collects serves as the supporting documentation needed to issue required PPQ forms and documents that allow importation of nursery stock. APHIS requires a permit for the restricted articles to ensure that plant pest and plant diseases are not introduced into the United States. APHIS uses this information to implement and invoke the requirements of the Plant Protection Act.

Description of Respondents: Business or other for-profit; Federal Government.

Number of Respondents: 94.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 646.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2014–13792 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2014–0043]

Notice of Request for Extension of Approval of an Information Collection; Black Stem Rust; Identification Requirements for Addition of Rust-Resistant Varieties

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection associated with the black stem rust quarantine and regulations.

DATES: We will consider all comments that we receive on or before August 11, 2014.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0043.*
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS-2014-0043, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0043* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the black stem rust quarantine and regulations, contact Dr. Prakash Hebbar, National Program Manager, PHP, PPQ, APHIS, 4700 River Road, Unit 160, Riverdale, MD 20737; (301) 851–2228. For copies of more detailed information on the information

collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851–2908.

SUPPLEMENTARY INFORMATION:

Title: Black Stem Rust; Identification Requirements for Addition of Rust-Resistant Varieties.

OMB Control Number: 0579–0186.

Type of Request: Extension of approval of an information collection.

Abstract: Under the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or interstate movement of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or their dissemination within the United States.

Black stem rust is one of the most destructive plant diseases of small grains that is known to exist in the United States. The disease is caused by a fungus that reduces the quality and yield of infected wheat, oat, barley, and rye crops by robbing host plants of food and water. In addition to infecting small grains, the fungus lives on a variety of alternate host plants that are species of the genera *Berberis, Mahoberberis,* and *Mahonia.* The fungus is spread from host to host by wind-borne spores.

The black stem rust quarantine and regulations, contained in 7 CFR 301.38 through 301.38–8 (referred to below as the regulations), quarantine the conterminous 48 States and the District of Columbia and govern the interstate movement of certain plants of the genera *Berberis, Mahoberberis,* and *Mahonia,* known as barberry plants. The species of these plants are categorized as either rust-resistant or rust-susceptible. Rust-resistant plants do not pose a risk of spreading black stem rust or of contributing to the development of new races of rust; rust-susceptible plants do pose such risks.

Paragraph (b) of § 301.38–2 provides the requirements for the submission of a request to the Animal and Plant Health Inspection Service to add a variety to the list of rust-resistant barberry varieties in the regulations. A request must include a description of the variety, including a written description and color pictures that can be used by an inspector to clearly identify the variety and distinguish it from other varieties. This requirement helps to ensure that State plant inspectors can clearly determine whether plants moving into or through their States are rust-resistant varieties listed in 7 CFR 301.38–2.

We are asking the Office of Management and Budget (OMB) to approve our use of this information collection activity for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 4 hours per response.

Respondents: Nurseries.

Estimated annual number of respondents: 4.

Estimated annual number of responses per respondent: 2.

Estimated annual number of responses: 8.

Estimated total annual burden on respondents: 32 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 6th day of June 2014.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2014–13738 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2014–0013]

Notice of Availability of an Evaluation of the African Horse Sickness Status of Saudi Arabia

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that we have determined that Saudi Arabia is free of African horse sickness (AHS). After reviewing the documentation submitted by Saudi Arabia in support of its request and considering other factors, the Administrator of the Animal and Plant Health Inspection Service has determined that AHS is not present in Saudi Arabia. We are making that determination, as well as an evaluation we have prepared in connection with this action, available for review and comment.

DATES: We will consider all comments that we receive on or before August 11, 2014.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0013.*
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS–2014–0013, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0013* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Chip Wells, Senior Staff Veterinarian, Regionalization Evaluation Services, Sanitary Trade Issues Team, National Import Export Services, VS, APHIS, 4700 River Road, Unit 38, Riverdale, MD 20737–1231; (301) 851–3317.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 93 (referred to below as the regulations) prescribe the conditions for the importation into the United States of specified animals to prevent the introduction of various animal diseases, including African horse sickness (AHS). AHS is a fatal viral equine disease that is not known to exist in the United States.

Part 93, § 93.308 contains requirements governing the importation of horses, mules, zebras, and other equids from regions where AHS exists in order to prevent the introduction of

AHS into the United States. Equids from countries where AHS exists are eligible for importation into the United States only after undergoing a 60-day quarantine.

The regulations in 9 CFR part 92, § 92.2, contain requirements for requesting the recognition of the animal health status of a region or for the approval of the export of a particular type of animal or animal product to the United States from a foreign region. If, after review and evaluation of the information submitted in support of the request the Animal and Plant Health Inspection Service (APHIS) believes the request can be safely granted, APHIS will make its evaluation available for public comment through a notice published in the **Federal Register**. Following the close of the comment period, APHIS will review all comments received and will make a final determination regarding the request that will be detailed in another notice published in the **Federal Register**.

In March 2009, the Government of Saudi Arabia submitted documentation to APHIS seeking recognition of the entire country of Saudi Arabia as a region free of AHS. In response to Saudi Arabia's request, APHIS evaluated the risk of introducing AHS into the United States via the importation of equids from Saudi Arabia in accordance with 9 CFR part 92. Based on this evaluation, APHIS concluded that AHS is not known to be present in Saudi Arabia and that the surveillance, prevention, and control measures implemented by Saudi Arabia are sufficient to minimize the likelihood of introducing AHS into the United States via imports of equids.

Therefore, in accordance with § 92.2(e), we are announcing the availability of our evaluation of the AHS status of Saudi Arabia for public review and comment. The evaluation may be viewed on the Regulations.gov Web site or in our reading room. (Instructions for accessing Regulations.gov and information on the location and hours of the reading room are provided under the heading **ADDRESSES** at the beginning of this notice.) The evaluation, as well as the information evaluated, may also be viewed at *https://web01.aphis.usda.gov/db/mtaddr.nsf/WebView?OpenView.*

After reviewing any comments we receive, we will announce our decision regarding the disease status of Saudi Arabia with respect to AHS and the import status of susceptible animals in a subsequent notice.

Authority: 7 U.S.C. 1622 and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 6th day of June 2014.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2014–13786 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2014–0029]

Notice of Availability of a Pest Risk Analysis for Interstate Movement of Fresh Achachairú Fruit From Puerto Rico

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that we have prepared a pest risk analysis (PRA) that evaluates the risks associated with the interstate movement into the continental United States of fresh achachairú fruit from Puerto Rico. Based on that analysis, we believe that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the interstate movement of achachairú from Puerto Rico. We are making the PRA available to the public for review and comment.

DATES: We will consider all comments that we receive on or before August 11, 2014.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0029.*
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS–2014–0029, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0029* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. David Lamb, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1231; (301) 851–2103.

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in ''Subpart—Regulated Articles From Hawaii and the Territories'' (7 CFR 318.13–1 through 318.13–26, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) prohibits or restricts the interstate movement of fruits and vegetables into the United States from Hawaii, Puerto Rico, the U.S. Virgin Islands, Guam, and the Commonwealth of the Northern Mariana Islands to prevent plant pests and noxious weeds from being introduced into and spread within the continental United States. (The continental United States is defined in § 318.13–2 of the regulations as the 48 contiguous States, Alaska, and the District of Columbia.)

Section 318.13–4 contains a performance-based process for approving the interstate movement of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. These measures are:

- The fruits and vegetables are inspected in the State of origin or in the first State of arrival;
- The fruits and vegetables originated from a pest-free area in the State of origin and the grower from which the fruit or vegetable originated has entered into a compliance agreement with the Administrator;
- The fruits and vegetables are treated in accordance with 7 CFR part 305 and the treatment is certified by an inspector;
- The fruits and vegetables are inspected and certified in the State of origin by an inspector and have been found free of one or more specific quarantine pests identified by risk analysis as likely to follow the pathway;
- The fruits and vegetables are moved as commercial consignments only; and/or
- The fruits and vegetables may be distributed only within a defined area and the boxes or containers in which the fruits or vegetables are distributed must be marked to indicate the applicable distribution restrictions.

APHIS received a request from a grower and research scientist with the Puerto Rico Department of Agriculture, with support from the USDA Agricultural Research Service and the

Puerto Rico State Plant Health Director's office, to allow the interstate movement of fresh achachairú fruit from Puerto Rico to the continental United States. We have completed a pest risk assessment (PRA) to identify pests of quarantine significance that could follow the pathway of interstate movement into the continental United States and, based on that PRA, have prepared a risk management document (RMD) to identify phytosanitary measures that could be applied to the commodity to mitigate the pest risk. We have concluded that fresh achachairú fruit can be safely moved from Puerto Rico to the continental United States using one or more of the six designated phytosanitary measures listed in § 318.13–4(b).

Therefore, in accordance with § 318.13–4(c), we are announcing the availability of our PRA and RMD for public review and comment. The documents may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the PRA and RMD by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the documents when requesting copies.

After reviewing the comments we receive, we will announce our decision regarding the interstate movement of fresh achachairú fruit from Puerto Rico to the continental United States in a subsequent notice. If the overall conclusions of the analysis and the Administrator's determination of risk remain unchanged following our consideration of the comments, then we will begin allowing the interstate movement of fresh achachairú fruit from Puerto Rico to the continental United States subject to the requirements specified in the RMD.

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 6th day of June 2014.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2014–13781 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2014–0008]

Notice of Availability of a Pest Risk Analysis for the Importation of Fresh Figs From Mexico Into the Continental United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that we have prepared a pest list and risk management document regarding the risks associated with the importation into the continental United States of fresh figs from Mexico. Based on these documents, we have concluded that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh figs from Mexico. We are making the documents available to the public for review and comment.

DATES: We will consider all comments that we receive on or before August 11, 2014.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0008.*
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS–2014–0008, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0008* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. Marc Phillips, Senior Regulatory Policy Specialist, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1231; (301) 851–2114.

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in ''Subpart—Fruits and Vegetables'' (7 CFR 319.56–1 through 319.56–68, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into or disseminated within the United States.

Section 319.56–4 contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section.

APHIS received a request from the Government of Mexico to allow the importation of fresh figs (*Ficus carica*) into the continental United States. We have completed a pest list for this commodity to identify pests of quarantine significance that could follow the pathway of importation into the continental United States and, based on this list, have prepared a risk management document to identify phytosanitary measures that could be applied to fresh figs from Mexico to mitigate the pest risk. We have concluded that fresh figs can be safely imported into the continental United States from Mexico using one or more of the five designated phytosanitary measures listed in § 319.56–4(b). These measures are:

- The figs may be imported into the continental United States in commercial consignments only.
- The figs must be irradiated in accordance with 7 CFR part 305 with a minimum absorbed dose of 150 Gy.
- If the irradiation treatment is applied outside the United States, each consignment of fruit must be jointly inspected by APHIS and the national plant protection organization (NPPO) of Mexico and accompanied by a phytosanitary certificate (PC) attesting that the fruit received the required irradiation treatment. The PC must also include an additional declaration stating that the consignment was inspected and found free of *Maconellicoccus hirsutus* and *Nipaecoccus viridis.*
- If the irradiation treatment is applied upon arrival in the United States, each consignment of fruit must be inspected by the NPPO of Mexico prior to departure and accompanied by a PC attesting that the fruit was inspected and found free of *Maconellicoccus hirsutus* and *Nipaecoccus viridis.*
- The commodity is subject to inspection at the U.S. port of entry.

Therefore, we are announcing the availability of our pest list and risk

management document for public review and comment. The documents may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the documents by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the pest list and risk management document you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding the import status of fresh figs from Mexico in a subsequent notice. If the overall conclusions of the analysis and the Administrator's determination of risk remain unchanged following our consideration of the comments, then we will authorize the importation of fresh figs from Mexico into the continental United States subject to the requirements specified in the risk management document.

Authority: 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 6th day of June 2014.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2014–13784 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2014–0016]

Notice of Request for a New Information Collection: Food Safety Education Campaign Tracking Research

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and Office of Management and Budget (OMB) regulations, the Food Safety and Inspection Service (FSIS) is announcing its intention to request a new information collection for a food safety education campaign.

DATES: August 11, 2014.

ADDRESSES: FSIS invites interested persons to submit comments on this information request. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to *http://www.regulations.gov.* Follow the on-line instructions at that site for submitting comments.
- *Mail, including CD–ROMs, etc.:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Docket Clerk, Patriots Plaza 3, 1400 Independence Avenue SW., Mailstop 3782, Room 8–163A, Washington, DC 20250–3700.
- *Hand- or Courier-Delivered Submittals:* Deliver to Patriots Plaza 3, 355 E Street SW., Room 8–163A, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2014–0016. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to *http://www.regulations.gov.*

Docket: For access to background documents or comments received, go to the FSIS Docket Room at Patriots Plaza 3, 355 E Street SW., Room 8–164, Washington, DC 20250–3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW., Room 6067, South Building, Washington, DC 20250; (202) 690–6510.

SUPPLEMENTARY INFORMATION:

Title: Food Safety Education Campaign Tracking Research.

Type of Request: New information collection.

Abstract: FSIS has been delegated the authority to exercise the functions of the Secretary of Agriculture (7 CFR 2.18, 2.53) as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*). FSIS protects the public by verifying that meat and poultry products are wholesome, not adulterated, and properly marked, labeled, and packaged.

FSIS, in partnership with the Ad Council, the Food and Drug Administration, and the Center for Disease Control, has developed a national public service advertising campaign to educate the public about the importance of safe food handling and how to reduce the risks associated with foodborne illness. The Ad Council and FSIS are seeking approval of an information collection to help measure the impact of the campaign. The collection will take the form of a survey among members of the target audience, parents and guardians, age 20–45, who are caregivers to children under the age of 12 and cook meals at home at least four times per week. The survey will gauge awareness of the advertising, attitudes regarding safe food preparation, and self-reported prevention behaviors. The survey was fielded once prior to launch of materials (benchmark) in 2011, and again in 2012 (wave 2), to assess any shifts following campaign launch. A third wave of the study is planned for later in 2014 to better understand current sentiments surrounding food safe behaviors.

The Ad Council will use the same phone survey methodology in this survey as in the benchmark and wave 2 surveys in order to allow for comparison of any shifts in awareness, attitudes, and behavior over time. While the respondents who participated in the benchmark or wave 2 surveys will not be the same as those in the wave 3 survey, the same quotas will be set to ensure that the wave 3 sample characteristics are similar to the prior waves (e.g., 40%/60% mix of men and women, ages 20–45 years old, mix of income levels). This approach allows us to assess trends over time (2011–2014) on key campaign objectives.

Estimate of Burden: FSIS estimates that it will take each respondent 15 minutes and each non-respondent 2 minutes to participate in the survey.

Respondents: Consumers.

Estimated No. of Respondents: 1200 respondents and 6000 non-respondents.

Estimated No. of Annual Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 500 hours. Copies of this information collection assessment can be obtained from Gina Kouba, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence SW., Room 6077, South Building, Washington, DC 20250, (202) 690–6510.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of FSIS's functions, including whether the information will have practical utility; (b) the accuracy of FSIS's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information, including through the use of appropriate automated, electronic, mechanical, or other technological collection

techniques, or other forms of information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20253.

Responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Additional Public Notification

FSIS will announce this notice online through the FSIS Web page located at *http://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/federal-register.*

FSIS will also make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also available on the FSIS Web page. In addition, FSIS offers an electronic mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at *http://www.fsis.usda.gov/wps/portal/fsis/programs-and-services/email-subscription-service.*

Options range from recalls to export information to regulations, directives, and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

USDA Nondiscrimination Statement

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.)

Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's Target Center at 202–720–2600 (voice and TTY).

To file a written complaint of discrimination, write USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250–9410 or call 202–720–5964 (voice and TTY). USDA is an equal opportunity provider and employer.

Done at Washington, DC, on June 9, 2014.

Alfred V. Almanza,

Administrator.

[FR Doc. 2014–13794 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2014–0014]

Retail Exemptions Adjusted Dollar Limitations

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice.

SUMMARY: The Food Safety and Inspection Service (FSIS) is announcing the dollar limitations on the amount of meat and meat food products, poultry, and poultry products that a retail store can sell to hotels, restaurants, and similar institutions without disqualifying itself for exemption from Federal inspection requirements. In accordance with FSIS's regulations, for calendar year 2014, the dollar limitation for meat and meat food products is being increased from $69,600 to $70,400 and for poultry products from $54,500 to $57,100. FSIS is changing the dollar limitations from calendar year 2013 based on price changes for these products evidenced by the Consumer Price Index.

DATES: July 14, 2014.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Issuances Staff, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW., Room 6067, South Building, Washington, DC 20250; (202) 690–6510.

SUPPLEMENTARY INFORMATION:

Background

The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) provide a comprehensive statutory framework to ensure that meat, meat food products, poultry, and poultry products prepared for commerce are wholesome, not adulterated, and properly labeled and packaged. Statutory provisions requiring inspection of the preparation or processing of meat, meat food, poultry, and poultry products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants when those operations are conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities (21 U.S.C. 661(c)(2) and 454(c)(2)). FSIS's regulations (9 CFR 303.1(d) and 381.10(d)) elaborate on the conditions under which requirements for inspection do not apply to retail operations involving the preparation of meat and meat food, and processing of poultry and poultry products.

Sales to Hotels, Restaurants, and Similar Institutions

Under these regulations, sales to hotels, restaurants, and similar institutions (other than household consumers) disqualify a retail store for exemption if the product sales exceed either of two maximum limits: 25 percent of the dollar value of total product sales or the calendar year dollar limitation set by the Administrator. The dollar limitation is adjusted automatically during the first quarter of the year if the Consumer Price Index (CPI), published by the Bureau of Labor Statistics, shows an increase or decrease of more than $500 in the price of the same volume of product for the previous year. FSIS publishes a notice of the adjusted dollar limitations in the **Federal Register**. (See 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).)

The CPI for 2013 reveals an annual average price increase for meat and meat food products at 1.2 percent and for poultry products at 4.7 percent. When rounded to the nearest $100, the dollar limitation for meat and meat food products increased by $800 and the dollar limitation for poultry products increased by $2,600. Because the dollar limitation of meat and meat food products and poultry products increased by more than $500, FSIS is increasing the dollar limitation on sales to hotels, restaurants, and similar institutions to $70,400 for meat and meat food products and to $57,100 for poultry products for calendar year 2014, in accordance with 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).

Additional Public Notification

FSIS will announce this notice online through the FSIS Web page located at *http://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/federal-register*

FSIS will also make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of

information that could affect or would be of interest to constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also available on the FSIS Web page. In addition, FSIS offers an electronic mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at *http://www.fsis.usda.gov/wps/portal/fsis/programs-and-services/email-subscription-service.*

Options range from recalls to export information to regulations, directives, and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

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Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's Target Center at 202–720–2600 (voice and TTY).

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Done at Washington, DC on: June 9, 2014.

Alfred V. Almanza,

Administrator.

[FR Doc. 2014–13795 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF AGRICULTURE

Forest Service

Francis Marion-Sumter Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Francis Marion-Sumter Resource Advisory Committee (RAC) will meet in Columbia, South Carolina. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. The meetings are open to the public. The purpose of the meetings is to review project proposals and recommend Title II funds.

DATES: The meetings will be held at 9:30 a.m. on the following dates:

- July 22, 2014
- July 23, 2014
- July 24, 2014

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the Francis Marion and Sumter National Forests (NF) Headquarters' Office, 4931 Broad River Road, Columbia, South Carolina.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Francis Marion and Sumter NF Headquarters' Office. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Mary Morrison, RAC Coordinator, by phone at 803–561–4000 or via email at *mwmorrison@fs.fed.us*.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Additional RAC information, including the meeting agenda and the meeting summary/minutes can be found at the following Web site: *https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure_rural_schools.nsf/Web_Agendas?OpenView&Count=1000&RestrictToCategory=Francis+Marion-Sumter*. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by July 2, 2014 to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to, Attention: Mary Morrison, Francis Marion & Sumter National Forests, 4931 Broad River Road, Columbia, South Carolina 29212; via email at *mwmorrison@fs.fed.us* or via facsimile to 803–561–4004.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: June 5, 2014.

John Richard Lint,

Forest Supervisor.

[FR Doc. 2014–13711 Filed 6–11–14; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

South Central Idaho Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The South Central Idaho Resource Advisory Committee (RAC) will meet in Twin Falls, Idaho. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. The meeting is open to the public. The purpose of the meeting is to review and recommend Title II projects for the Salmon-Challis National Forest brought forward by the Central Idaho RAC subcommittee to the South Central Idaho RAC.

DATES: The meeting will be held June 27, 2014 from 9:00–11:00. All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held by teleconference. The number to call in

will be: 888–844–9904 the passcode is 2552600#.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, Idaho. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Julie Thomas, Designated Federal Official by phone at 208–737–3262 or via email at *jathomas@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday. Please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accomodation for access to the facility or procedings by contacting the person listed **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION: Additional RAC information, including the meeting agenda and the meeting summary/minutes can be found at the following Web site: *http://fs.usda.gov/Sawtooth*. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by June 19, 2014 to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Julie Thomas, Designated Federal Official, Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, Idaho 83301, or by email to *jathomas@fs.fed.us*, or via facsimile to 208–737–3236.

Dated: June 5, 2014.

Nathan Lancaster,

Acting Forest Supervisor.

[FR Doc. 2014–13707 Filed 6–11–14; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Kenai Peninsula-Anchorage Borough Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meetings.

SUMMARY: The Kenai Peninsula-Anchorage Borough Resource Advisory Committee (RAC) will meet in Portage, Alaska. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. The meetings are open to the public. The purpose of the meetings is to monitor current projects and the review and recommendation of new projects.

DATES: The meetings will be held at 10:00 a.m. on the following dates:

- July 12, 2014
- July 19, 2014
- July 26, 2014

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meetings will be held at Begich Boggs Visitor Center, 800 Portage Lake Loop, Portage, Alaska. If you are not able to meet in person, you can still participate via teleconference, by contacting the person listed **FOR FURTHER INFORMATION CONTACT**.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Glacier Ranger District. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: April Dent, RAC Coordinator, by phone at 907–754–2313, or via email at *aprilmdent@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Additional RAC information, including the meeting agenda and the meeting summary/minutes can be found at the following Web site: *https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure_rural_schools.nsf.* The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by July 8, 2014 to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Tim Charnon, District Ranger, Glacier Ranger District, P.O. Box 129, Girdwood, Alaska 99587; by email to *tcharnon@fs.fed.us* or via facsimile to (907) 783–2094.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: June 5, 2014.

Peter Keller,

Acting Forest Supervisor.

[FR Doc. 2014–13708 Filed 6–11–14; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Notice; Meeting

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of business meeting.

DATE AND TIME: Friday, June 20, 2014; 9:30 a.m. EST

PLACE: 1331 Pennsylvania Ave. NW., Suite 1150, Washington, DC 20425.

Meeting Agenda

I. Approval of Agenda

II. Program Planning

- Discussion and Vote on Part A & Part B of the Statutory Enforcement Report: Patient Dumping
- Discussion and Vote on Part A & Part B of the briefing report: Increasing Compliance with Section 7 of the NVRA
- Discussion and Vote on Part B of the briefing report: Sex Trafficking: A Gender-Based Civil Rights

Violation
- Discussion and Vote on Part B of the briefing report: Engagement with Arab and Muslim American Communities Post 9/11
- Consideration and Vote on Commission Resolution Commemorating the Anniversary of the Civil Rights Act of 1964
- Procedural Discussion re: Voting on Briefing Topics for FY15
- Update on July 25, 2014 Briefing on the Department of Education Office of Civil Rights and the Department of Justice Office of Civil Rights Enforcement of Sexual Harassment Policy at Educational Institutions

III. Management and Operations
- Staff Director's Report

IV. State Advisory Committee (SAC) Appointments
- California
- Hawaii
- Nebraska

V. Adjourn Meeting

CONTACT PERSON FOR FURTHER INFORMATION: Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376–8591.

Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact Pamela Dunston at (202) 376–8105 or at *signlanguage@usccr.gov* at least seven business days before the scheduled date of the meeting.

Dated: June 9, 2014.

Marlene Sallo,

Staff Director.

[FR Doc. 2014–13814 Filed 6–10–14; 11:15 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: SSA Supplement on Retirement, Pensions, and Related Content.

OMB Control Number: None.

Form Number(s): SIPP–SSA(L1)2014.

Type of Request: New collection.

Number of Respondents: 73,500.

Average Hours per Response: 30 minutes.

Burden Hours: 36,750.

Needs and Uses: The U.S. Census Bureau requests authorization from the Office of Management and Budget (OMB) to conduct the SSA Supplement on Retirement, Pensions, and Related Content (SSA Supplement) for the Social Security Administration (SSA). The Census Bureau and the SSA entered into an Interagency Agreement (IAA) in May 2010 that states the Census Bureau will conduct for the SSA a survey to collect data on retirement, pensions, marital history, and disabilities as a supplement to the 2014 Survey of Income and Program Participation (SIPP) Panel, and process the data. That original agreement was renewed each year by IAA modifications from 2011 to 2014.

The data topics included in the SSA Supplement were previously collected in topical modules in the former SIPP Panels. These data were excluded from the 2014 SIPP data collection design as they were not required in each wave of data collection, and their elimination from the core interview reduced recurring respondent burden during the revised annual SIPP interview. To continue to have data for incorporation into their programmatic evaluations, the SSA has requested that the Census Bureau conduct the SSA Supplement beginning in September 2014. SSA specifically requested that the interview follow-up interviewed Wave 1 SIPP respondents, necessitating it's fielding after the completion of the 2014 SIPP Wave 1 interview. This differs from the topical module concept in previous SIPP panels where the topical modules were administered in conjunction with the core SIPP interview. The SSA Supplement will be conducted about 4 months following the completion of the 2014 SIPP Panel Wave 1 data collection. The time from the 2014 SIPP Wave 1 interview to the SSA Supplement interview may be as long as 8 months or as short as 4 months. The SSA Supplement is designed to occur only once during the 2014 SIPP Panel.

The main objective of the SSA Supplement is to provide the SSA with detailed information about personal retirement plans (e.g., Individual Retirement Accounts (IRAs), Keogh accounts, 401k, 403b, 503b, and thrift plans); participation in pension and retirement plans provided by an employer or business; current and previous marital status; self-designation of health status; work disability; and adult and child disability. These data are collected from SIPP interviewed Wave 1 respondents, and along with data collected in the 2014 Panel SIPP interviews, will allow the SSA to create a picture of the economic and social situation of people with disabilities and/or those in or approaching retirement. The SSA also needs to estimate those legally eligible for Old Age Survivors and Disability Insurance (OASDI) divorce benefits, that is, 120 months of marriage before divorce to an entitled worker. This information assists the SSA in making informed decisions about policies and programs that will affect older and/or disabled Americans.

The SSA bases two of its major policy micro-simulations on the SIPP: (1) Modeling Income in the Near Term (MINT) for evaluating Social Security reform; and, (2) the Financial Eligibility Model (FEM) for evaluating Supplemental Security Income (SSI), Qualified Medicare Beneficiary, and Medicare Part-D Low Income Subsidy (LIS) programs.

MINT projects the economic and demographic condition of older Americans based on data developed by SSA and the Census Bureau. MINT is continually updated using data from current SIPP panels. SSA uses MINT to simulate the impact of legislative changes to OASDI. The MINT estimates are relied upon by the Office of Management and Budget, the Council of Economic Advisors, the Congress, the Governmental Accountability Office, and the SSA. MINT is also used to estimate economic well-being indicators of older Americans in future years. Of specific importance to the SSA is the impact of the legislative changes on the economic well-being of future beneficiaries. The SSA also assesses people's ability to save for retirement (including the behavior of people putting money into and taking money out of retirement accounts), marital histories of the population, and eligibility for OASDI survivor and retirement benefits.

The FEM assists policy makers in evaluating the effectiveness of the SSI program. Information from SIPP is matched to SSA administrative data to model SSI eligibility and participation and to study eligibility for Medicare buy-in programs and the LIS under Medicare Part-D. Information on disability and work limitations are used to estimate whether an individual meets the disability criteria for SSI eligibility and if the criteria need to be modified.

Since the 1996 SIPP panel, the SSA has used data collected by the SIPP for policy evaluation research and the modification of government programs. Prior to the 2014 SIPP redesign, the data came from core questions asked each Wave and from intermittent topical supplements. As part of an effort to streamline the annual data collection in the SIPP instrument, the redesigned SIPP does not include some topical data previously used by the SSA for the MINT and FEM models.

The data collected in the Supplement will allow the SSA to do a comparative analysis of the effect of the economic downturn and make adjustments to their MINT and FEM models if substantial differences in the data are identified. The SSA cannot obtain these data from any other source.

The SSA Supplement is the first externally sponsored survey to take advantage of the opportunity to integrate with the new SIPP annual interviewing design. The value of integrating the SSA Supplement content with the longitudinal SIPP data collection is a benefit to both programs. The SSA Supplement data will be matchable to SIPP respondents and will be released as public use data. The details about the population's savings behavior and their disability status coupled with four-year longitudinal data for the population will be an important resource extending the utility of both data collections and will support stakeholders beyond the limits of the partner agencies. The power of the new SIPP program to support interagency projects like this is an important feature in the SIPP program's redesign.

Affected Public: Individuals or households.

Frequency: One time.

Respondent's Obligation: Voluntary.

Legal Authority: The SSA Supplement is authorized by Title 13, United States Code, Section 8(b) and by Section 1110 [42 U.S.C. 1310] (a)(1) of the Social Security Act.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: June 6, 2014.

Glenna Mickelson,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–13671 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Office of the Secretary

Proposed Information Collection; Comment Request; Complaint of Discrimination Against the U.S. Department of Commerce

AGENCY: Office of the Secretary, Office of Civil Rights, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before August 11, 2014.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *JJessup@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Kathryn Anderson, 202–482–3680, or *KAnderson@doc.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Equal Employment Opportunity Commission (EEOC) regulations at 29 CFR 1614.106 require that a Federal employee or applicant for Federal employment alleging discrimination based on race, color, sex, national origin, religion, age, disability, or reprisal for protected activity must submit a signed statement that is sufficiently precise to identify the actions or practices that form the bases of the complaint. Although complainants are not required to use the proposed form to file their complaints, the Office of Civil Rights strongly encourages its use to ensure efficient case processing and trend analyses of complaint activity.

II. Method of Collection

A paper form, signed by the complainant or his or her designated representative, must be submitted by mail or delivery service, in person, or by facsimile transmission.

III. Data

OMB Control Number: 0690–0015.

Form Number: CD–498.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Individuals or households.

Estimated Number of Respondents: 400.

Estimated Time per Response: 30 minutes.

Estimated Total Annual Burden Hours: 200.

Estimated Total Annual Cost to Public: $0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

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

Dated: June 6, 2014.

Glenna Mickelson,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–13657 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–BP–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–13–2014]

Foreign-Trade Zone 21—Charleston, South Carolina; Authorization of Production Activity; MAHLE Behr Charleston, Inc. (Automotive Engine Components); Charleston, South Carolina

On February 6, 2014, the South Carolina State Ports Authority, grantee of FTZ 21, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of MAHLE Behr Charleston, Inc., in Charleston, South Carolina.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (79 FR 10093, 2–24–2014). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: June 6, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–13793 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–43–2014]

Notification of Proposed Production Activity; Suzuki Manufacturing of America Corporation, Subzone 26L (All-Terrain Vehicles), Rome, Jonesboro and Cartersville, Georgia

Georgia Foreign-Trade Zone, Inc., grantee of FTZ 26, submitted a notification of proposed production activity to the FTZ Board on behalf of Suzuki Manufacturing of America Corporation (SMAC), operator of Subzone 26L, at its facilities located in Rome, Jonesboro and Cartersville, Georgia. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on May 21, 2014.

SMAC already has authority to produce all-terrain vehicles (ATVs) and related components (carriers, footrests, fuel tanks, grips/handle bars, frames, rear box assemblies). The current request would add certain foreign components to the scope of authority. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific foreign-status components and specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt SMAC from customs duty payments on the foreign status components used in export production. On its domestic sales, SMAC would be able to choose the duty rate during customs entry procedures that applies to ATVs, carriers, footrests, fuel tanks, grips/handle bars, frames, and rear box assemblies (2.5%) for the foreign status inputs noted below and in the existing scope of authority. Customs duties also could possibly be deferred or reduced on foreign status production equipment.

The components and materials sourced from abroad include: Plastic resins; chip plates; rubber hoses with/without fittings; rubber v-belts; tires and tubes; steel tubing; runners/banners; printed books/manuals/brochures; chain cam/oil pump drives; fasteners, of steel and aluminum; aluminum gaskets; mountings and brackets; fenders; oil strainers; crankshaft bearings and assemblies; bearing housings; metal gaskets; stainless o-rings; batteries; spark plugs; starter motors; capacitive discharge ignition (CDI) units; magnetos; compact disc sets; gaskets (copper, paper); gear shift assemblies; light bulbs; KD parts of ATVs; gear/fork shafts; therma-coupler nozzles; speedometers; and, battery plates (duty rate ranges from free to 9.0%).

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is July 22, 2014.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002, and in the ''Reading Room'' section of the FTZ Board's Web site, which is accessible via *www.trade.gov/ftz.*

For further information, contact Pierre Duy at *Pierre.Duy@trade.gov* or (202) 482–1378.

Dated: June 6, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–13785 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–970]

Multilayered Wood Flooring From the People's Republic of China; Preliminary Results of Antidumping Duty New Shipper Reviews; 2012–2013

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

SUMMARY: The Department of Commerce (''the Department'') is conducting a new shipper review of the antidumping duty order on multilayered wood flooring (''MLWF'') from the People's Republic of China (''PRC''). The review covers three exporters of subject merchandise, Dalian Huade Wood Product Co., Ltd (''Huade''), Linyi Bonn Flooring Manufacturing Co., Ltd. (''Bonn Flooring''), and Zhejiang Fuerjia Wooden Co., Ltd. (''Fuerjia''). We preliminarily find that Huade, Bonn Flooring and Fuerjia have not made sales of subject merchandise at less than normal value. The period of review (''POR'') for Bonn Flooring and Fuerija is December 1, 2012 through May 31, 2013. The POR for Huade is December 1, 2012, through June 30, 2013.[1]

DATES: *Effective Date:* June 12, 2014.

FOR FURTHER INFORMATION CONTACT: James Martinelli or Magd Zalok, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2923 or (202) 482–4162, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise covered by the order includes MLWF, subject to certain exceptions.[2] The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (''HTSUS'') subheadings: 4412.31.0520; 4412.31.0540; 4412.31.0560; 4412.31.2510; 4412.31.2520; 4412.31.4040; 4412.31.4050; 4412.31.4060; 4412.31.4070; 4412.31.4075; 4412.31.4080; 4412.31.5125; 4412.31.5135; 4412.31.5155; 4412.31.5165; 4412.31.6000; 4412.31.9100; 4412.32.0520; 4412.32.0540; 4412.32.0560; 4412.32.0565; 4412.32.0570; 4412.32.2510; 4412.32.2520; 4412.32.2525; 4412.32.2530; 4412.32.3125; 4412.32.3135; 4412.32.3155; 4412.32.3165; 4412.32.3175; 4412.32.3185; 4412.32.5600; 4412.39.1000; 4412.39.3000; 4412.39.4011; 4412.39.4012; 4412.39.4019; 4412.39.4031; 4412.39.4032; 4412.39.4039; 4412.39.4051; 4412.39.4052; 4412.39.4059; 4412.39.4061; 4412.39.4062; 4412.39.4069; 4412.39.5010; 4412.39.5030; 4412.39.5050; 4412.94.1030; 4412.94.1050; 4412.94.3105; 4412.94.3111; 4412.94.3121; 4412.94.3131; 4412.94.3141; 4412.94.3160; 4412.94.3171; 4412.94.4100; 4412.94.5100; 4412.94.6000; 4412.94.7000; 4412.94.8000; 4412.94.9000; 4412.94.9500; 4412.99.0600; 4412.99.1020; 4412.99.1030;

[1] *See Multilayered Wood Flooring from the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews; 2012–2013,* 78 FR 46318 (July 31, 2013) (''Initiation Notice'') for an explanation of the different PORs.

[2] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration ''Decision Memorandum for Preliminary Results of Antidumping Duty New Shipper Review: Multilayered Wood Flooring from the People's Republic of China,'' dated June 6, 2014 (''Preliminary Decision Memorandum'') for a full description of the Scope of the Order.

4412.99.1040; 4412.99.3110; 4412.99.3120; 4412.99.3130; 4412.99.3140; 4412.99.3150; 4412.99.3160; 4412.99.3170; 4412.99.4100; 4412.99.5100; 4412.99.5105; 4412.99.5115; 4412.99.5710; 4412.99.6000; 4412.99.7000; 4412.99.8000; 4412.99.9000; 4412.99.9500; 4418.71.2000; 4418.71.9000; 4418.72.2000; 4418.72.9500; and 9801.00.2500.

The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the order is dispositive.

Extension of Deadlines for Preliminary Results

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013.[3] Therefore, all deadlines in this segment of the proceeding have been extended by 16 days. The revised deadline for the preliminary results of this review was February 6, 2014. Additionally, on January 15, 2014, the Department extended the time period for issuing the preliminary results of this review by 90 days, until May 7, 2014.[4] Finally, on April 22, 2014, the Department extended the time period for issuing the preliminary results of this review by an additional 30 days, until June 6, 2014.[5]

Methodology

The Department is conducting this review in accordance with sections 751(a)(1)(B) and 751(a)(2)(B) of the Tariff Act of 1930, as amended (''the Act'') and 19 CFR 351.214. The Department calculated export prices in accordance with section 772 of the Act. Because the PRC is a nonmarket economy (''NME'') within the meaning of section 771(18) of the Act, the Department calculated normal value in accordance with section 773(c) of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum, dated concurrently with these results and hereby adopted by this notice. The Preliminary Decision Memorandum is a public document 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. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at *http://enforcement.trade.gov/frn.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of New Shipper Reviews

The Department preliminarily determines that the following weighted-average dumping margin exists:

Exporter	Producer	Weighted-average dumping margin (percent)
Dalian Huade Wood Product Co., Ltd	Dalian Huade Wood Product Co., Ltd	0.00
Linyi Bonn Flooring Manufacturing Co., Ltd	Linyi Bonn Flooring Manufacturing Co., Ltd	0.00
Zhejiang Fuerjia Wooden Co., Ltd	Zhejiang Fuerjia Wooden Co., Ltd	0.00

Disclosure and Public Comment

The Department intends to disclose calculations performed for these preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.[6] Rebuttals to case briefs may be filed no later than five days after the written comments are filed.[7] A table of contents, list of authorities used, and an executive summary of issues should accompany any briefs submitted to the Department. This summary should be limited to five pages total, including footnotes.

Any interested party may request a hearing within 30 days of publication of this notice.[8] Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.[9]

The Department intends to issue the final results of these new shipper reviews, which will include the results of its analysis of issues raised in any such comments, within 90 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuing the final results of these new shipper reviews, the Department shall determine, and U.S. Customs and Border Protection (''CBP'') shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of this new shipper review. For any individually examined respondents whose weighted-average dumping margin is above *de minimis,* we will calculate importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).[10]

[3] *See* Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government'' (October 18, 2013).

[4] *See* Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, regarding ''Multilayered Wood Flooring from the People's Republic of China: Extension of Deadline for Preliminary Results of Antidumping Duty New Shipper Review'' (January 15, 2014).

[5] *See* Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, regarding ''Multilayered Wood Flooring from the People's Republic of China: Extension of Deadline for Preliminary Results of Antidumping Duty New Shipper Review'' (April 22, 2014).

[6] *See* 19 CFR 351.309(c); *see also* 19 CFR 351.303 (for general filing requirements).

[7] *See* 19 CFR 351.309(d).

[8] *See* 19 CFR 351.310(c).

[9] *See* 19 CFR 351.310(d).

[10] In these preliminary results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping*

We will instruct CBP to assess antidumping duties on all appropriate entries covered by these new shipper reviews when the importer-specific assessment rate calculated in the final results of this review is above *de minimis.* Where either the respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The Department announced a refinement to its assessment practice in NME cases. Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by Bonn Flooring, Fuerjia and Huade for these new shipper reviews, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that the exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's rate) will be liquidated at the PRC-wide rate.[11]

The final results of these new shipper reviews shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of these reviews and for future deposits of estimated duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of these new shipper reviews for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that rate established in the final results of these new shipper reviews (except, if the rate is zero or *de minimis,* then a zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing producer/exporter-specific combination rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity, or 58.84 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC producer/exporter combination that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act and 19 CFR 351.214.

Dated: June 6, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Discussion of the Methodology
5. Bona Fide Sale Analysis
6. Non-Market Economy Country Status
7. Separate Rates
8. Separate Rates Recipients
9. Surrogate Country
10. Economic Comparability
11. Significant Producer of Comparable Merchandise
12. Data Availability
13. Date of Sale
14. Fair Value Comparisons
15. Differential Pricing Analysis
16. Results of the Differential Pricing Analysis
17. U.S. Price
18. Value Added Tax
19. Normal Value
20. Factor Valuations
21. Currency Conversion
22. Section 777A(f) of the Act

[FR Doc. 2014–13766 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–DS–P

Proceedings: Final Modification, 77 FR 8101 (February 14, 2012).

[11] For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Cooperative Charting Programs

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before August 11, 2014.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *JJessup@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Ken Forster, (301) 713–2717 x153 or *ken.forster@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for revision and extension of a current information collection. The U.S. Power Squadrons and the U.S. Coast Guard Auxiliary members report observations of changes that require additions, corrections or revisions to Nautical Charts using a Web site to report the information. The information provided is used by NOAA National Ocean Service to maintain and prepare new additions that are used Nationwide by commercial and recreational navigators.

Revision: Formerly a paper form was used for U.S. Coast Guard Auxiliary reporting.

II. Method of Collection

Submissions are made via the Internet.

III. Data

OMB Control Number: 0648–0022.

Form Number: N/A.

Type of Review: Regular submission (revision and extension of a current information collection).

Affected Public: Individuals or households; not-for-profit institutions.

Estimated Number of Respondents: 600.

Estimated Time per Response: 2 hours, 30 minutes.

Estimated Total Annual Burden Hours: 2,400.

Estimated Total Annual Cost to Public: $0 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

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

Dated: June 6, 2014.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–13703 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD235

International Whaling Commission; 65th Meeting; Announcement of Public Meetings

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

ACTION: Notice of public meeting.

SUMMARY: This notice announces the date, time, and location of the public meeting being held prior to the 65th International Whaling Commission (IWC) meeting.

DATES: The public meeting will be held August 7, 2014, at 2 p.m.

ADDRESSES: The meeting will be held in the NOAA Science Center Room, 1301 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Melissa Garcia, 301–427–8385.

SUPPLEMENTARY INFORMATION: The Secretary of Commerce is responsible for discharging the domestic obligations of the United States under the International Convention for the Regulation of Whaling, 1946. The U.S. IWC Commissioner has responsibility for the preparation and negotiation of U.S. positions on international issues concerning whaling and for all matters involving the IWC. The U.S. IWC Commissioner is staffed by the Department of Commerce and assisted by the Department of State, the Department of the Interior, the Marine Mammal Commission, and other U.S. Government agencies.

A draft agenda for the upcoming IWC meeting is posted on the IWC Secretariat's Web site at *http://www.iwc.int*.

NOAA will a hold public meeting to discuss the tentative U.S. positions for the September 2014 IWC meeting in Slovenia. Because the meeting will address U.S. positions, the substance of the meeting must be kept confidential. Any U.S. citizen with an identifiable interest in U.S. whale conservation policy may participate, but NOAA reserves the authority to inquire about the interests of any person who appears at the meeting and to determine the appropriateness of that person's participation. In particular, persons who represent foreign interests may not attend. Persons deemed by NOAA to be ineligible to attend will be asked to leave the meeting. These stringent measures are necessary to protect the confidentiality of U.S. negotiating positions.

The August 7, 2014, meeting will be held in the NOAA Science Center Room, 1301 East-West Highway, Silver Spring, MD 20910. Photo identification is required to enter the building.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Melissa Garcia, *Melissa.Garcia@noaa.gov* or 301–427–8385, by July 24, 2014.

Dated: June 9, 2014.

Jean-Pierre Plé,

Acting Director, Office of International Affairs, National Marine Fisheries Service.

[FR Doc. 2014–13801 Filed 6–11–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD269

Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Issuance of Permit

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

ACTION: Notice; request for comments.

SUMMARY: NMFS plans to issue a permit for a period of three years to authorize the incidental, but not intentional, taking of three stocks of marine mammals listed as threatened or endangered under the Endangered Species Act (ESA) by the Hawaii deep-set and shallow-set longline fisheries. In accordance with the Marine Mammal Protection Act (MMPA), NMFS must issue this permit provided that it can make the determinations that: The incidental take will have a negligible impact on the affected stocks; a recovery plan for all affected stocks of threatened or endangered marine mammals has been developed or is being developed; and as required by the MMPA, a take reduction plan and monitoring program have been implemented and vessels in the Hawaii deep-set and shallow-set longline fisheries are registered. NMFS has made a preliminary determination that incidental taking from commercial fishing will have a negligible impact on the endangered humpback whale, Central North Pacific (CNP) stock; sperm whale, Hawaii stock; and false killer whale, Main Hawaiian Islands (MHI) insular stock. Recovery plans have been completed for humpback and sperm whales, and a recovery plan has been initiated for MHI insular false killer whales. NMFS solicits public comments on the draft negligible impact determination and on the proposal to issue a permit to vessels that operate in these fisheries for the taking of affected endangered stocks of marine mammals.

DATES: Comments must be received by July 14, 2014.

ADDRESSES: The draft Negligible Impact Determination and list of references contained in this notice are available in electronic form via the Internet at: *http://www.fpir.noaa.gov/DIR/dir_public_documents.html.*

You may submit comments, identified by NOAA–NMFS–2014–0052, by any of the following methods:

Electronic Submissions: Submit all electronic public comments via the

Federal eRulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2014-0052,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.

Mail: Send comments or requests to: Alecia VanAtta, Assistant Regional Administrator, Protected Resources Division, Pacific Islands Region, 1845 Wasp Blvd., Building 176; Honolulu, HI 96818. Comments may also be faxed to (808) 973–2941.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter N/A in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Dawn Golden, NMFS Pacific Islands Region, (808) 725–5144, or Shannon Bettridge, NMFS Office of Protected Resources, (301) 427–8402.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(E) of the Marine Mammal Protection Act (MMPA), 16 U.S.C. 1361 *et seq.,* states that NOAA's National Marine Fisheries Service (NMFS), as delegated by the Secretary of Commerce, shall for a period of up to three years allow the incidental taking of marine mammal species listed under the Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.,* by persons using vessels of the United States and those vessels which have valid fishing permits issued by the Secretary in accordance with section 204(b) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1824(b), while engaging in commercial fishing operations, if NMFS makes certain determinations. NMFS must determine, after notice and opportunity for public comment, that: (1) Incidental mortality and serious injury (M&SI) will have a negligible impact on the affected species or stock; (2) a recovery plan has been developed or is being developed for such species or stock under the ESA; and (3) where required under section 118 of the MMPA, a monitoring program has been established, vessels engaged in such fisheries are registered in accordance with section 118 of the MMPA, and a take reduction plan has been developed or is being developed for such species or stock.

NMFS is considering the issuance of a permit under MMPA section 101(a)(5)(E) to vessels registered in the Hawaii deep-set longline fishery to incidentally take individuals from three stocks of threatened or endangered marine mammals: The Central North Pacific (CNP) stock of humpback whales (*Megaptera novaeangliae*), the Hawaii stock of sperm whales (*Physeter macrocephalus*), and the MHI insular stock of false killer whales (*Pseudorca crassidens*); and to vessels registered in the Hawaii shallow-set longline fishery to incidentally take individuals from the CNP stock of humpback whales. The data for considering these authorizations were reviewed coincident with the preparation of the 2014 MMPA List of Fisheries (LOF or List) (79 FR 14418, March 14, 2014), the 2013 marine mammal draft stock assessment reports (SARs) (Carretta et al. 2013; Allen and Angliss 2013), recovery plans for humpback and sperm whales, the False Killer Whale Take Reduction Plan, and other relevant sources.

The vessels operating in the Hawaii deep-set and the shallow-set longline fisheries are in the ranges of affected stocks and are currently considered for authorization. A detailed description of these fisheries can be found below. The Hawaii deep-set longline fishery is the only Category I fishery operating around Hawaii. The Hawaii shallow-set longline fishery is a Category II fishery; all other Category II fisheries that may interact with the marine mammal stocks observed off the coast of Hawaii are State-managed and are not considered for authorization under this permit. Participants in Category III fisheries are not required to obtain incidental take permits under MMPA section 101(a)(5)(E) but are required to report injuries or mortalities of marine mammals incidental to their operations.

Basis for Determining Negligible Impact

As described above, prior to issuing a permit to take ESA-listed marine mammals incidental to commercial fishing, NMFS must determine if M&SI incidental to commercial fisheries will have a negligible impact on the affected species or stocks of marine mammals. NMFS satisfies this requirement through completion of a negligible impact determination (NID). NMFS clarifies that incidental M&SI from commercial fisheries includes M&SI from entanglement or hooking in fishing gear. Indirect effects, such as the effects of removing prey from habitat, are not included in this analysis. A biological opinion prepared under ESA section 7 considers direct and indirect effects of Federal actions and, thus, contains a broader scope of analysis than is required by MMPA section 101(a)(5)(E).

Although the MMPA does not define ''negligible impact,'' NMFS has issued regulations providing a qualitative definition of ''negligible impact,'' as defined in 50 CFR 216.103 and, through scientific analysis, peer review, and public notice, developed a quantitative approach and, as it applies here, is ''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.'' The development of the approach and process was outlined in detail in the current draft NID made available through this notice and was included in previous notices for other permits to take threatened or endangered marine mammals incidental to commercial fishing (e.g. 72 FR 60814; October 26, 2010; for the CNP stock of humpback whales).

Criteria for Determining Negligible Impact

In 1999 NMFS adopted criteria for making negligible impact determinations for MMPA 101(a)(5)(E) permits (64 FR 28800; May 27, 1999). In applying the 1999 criteria to determine whether M&SI incidental to commercial fisheries will have a negligible impact on a listed marine mammal stock, Criterion 1 (total human-related M&SI is less than 10% of the potential biological removal level (PBR)) is the starting point for analysis. If this criterion is satisfied (i.e., total human-related M&SI is less than 10% of PBR), the analysis would be concluded, and the impact would be determined to be negligible. If Criterion 1 is not satisfied, NMFS may use one of the other criteria as appropriate. The remaining criteria describe alternatives under certain conditions. Criterion 2 is satisfied if the total human-related M&SI is greater than PBR, but fisheries-related M&SI is less than 10% of PBR. If Criterion 2 is satisfied, vessels operating in individual fisheries may be permitted if management measures are being taken to address non-fisheries-related M&SI. Criterion 3 is satisfied if total fisheries-related M&SI is greater than 10% of PBR and less than PBR, and the population is stable or increasing. Fisheries may then be permitted subject to individual

review and certainty of data. Criterion 4 stipulates that if the population abundance of a stock is declining, the threshold level of 10% of PBR will continue to be used. Criterion 5 states that if total fisheries-related serious injuries and mortalities are greater than PBR, permits may not be issued for that species or stock.

The time frame for this analysis includes the most recent 5-year period for which available data have been processed (January 1, 2007 through December 31, 2011). The NMFS Guidelines for the Assessment of Marine Mammal Stocks (GAMMS) and the subsequent GAMMS II provide guidance that, when available, the most recent 5-year time frame of commercial fishery incidental M&SI data is an appropriate measure of the effects of fishing operations on marine mammals (Wade and Angliss 1997). A 5-year time frame provides enough data to adequately capture year-to-year variations in take levels, while reflecting current environmental and fishing conditions, as they may change over time. Additionally, because the permit issued under MMPA section 101(a)(5)(E) is for a three-year period, the most up-to-date data available for complete years are used (i.e., 2007–2011).

Negligible Impact Determinations

The draft NID made available through this notice provides a complete analysis of the criteria for determining whether commercial fisheries off Hawaii are having a negligible impact on the stocks of humpback whales, sperm whales, and MHI insular false killer whales. A summary of the analysis and subsequent negligible impact determinations follows.

Criterion 1 Analysis

Criterion 1 would be satisfied if the total human-related M&SI is less than 10% of PBR. The 5-year (2007–2011) annual average M&SI to the Hawaii stock of sperm whales from all human-caused sources is 0.7 animals, which is 6.89% of this stock's PBR of 10.2 (i.e., below the 10% of PBR [1.02] threshold). Since the beginning of the NMFS Hawaii longline observer program in 1995, no deaths of sperm whales have been attributed to the Hawaii deep-set or shallow-set longline fishery. However, in 2011 a sperm whale was reported seriously injured (prorated as 0.75 serious injury) after interacting with the Hawaii deep-set longline fishery. Two other interactions with sperm whales in 1999 and 2002 were considered non-serious injuries. Based on this low likelihood of interactions, considered together with the lack of impacts of other commercial fisheries and other human-caused impacts, Criterion 1 has been met. Therefore, NMFS determines that M&SI incidental to commercial fisheries will have a negligible impact on the Hawaii stock of sperm whales.

The 5-year (2007–2011) annual average M&SI to the CNP stock of humpback whales from all human-caused sources is 16.20 animals, which is 26.74% of this stock's PBR of 61.2 (i.e., above the 10% of PBR [6.1 animals] threshold). The total annual human-related M&SI for this stock of humpback whales is not less than 10% of PBR for the time frame considered.

The 5-year (2007–2011) annual average M&SI of the MHI insular false killer whale stock from all human-caused sources is estimated to be 0.1 animals, which is 33.3% of this stock's PBR of 0.3 (i.e., above the 10% of PBR [0.03] threshold). The total annual human-related M&SI for this stock of humpback whales is not less than 10% of PBR for the time frame considered.

Criterion 1 was not satisfied for the CNP humpback and MHI insular false killer whales because the total annual human-related M&SI for these two stocks is not less than 10% of PBR for each stock for the time frame considered. As a result, other criteria must be examined for the CNP humpback and MHI insular false killer whale stocks.

Criterion 2 Analysis

Criterion 2 would be satisfied if the total human-related M&SI is greater than PBR, but fisheries-related M&SI is less than 10% of PBR. This criterion was not satisfied for either the CNP humpback or the MHI insular false killer whale because while total human-related M&SI (detailed above) is less than PBR for each stock, and total fisheries-related M&SI (detailed below) is greater than 10% PBR for each stock for the time frame analyzed.

Criterion 3 Analysis

Unlike Criteria 1 and 2, which examine total human-caused M&SI relative to PBR, Criterion 3 compares total fisheries-related M&SI to PBR. Criterion 3 would be satisfied if the total commercial fisheries-related M&SI (including state and federal fisheries) is greater than 10% of PBR and less than PBR for each stock for the time frame considered, and the populations of these stocks are considered to be stable or increasing. If the Criterion is met, vessels may be permitted subject to individual review and certainty of data.

The total fishery-related M&SI from all commercial fisheries for the CNP humpback stock is estimated at 9.35 animals, or 15.3% of the PBR (of 61.2) for the 5-year average from 2007–2011. This is greater than 10% of PBR (6.1 animals) and less than PBR (61.2 animals). The CNP humpback whale stock has a minimum population size of 7,469 and is estimated to be growing at a rate of up to 7% per year. A total of 0.75 humpback whales were observed, estimated, or assumed to have been either killed or seriously injured in the two fisheries considered in this authorization during the 2007–2011 time period. Accordingly, Criterion 3 is satisfied for the time frame analyzed (2007–2011). Therefore, we determine that M&SI of the CNP humpback whale stock incidental to commercial fishing is having a negligible impact on the stock because of individual review of data regarding the stock, including increased growth rate of the stock, limited increases in M&SI due to the relevant fisheries, and the level of human-caused M&SI is below the estimated PBR.

The MHI insular stock of false killer whales meets the initial conditions of Criterion 3. Total commercial fisheries-related M&SI (0.1 animals per year) is greater than 10% of PBR (0.03 animals) and less than PBR (0.3 animals) for the 2007–2011 time period. Although there are some uncertainties in information regarding MHI insular false killer whales, such as abundance, M&SI estimates, and population trend, the best available information indicates that estimated levels of all human-caused M&SI as well as fisheries-related M&SI are both below the stock's PBR level. Below we summarize the uncertainties related to the MHI insular false killer whales M&SI estimate and the population trend.

NMFS considers three stocks of false killer whales (Hawaii pelagic, MHI insular, and Northwestern Hawaiian Islands stocks) to be at risk of interacting with Hawaii longline gear. For the Hawaii longline fisheries considered in this analysis, no MHI insular false killer whale deaths have been observed since the NMFS Hawaii longline observer program began in 1995. From 2004–2012, observers recorded three false killer whale interactions in the deep-set longline fishery and no false killer whale interactions in the shallow-set longline fishery in the MHI insular false killer whale range. In the deep-set longline fishery, observers also recorded three interactions with unidentified blackfish, which are unidentified cetaceans known to be either a false killer whale or a short-finned pilot whale. Genetic sampling and photo identification are currently the only ways to distinguish

MHI insular false killer whales from the other stocks, and these data were not collected from the animals involved in these interactions. When the stock identity of a false killer whale hooked or entangled by the longline fisheries within the overlap zone cannot be determined, NMFS prorates the interaction to either the pelagic or MHI insular stock using a model that assumes densities of MHI insular stock animals decline and pelagic stock densities increase with increasing distance from shore (McCracken 2010).

Based on an analysis conducted for this NID, including the expansion from observed interactions to an estimate of fleet-wide interactions based on the fishery's total effort and the proration of blackfish and false killer whales of unknown stock identity (MHI insular versus pelagic), we estimate that a total of 8.73 interactions occurred with MHI insular false killer whales in the deep-set longline fishery from 2004–2012, including both serious and non-serious injuries. This is a conservative estimate that potentially overestimates the fishery's actual impact on MHI insular false killer whales. The proration model does not account for the Northwestern Hawaiian Islands false killer whale stock that was identified in 2011. For example, in 2012 two observed false killer whale interactions occurred in the area where all three Hawaiian false killer whales stocks overlap, but at this time they can only be attributed (prorated) to the pelagic or MHI insular stocks. In addition, earlier interaction estimates are based on a much smaller abundance estimate for the pelagic false killer whale stock.

MHI insular false killer whales are believed to have declined markedly during the 1990s, although their current population trajectory is unknown (Oleson et al. 2010). However, it is anticipated that the longline fishery's impacts, which were a historical threat to this population, have been or will be further reduced through the recently implemented False Killer Whale Take Reduction Plan (FKWTRP) measures (Carretta et al. 2013). NMFS published the FKWTRP on November 29, 2012 (77 FR 71260) to reduce the M&SI of Hawaii pelagic and MHI insular false killer whales in Hawaii's longline fisheries. The FKWTRP includes regulatory and non-regulatory measures, including: the required use of weak circle hooks, a minimum diameter for monofilament leaders and branch lines, extension of the Main Hawaiian Islands Longline Fishing Prohibited Area, annual training in mitigation techniques, establishment of a Southern Exclusion Zone and triggers for closure, and monitoring and reporting requirements.

Most of the FKWTRP's regulations went into effect on December 31, 2012, but gear requirements for the deep-set longline fishery went into effect on February 27, 2013. The measures have been in place for just over a year, and their effectiveness has not yet been fully evaluated. However, a model developed for this NID predicts that future annual M&SI for the MHI insular false killer whales will remain below the stock's PBR level, based on expected levels of longline fishing effort (McCracken 2014).

NMFS anticipates that continued implementation of the FKWTRP regulations will ensure that reduced rates of fisheries-related M&SI of MHI insular false killer whales are maintained in the deep-set longline fishery. Monitoring and reporting requirements under the FKWTRP will provide NMFS the information necessary to prevent and respond to any unexpected impacts. Based on the low likelihood of interactions, along with reliable rates of observer coverage in both the shallow- and deep-set longline fisheries, considered together with other human-caused impacts, NMFS concludes that Criterion 3 has been met. Therefore, NMFS determines that M&SI incidental to commercial fisheries will have a negligible impact on the MHI insular stock of false killer whales.

In conclusion, based on the criteria outlined in 1999 (64 FR 28800), the 2013 draft Alaska and Pacific SARs (Allen and Angliss 2013; Carretta et al. 2013), and the best scientific information and data available, NMFS has determined that for a period of up to three years, M&SI incidental to the Hawaii deep-set longline fishery and Hawaii shallow-set longline fishery will have a negligible impact on the CNP stock of humpback whales, the Hawaii stock of sperm whales, and the MHI insular stock of false killer whales. Therefore, vessels operating in these identified commercial fisheries within the range of the CNP humpback, Hawaii sperm whale, and MHI insular stocks may be permitted subject to their individual review and the certainty of relevant data, and provided that the other provisions of section 101(a)(5)(E) are met.

Description of Fisheries

The following are the Federally-authorized fisheries classified as Category I and II in the 2014 LOF (NMFS 2014), which are known to seriously injure or kill ESA-listed marine mammals incidental to commercial fishing operations. Detailed descriptions of those fisheries can be found in the Final Biological Opinion on the continued operation of the Shallow-set Longline Swordfish fishery, dated January 30, 2012 (NMFS 2012a); the draft SARs (Carretta et al. 2013, Allen and Angliss 2013); and the draft NID.

In accordance with MMPA section 118(c), only those vessels in the Hawaii deep-set and shallow-set longline fisheries that have registered for a Marine Mammal Authorization Permit are authorized to take marine mammals incidental to their fishing operations. Vessels holding this permit must comply with the FKWTRP and implementing regulations. The longline fisheries are limited access fisheries, with 164 transferable permits of which approximately 130 are currently active. Vessels active in these fisheries are limited to 101 ft in length. Hawaii-based longline vessels vary their fishing grounds depending on their target species. Most effort is to the north and south of the Hawaiian Islands between the equator and 40° N and longitudes 140° and 180° W; however, the majority of deep-set fishing occurs south of 20° N and the majority of shallow-set fishing occurs north of 20° N. The number of active vessels in the combined Hawaii-based deep-set and shallow-set longline fishery increased dramatically in the late 1980s and peaked at 141 vessels in 1991. The number of vessels in the combined longline fisheries has since ranged from 101 to 130. In 2011, 129 Hawaii-based longline vessels were active in the deep-set longline fishery. The deep-set longline fishery operates year-round, although vessel activity increases during the fall and is greatest during the winter and spring months. The annual number of trips for the Hawaii-based longline fisheries has remained relatively stable, but there was a shift from mixed-target and swordfish-target trips to tuna-target trips from the early 1990s up to 2002. In the years 2000–2003, this shift reflected the regulatory closure of the shallow-set and mixed-target fisheries. In 2004, the shallow-set longline fishery was reopened but participation was limited to only six trips. In 2011, there were 1,388 combined longline trips (1,306 deep-set and 182 shallow-set), which resulted in a combined total of 18,623 sets (17,155 deep-set and 1,468 shallow-set). Effort in the combined longline fishery, measured by the number of hooks set, has ranged from approximately 39 to 42 million hooks per year from 2007–2011.

Conclusions for Proposed Permit

Based on the above assessment and as described in the accompanying draft NID, NMFS concludes that the incidental M&SI from the Hawaii deep-set and shallow-set fisheries will have a negligible impact on the CNP stock of humpback whales, the Hawaii stock of sperm whales, and the MHI insular stock of false killer whales. The National Environmental Policy Act (NEPA) requires Federal agencies to evaluate the impacts of alternatives for their actions on the human environment. The impacts on the human environment of continuing the Hawaii deep-set and shallow-set longline fisheries, including the taking of threatened and endangered species of marine mammals, were analyzed in the Regulatory Amendment to the Western Pacific Pelagic Fishery Ecosystem Plan: Revised Swordfish Trip Limits in the Hawaii Deep-set Longline Fishery to Reduce Regulatory Discards with an EA (NMFS and WPFMC 2012); the False Killer Whale Take Reduction Plan EA (NMFS 2012b); Amendment 18 to the Pelagics FMP and Final SEIS (NMFS and WPFMC 2009); Draft Amendment 7 to the Pelagics FEP and draft EA (NMFS 2013b), and in the Final Biological Opinion prepared for the Hawaii shallow-set longline fishery (NMFS 2012a) and the draft Biological Opinion for the Hawaii deep-set longline fishery, currently in preparation, pursuant to the ESA. NMFS has prepared a record of environmental consideration which concludes that because this proposed permit would not modify any fishery operation and the effects of the fishery operations have been evaluated fully in accordance with NEPA, no additional NEPA analysis is required for this permit. Issuing the proposed permit would have no additional impact to the human environment or effects on threatened or endangered species beyond those analyzed in these documents.

Recovery Plans

Recovery Plans for humpback whales and sperm whales have been completed (see *http://www.nmfs.noaa.gov/pr/recovery/plans.htm#mammals*). A Recovery Plan has been initiated for the MHI insular false killer whale (78 FR 60850 October 2, 2013). Accordingly, the requirement to have recovery plans in place or being developed is satisfied.

Vessel Registration

MMPA section 118(c) requires that vessels participating in Category I and II fisheries register to obtain an authorization to take marine mammals incidental to fishing activities. Further, section 118(c)(5)(A) provides that registration of vessels in fisheries should, after appropriate consultations, be integrated and coordinated to the maximum extent feasible with existing fisher licenses, registrations, and related programs. Registration for the Hawaii longline fisheries has been integrated into the existing permit process, and all permitted participants in the Hawaii deep-set and shallow-set longline fisheries are issued annual Marine Mammal Authorization Program certificates with their new or renewed permits. Therefore, vessel registration for an MMPA authorization is integrated through those programs in accordance with MMPA section 118.

Monitoring Program

The Hawaii longline fisheries have been observed by NMFS observers since the mid-1990s. Levels of observer coverage vary over time but are adequate to produce reliable estimates of M&SI of ESA-listed species. From 2002–2013, observer coverage was greater than 20% in the deep-set longline fishery and has been 100% in the shallow-set longline fishery since 2004. Accordingly, as required by MMPA section 118, a monitoring program is in place for both fisheries.

Take Reduction Plans

Subject to available funding, MMPA section 118 requires the development and implementation of a Take Reduction Plan (TRP) in cases where a strategic stock interacts with a Category I or II fishery. The three stocks considered for this permit are designated as strategic stocks under the MMPA because they are listed as endangered under the ESA (MMPA section 3(19)(C)).

In 2010, NMFS established a Take Reduction Team (TRT) to develop a TRP to address the incidental M&SI of Hawaii pelagic and MHI insular false killer whales in the Hawaii-based deep-set and shallow-set longline fisheries. A TRP was implemented, through regulations, in November 2012 (77 FR 71260). The short- and long-term goals of a TRP are to reduce M&SI of marine mammals incidental to commercial fishing to levels below PBR and to insignificant levels approaching a zero M&SI rate (i.e., 10% of PBR), respectively. MMPA section 118(b)(2) states that fisheries maintaining such M&SI levels are not required to further reduce their M&SI rates.

The CNP stock of humpback whales and the Hawaii stock of sperm whales are also strategic stocks that interact with the Hawaii longline fisheries. However, the obligations to develop and implement a TRP are subject to the availability of funding. NMFS has insufficient funding available to simultaneously develop and implement TRPs for all strategic stocks that interact with Category I or Category II fisheries. As provided in MMPA section 118(f)(6)(A) and (f)(7), NMFS used the most recent SARs and LOF as the basis to determine its priorities for establishing TRTs and developing TRPs. Through this process, NMFS evaluated the available data on abundance and fishery-related mortality for the CNP stock of humpback whales and the Hawaii stock of sperm whales, and identified them as a lower priority compared to other marine mammal stocks and fisheries for establishing TRTs, based on M&SI levels below the stocks' PBR levels. The CNP stock of humpback whales and Hawaii stock of sperm whales have been designated as strategic because they are ESA-listed (MMPA section 3(19)(C)) and not because direct human-caused mortality exceeds PBR (MMPA section 3(19)(A)). As determined herein, M&SI for both stocks is currently low and is not expected to adversely affect either stock through effects on annual rates of recruitment or survival. Given these factors and NMFS' priorities, developing a TRP for these stocks will be deferred under section 118 as other stocks/fisheries are a higher priority for any available funding for developing new TRPs.

As noted in the summary above, all of the requirements to issue a permit to vessels that operate in the Federally-authorized Hawaii deep-set and shallow-set longline fisheries have been satisfied. Accordingly, NMFS proposes to issue a permit to participants in the Category I Hawaii deep-set longline fishery for the taking of CNP humpback whales, Hawaii sperm whales, and MHI insular false killer whales, and to the Category II Hawaii shallow-set longline fishery for the taking of CNP humpback whales incidental to the fisheries' operations. As noted under MMPA section 101(a)(5)(E)(ii), no permit is required for vessels in Category III fisheries. For incidental taking of marine mammals to be authorized in Category III fisheries, any injuries or mortality must be reported to NMFS. NMFS solicits public comments on the proposed permit and the preliminary determinations supporting the permit.

Dated: June 6, 2014.

Donna S. Wieting,

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

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BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No.: CFPB–2014–0012]

Request for Information Regarding the Use of Mobile Financial Services by Consumers and Its Potential for Improving the Financial Lives of Economically Vulnerable Consumers

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for information.

SUMMARY: The Consumer Financial Protection Bureau (Bureau or CFPB), established under the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), has as part of its mission to empower consumers to take more control over their economic lives. The Bureau is charged with promoting financial education, researching developments in markets for consumer financial services and products, and providing information, guidance, and technical assistance regarding the offering and provision of consumer financial products or services to traditionally underserved consumers and communities.

This notice seeks information about how consumers are using mobile financial services to access products and services, manage finances and achieve their financial goals with a focus on economically vulnerable consumers. We use ''mobile financial services'' (MFS) in this Request for Information (RFI) to cover mobile banking services and mobile financial management services. The RFI does not address mobile point of sale (''POS'') payments, except with respect to mobile payment products that are targeted specifically for low-income and underserved consumers, where it seeks to learn about how such targeting could benefit or harm those categories of consumers. The information from the responses will be used to inform the Bureau's consumer education and empowerment strategies related to developments in these areas.

DATES: Comments must be received on or before September 10, 2014 to be assured of consideration.

ADDRESSES: You may submit responsive information and other comments, identified by Docket No. CFPB–2014–0012, by any of the following methods:

- *Electronic:* Email *Empowerment@cfpb.gov* or go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.
- *Hand Delivery/Courier:* Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

Instructions: Please note the number associated with any question to which you are responding at the top of each response (you are not required to answer all questions to receive consideration of your comments). The Bureau encourages the early submission of comments. All submissions must include the document title and docket number. Because paper mail in the Washington, DC area and at the Bureau is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to *http://www.regulations.gov.* In addition, comments will be available for public inspection and copying at 1275 First Street NE., Washington, DC 20002, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Standard Time. You can make an appointment to inspect the documents by telephoning 202–435–7275.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: For general inquiries, submission process questions or any additional information, please contact Monica Jackson, Office of the Executive Secretary, at 202–435–7275.

SUPPLEMENTARY INFORMATION: A major development in the consumer financial services market over the past few years has been the increasing use and proliferation of mobile technology to access financial services and manage personal finances. For example, last year 74,000 new customers a day began using mobile banking services. Using a mobile device to access accounts and pay bills can reduce cost and increase convenience for consumers. By enabling consumers to track spending and manage personal finances on their devices through mobile applications or text messages, mobile technology can help consumers achieve their financial goals. For the economically vulnerable, mobile can enhance access to safer, more affordable products and services in ways that can improve their economic lives.

Consumer use of mobile financial services and products—offered by financial institutions, financial technology product developers and providers—has increased over the past few years. According to the Federal Reserve Board's most recent survey on mobile financial services, 93 percent of mobile banking users used mobile banking to check account balances or recent transactions and 24 percent of smartphone users have used their phone to track purchases and expenses during the preceding year. One third (up from 21 percent in 2011) of mobile phone users and over half (up from 42 percent in 2011) of smartphone users used mobile banking services. In the underbanked population, however, a larger percentage of mobile phone users reported using mobile banking (39 percent) in the previous 12 months (compared to 17 percent for all phone users).[1]

Mobile financial services have been identified as having the potential to expand access to more underserved populations.[2] A large percentage of unbanked and underbanked consumers, many of whom are low-income, have access to mobile phones, a significant number of which are smartphones—69 percent of the unbanked have access to a mobile phone, half of which are smartphones; 88 percent of the underbanked have access to a mobile phone, 64 percent of which are smartphones.[3] A majority of unbanked

[1] Bd. of Governors of the Fed. Reserve Sys., *Consumers and Mobile Financial Services 2014* (2014) *available at http://www.federalreserve.gov/econresdata/consumers-and-mobile-financial-services-report-201403.pdf, at* 1–4.

[2] *See, e.g.* Elisa Tavilla, *How Mobile Solutions Help Bridge the Gap: Moving the Underserved to Mainstream Financial Services,* December 2013 at 21–23 *available at, http://www.bostonfed.org/bankinfo/payment-strategies/publications/2013/how-mobile-solutions-help-bridge-the-gap.html.*

[3] *Mobile Financial Services Survey 2014,* Id. at 1–2 (2014). Note that in a recent White Paper, Susan Burhouse, Matthew Homer, Yazmin Osaki, Michael Bachman, *Assessing the Economic Inclusion Potential of Mobile Financial Services,''* April 23, 2014 at 16 *available at, http://www.fdic.gov/consumers/community/mobile/Mobile-Financial-Services-and-Economic-Inclusion-04-23-2014revised.pdf,* authors reported that in the 2013 FDIC Survey of Unbanked and Underbanked Households (October 2014 forthcoming), 90 percent owned a mobile phone, of which 71 percent are smartphones.

households are low-income (81 percent earn below $30,000) and a substantial proportion of consumers in this income bracket (45 percent) who use their mobile phone to access the Internet do so as their primary way to access it.[4]

Accessing financial products, services, and financial management tools via mobile devices has the potential to empower consumers to take more control over their financial lives, to increase savings and reduce debt. Such use can:

• *Help consumers access financial services that meet their needs.* Whether provided by banks or nonbanks, mobile financial services can enable consumers to access myriad products and services that they may not be able to access due to location (not within their community), cost or other barriers to access.

• *Make access to financial services less expensive for consumers and incentivize providers.* For example, bill payments, which can be costly and time-consuming for consumers using cash, may be cheaper, faster and easier using mobile.[5] As acknowledged in a recent White Paper from FDIC, ''[a]lthough there are short-term costs and uncertainties associated with MFS, many industry reports indicate it has potential to reduce the cost of providing banking services.'' [6] One industry estimate cited in the White Paper calculated the average cost of an in-branch transaction was $4.25 whereas the average cost was $0.10 for a mobile transaction.[7]

• *Help with money management to help consumers increase savings and reduce debt.* Mobile presents a faster and easier way to access products and manage money through various features such as online account opening, checking account balances, account alerts, faster funds transfer, remote deposit, and bill payment, which can enhance the consumer's ability to save, pay bills on-time and more cheaply. For example, in the Federal Reserve's Board 2013 survey, 69 percent of mobile banking users reported that they checked their account balance before making a large purchase and half of them decided not to make purchase as a result of their account balance or credit limit.[8]

Given the increasing use of mobile financial services [9] and its potential benefits, the Bureau seeks information on how mobile financial services can be used to empower and address the financial needs of consumers in affordable and safe ways. Specifically, we are seeking information on:

1. The general use of these mobile financial services and the opportunities this technology presents for addressing the needs of consumers, with a focus on economically vulnerable populations, including enhancing access to convenient financial services, facilitating effective account management by consumers, and building financial capability by creating increased ease in money management by use of personal financial management mobile tools;

2. Barriers to low-income, underserved or economically vulnerable consumers accessing and using mobile technology for financial services; and

3. Potential consumer protection issues associated with the use of such mobile technology for financial services by economically vulnerable consumers.

The Bureau encourages comments from all members of the public, including:

• Individual consumers.
• Community groups.
• Consumer groups.
• Groups addressing issues affecting specific populations, including older Americans, people with disabilities, low-income, underserved or economically vulnerable consumers, recent immigrant and other groups.
• Academics and other researchers.
• Providers of financial services.
• Financial institutions.
• Providers and developers of mobile technology designed to address financial services needs and personal financial management.
• Payments providers.
• Telecommunications firms.
• Regulators.
• Social service providers, particularly those that serve low-income, underserved or economically vulnerable consumers.

When responding to any of the questions, for the product, service or technology that is the subject of the response, please include information about how it is rolled out or marketed to consumers; which, if any, specific population it is targeting; how it is brought to scale; and any challenges linking the product, service or technology to its intended targeted population.

Mobile Financial Services (Mobile Banking and Mobile Financial Management Services) To Enhance Access and Opportunities for Consumers

(1) What are some of the ways in which consumers use mobile technology to access financial services? What are some of the benefits to consumers of enhanced access via mobile?

(2) How would making access via mobile differ from or improve overall access compared to only accessing financial services through an online channel?

(3) Based on your experience, what percentage of customers access accounts at financial institutions via mobile? Has there been any research that sheds light on level of use by income strata, age, or other demographic factors?

(4) Is there evidence of lower costs to service providers and/or to consumers when providing mobile financial services? Identify how those cost savings are achieved.

a. For which type of account or transaction does mobile reduce cost? Why?

b. Are there examples of tracking cost savings when products were made available via mobile or when consumers opt in to accessing products and services via mobile?

c. Which products or services hold the most potential in terms of reducing costs of delivery and distribution to underserved consumers and communities? Please describe.

(5) How can mobile financial services be brought to scale in ways that reach more consumers across the economic spectrum?

a. What are examples of financial services and products brought to scale via mobile in ways that assist low-income consumers?

b. Are there actions the federal government can take to enhance opportunities for providing services and products via mobile for economically vulnerable consumers at scale?

c. What role can and should third-party retail agents serve in providing financial products? Are there barriers that limit the ability of financial institutions to use third-party retail agents to provide mobile financial

[4] Id. at 18 (citing FDIC 2011 Household Survey and Pew Research Center, September 16, 2013).

[5] Tavilla, *How Mobile Solutions Help Bridge the Gap,* Id. at 12.

[6] Susan Burhouse, Matthew Homer, Yazmin Osaki, Michael Bachman, *Assessing the Economic Inclusion Potential of Mobile Financial Services,* April 23, 2014 at 29–30 *available at, http://www.fdic.gov/consumers/community/mobile/Mobile-Financial-Services-and-Economic-Inclusion-04-23-2014revised.pdf.*

[7] Id.

[8] FRS, *Mobile Financial Services Survey 2014,* Id. at 2, 19.

[9] Javelin Strategy and Research, ''Mobile Banking, Tablet and Smartphone Forecast 2013–2018: Smart Device Adoption Drives Mobile Banking Boom in 2013'', March 2014 (95 million U.S. adults used mobile banking—a gain of 27 million mobile bankers over 2012, or 74,000 per day). Accessed summary of report and blog at *https://www.javelinstrategy.com/brochure/318/*on May 23, 2014.

services? Does using third-party retail agents pose current and/or future risks to consumers?

(6) How are financial service providers marketing mobile financial services? To underserved populations?

a. What types of marketing or outreach methods, including partnerships with nonprofits and other entities, have been effective in increasing the numbers of underserved who use mobile financial services?

b. What are examples of financial institutions using mobile devices for their employees to engage in outreach or provide services to underserved communities? What types of services can be provided remotely by employees using mobile devices in communities, e.g., account opening, deposits, etc.?

(7) The 2014 FDIC White Paper identified that while MFS has the potential to help the underserved gain access to the banking system, MFS on a standalone basis appears to have a ''limited role in motivating and facilitating the unbanked access to the financial mainstream.'' [10] Are there successful approaches to enhance access to financial services for the unbanked, whether it is via bank or nonbank providers?

Specific Types of Mobile Financial Products and Services, Including Personal Financial Management Applications and Features

(8) Are there any examples of or research on the use of mobile technology to enhance savings opportunities or habits for consumers? For economically vulnerable consumers?

(9) Are there certain kinds of products or services that are more promising than others in terms of being adapted to mobile environment for the underserved market? Why?

a. Deposit products?

b. Point-of-sale transactions?

c. Paying for purchase of products and services remotely?

d. Bill payments?

e. Overall money management products, including apps that enhance ability to manage money or set and meet financial goals?

f. Remote deposit capture (RDC)? [11]

(10) Are there specific types of current or potential innovations that have been identified by community groups, consumer advocates, educators, or others as helpful to the underserved?

a. Could expansion of mobile help move consumers from higher-cost products to lower-cost products? Please explain.

(11) How are loyalty and rewards programs being used for mobile financial services? What are some innovative programs that may help the underserved market: (1) Access more affordable financial services and products, and (2) achieve their financial goals?

(12) Many low-income consumers use prepaid products for their daily financial transactions. What opportunities are there for low-income consumers to use these products via mobile devices?

(13) Are there examples of financial service providers, individually or in partnership with intermediaries or third-party agents, offering financial education or financial capability interventions or tools as part of their mobile financial services offerings? Have any of these efforts been shown to be effective in: (1) Bringing more underserved consumers into mobile financial services; or (2) enhancing the financial capability of underserved consumers to reach their goals.

(14) Consumers can check account balances, use account alerts to avoid fees or transfer funds, set aside funds for long or short term goals. Some of these features provide convenience while others can help track spending and manage money. What are examples of features offered by mobile financial services designed to advance the financial goals of consumers? What are some examples of successful use of features to advance financial goals? Please explain.

(15) Given the significant level of cash usage within the low-income population,[12] are there mobile financial services or products that enable consumers to use their cash to pay for goods and services remotely?

(16) Making payments for goods and services by charging them to mobile phone bills has been suggested as a way for unbanked consumers to be able to make electronic payments. What are the risks, if any, for these consumers? What are potential benefits for the unbanked and underserved?

Opportunities for Population Subgroups

(17) The following subgroups of consumers face unique challenges in accessing financial products and services in ways that can improve their ability to meet their financial goals. Please respond to the questions for one or more of the individual subgroups.

- Unbanked and underbanked.
- Rural consumers.
- People with disabilities.
- Consumers with limited English proficiency.
- Recent immigrants.
- Underserved youth or ''opportunity youth'' (i.e., youth between the ages of 16 and 24 who are neither enrolled in school nor participating in the labor market).
- People residing in traditionally underserved communities.

a. What are the barriers and challenges to using mobile to enhance access that are specific to these groups of consumers?

b. What efforts have financial services providers, intermediaries, or third-party agents and community groups undertaken to serve the following groups of consumers via mobile?

c. Are there examples of current mobile financial services that have been developed specifically to address the needs of these consumers, or services that may specifically benefit these consumers, e.g., Remote Deposit Capture (RDC)?

d. Are there examples of successes in reaching these consumers and/or in helping these consumers reach their financial goals, and if so, what has contributed to the success?

e. Are there additional consumer protections needed to address unique risks or barriers faced by these groups? Explain and please provide examples.

Challenges and Barriers To Expanding Use and Reach of Mobile Financial Services, Particularly for Economically Vulnerable Populations

(18) Privacy and security concerns have been cited as reasons consumers do not use mobile banking and mobile financial management services. What are the specific types of privacy and security concerns? What actions should consumers take to protect their information and identity? Are there products, services or features that address these concerns? What mechanisms should exist to disable use of stolen or mislaid mobile devices that are enabled to provide financial services?

(19) What impediments are there to consumers opening a transaction or

[10] Burhouse, *Assessing the Economic Inclusion,* Id. at 3.

[11] Remote deposit capture (RDC) as used here refers to ability of consumer to deposit a check remotely by using the camera on a mobile device.

[12] Barbara Bennett, Douglas Conover, Shaun O'Brien, and Ross Advincula, *Cash Continues to Play a Key Role in Consumer Spending: Evidence from the Diary of Consumer Payment Choice,* April 2014 at 10 (Figure 11—those living in households with less than $25,000 of income used cash for 57% of their transactions) *available at http://www.frbsf.org/cash/publications/fed-notes/2014/april/cash-consumer-spending-payment-diary.*

savings account remotely via mobile or online?

(20) What types of customer service or technical assistance concerns are there in the context of mobile financial services? For example, should consumers always have access to a customer service telephone number and/or call center?

a. What methods are used to ensure consumers know when transactions are completed and funds available? Are additional methods needed?

b. Do customer service levels vary depending on the dollar size of the mobile transactions?

(21) What are some of the distinct challenges for financial service providers, including financial institutions, to offer mobile financial services to economically vulnerable consumers? Please describe in terms of these categories.

a. Technical, including technology and operational.

b. Regulatory.

c. Cost.

d. Marketing.

e. Other.

(22) What challenges and barriers exist for economically vulnerable consumers to access mobile financial services?

a. Technological, including accessibility of devices and telecommunications services.

b. Educational, including the level of understanding or knowledge about using financial products and services via mobile.

c. Regulatory.

d. Security and privacy concerns related to accessing mobile financial services, e.g., do lower cost platforms or devices carry less security and privacy protections?

e. Costs, including cost of data plans.

f. Language barriers.

(23) What are the concerns, if any, related to access for underserved consumers and communities if increased use of mobile financial services results in fewer bank branches? Is there any research on the impact on bank physical locations when a significant number of customers use mobile financial services? Are there efforts to expand branch reach by using mobile technology to provide branch functions in the community, away from the branch? Please describe.

Consumers' Understanding of Risks Involved in Using Mobile Financial Services and Steps To Protect Them

(24) Various groups representing consumers have identified risks to low-income consumers when engaging in financial transactions via mobile, lack of accountability for all entities involved in the transactions, the ''single point of failure'' when consumers lose access to their mobile device and cannot access their financial accounts, possible move away from paper receipts or statements, and the use of data in ways that may promote products that pose risk to low-income consumers. What core principles would help ensure that underserved consumers are protected when engaging in financial transactions through mobile?

(25) Are there ways that financial management services or features can be used to prevent fraud or theft? What type of information would be helpful for consumers to know to avoid fraud or theft?

(26) Security concerns have been cited as a reason why some consumers have decided not to use mobile banking. Are data breaches more common with mobile financial services relative to online financial services generally? Are they more common compared to traditional channels, e.g., phone, ATMs?

(27) In terms of security with regard to accessing or transferring financial data:

a. Are certain types of mobile devices less secure than others in terms of transferring financial data?

b. Are certain types or levels of mobile services less secure than others?

c. Is there greater risk of compromised or stolen information in more remote areas where signals may be weaker?

d. How are consumers informed of risks associated with the types of devices they may be using or the types of plans/services they may have?

(28) What risks does segmentation of the market through data created by mobile use present for underserved consumers? Is there a risk that data will be used to direct underserved consumers to higher-cost products and services than they would otherwise be eligible to purchase and that may pose greater risk of financial harm? Are low income consumers less likely to detect hidden fees, and, if so, does special attention need to be provided to the design of mobile payments products targeted at low income consumers? Is there any research that would help inform the data segmentation issue?

(29) What are the types of fraud risk that low-income consumers may be exposed to when using mobile device to access financial services and products? Is the risk greater or less via mobile compared to accessing financial services online? Is the risk greater or less compared to using credit and debit cards or other means to access financial services? Please explain.

(30) Many low-income consumers use cell phones (phones without operating systems).

a. How are financial services providers, intermediaries and third-party agents using ''texting'' or other means to communicate with consumers via cell phones?

b. What are the challenges and barriers to communicating through ''texting'' for financial services and products?

c. Are there additional protections needed that may affect providers' ability to market or advertise to consumers via ''text''?

d. How have providers increased consumer use of text alerts? Please describe.

(31) A significant percentage of low-income consumers mostly use their phone to go online. Are privacy concerns different depending on whether consumers access services online via a computer or via a phone or mobile application? [13]

(32) Are there unique challenges or risks associated with prepaid phones (pay-as-you-go or monthly) when using them to access financial services?

(33) Are additional financial consumer protections needed to protect low-income or otherwise economically vulnerable consumers in the use of mobile financial services? Please explain.

a. Are additional protections needed to protect consumers' access to their financial accounts when they do not have access to their device because of loss, theft or non-payment of cell phone bill?

b. Are there risks to consumers when third-party agents are used to facilitate transactions or provide other products via mobile?

International Experience in Using Mobile Technology To Enhance Access and Increase Financial Capability of Economically Vulnerable Consumers

It has been widely reported that mobile financial services are being used successfully in other countries to increase access for low-income consumers. These examples may shed light on how mobile technology could be used in ways designed to improve account access, use of safe and low-cost payments and the availability of tools to

[13] Pew Charitable Trusts, Pew Research Internet Project, ''Cell Internet Use 2013'' (45% of cell internet users living in households with an annual income of less than $30,000 mostly use their phone to go online, compared with 27% of those living in households with an annual income of $75,000 or more). Accessed online at *http://www.pewinternet.org/2013/09/16/main-findings-2/* on May 23, 2014.

support money management for the economically vulnerable consumers in this country.

(34) Are there useful international examples of the spread of mobile technology for financial services that enhance access for low-income consumers? What differences would or should apply if these approaches were adapted for the U.S. context?

(35) Does mobile technology offer enhanced possibilities for direct person-to-person international money transmittal? Does this bring with it greater risk of theft, fraud or money laundering?

Authority: 12 U.S.C. 5511(c).

Christopher D'Angelo,

Chief of Staff, Bureau of Consumer Financial Protection.

[FR Doc. 2014–13552 Filed 6–11–14; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Intent Cancellation of Environmental Impact Statement on the Proposal To Relocate the 18th Aggressor Squadron From Eielson Air Force Base, Alaska to Joint Base Elmendorf-Richardson, Alaska

AGENCY: United States Air Force, Pacific Air Forces, DOD.

ACTION: Notice of Cancellation of Environmental Impact Statement.

SUMMARY: The Air Force is issuing this notice to advise the public that per direction of the Secretary of the Air Force, the Air Force is cancelling the preparation of an Environmental Impact Statement under the National Environmental Policy Act on its proposal to relocate the 18th Aggressor Squadron from Eielson AFB, Alaska to Joint Base Elmendorf-Richardson (JBER), Alaska, and for the Air Force to adjust the size of the remaining base operating support functions at Eielson. Cancellation notifications will also be made in Eielson AFB and JBER regions of influence.

DATES: This cancellation of the Environmental Impact Statement is effective upon publication of this notice in the **Federal Register**.

Previous **Federal Register** notices regarding this action included:

- Notice of Intent to prepare an EIS, January 18, 2013 (78 FR 4134)
- Notice of Availability of a draft EIS, May 31, 2013 (78 FR 32645)
- Notice of Extension of the public comment period August 7, 2013 (78 FR 48151)

For further information, contact: Ms. Toni Ristau, AFCEC/CZN, 2261 Hughes Ave., Ste. 155, Lackland AFB, TX 78236–9853, Telephone: (210) 925–2738.

Henry Williams,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2014–13721 Filed 6–11–14; 8:45 am]

BILLING CODE 5001–10–P

DENALI COMMISSION

Denali Commission Fiscal Year 2014 Draft Work Plan

AGENCY: Denali Commission.

ACTION: Notice.

SUMMARY: The Denali Commission (Commission) is an independent federal agency based on an innovative federal-state partnership designed to provide critical utilities, infrastructure and support for economic development and training in Alaska by delivering federal services in the most cost-effective manner possible. The Commission was created in 1998 with passage of the October 21, 1998 Denali Commission Act (Act) (Title III of Public Law 105–277, 42 U.S.C. 3121). The Act requires that the Commission develop proposed work plans for future spending and that the annual Work Plan be published in the **Federal Register**, providing an opportunity for a 30-day period of public review and written comment. This **Federal Register** notice serves to announce the 30-day opportunity for public comment on the Denali Commission Draft Work Plan for Federal Fiscal Year 2014 (FY 2014).

DATES: Comments and related material to be received by July 14, 2014.

ADDRESSES: Submit comments to the Denali Commission, Attention: Sabrina Hoppas, 510 L Street, Suite 410, Anchorage, AK 99501.

FOR FURTHER INFORMATION CONTACT: Ms. Sabrina Hoppas, Denali Commission, 510 L Street, Suite 410, Anchorage, AK 99501. Telephone: (907) 271–1414. Email: *shoppas@denali.gov.*

Background

The Denali Commission (Commission) is an independent federal agency based on an innovative federal-state partnership designed to provide critical utilities, infrastructure and support for economic development and training in Alaska by delivering federal services in the most cost-effective manner possible. The Commission was created in 1998 with passage of the October 21, 1998, Denali Commission Act (Act) (Title III of Public Law 105–277, 42 U.S.C. 3121).

The Commission's mission is to partner with tribal, federal, state, and local governments and collaborate with all Alaskans to improve the effectiveness and efficiency of government services, to develop a well-trained labor force employed in a diversified and sustainable economy, and to build and ensure the operation and maintenance of Alaska's basic infrastructure.

By creating the Commission, Congress mandated that all parties involved partner together to find new and innovative solutions to the unique infrastructure and economic development challenges in America's most remote communities.

Pursuant to the Act, the Commission determines its own basic operating principles and funding criteria on an annual federal fiscal year (October 1 to September 30) basis. The Commission outlines these priorities and funding recommendations in an annual Work Plan. The Work Plan is adopted on an annual basis in the following manner, which occurs sequentially as listed:

- Project proposals are solicited from local government and other entities.
- Commissioners forward a draft version of the Work Plan to the Federal Co-Chair.
- The Federal Co-Chair approves the draft Work Plan for publication in the **Federal Register** providing an opportunity for a 30-day period of public review and written comment. During this time, the draft Work Plan is also disseminated widely to Commission program partners including, but not limited to, the Bureau of Indian Affairs (BIA), the Economic Development Administration (EDA), and the United States Department of Agriculture—Rural Development (USDA–RD).
- Public comment concludes and Commission staff provides the Federal Co-Chair with a summary of public comment and recommendations, if any, associated with the draft Work Plan.
- If no revisions are made to the draft, the Federal Co-Chair provides notice of approval of the Work Plan to the Commissioners, and forwards the Work Plan to the Secretary of Commerce for approval; or, if there are revisions the Federal Co-Chair provides notice of modifications to the Commissioners for their consideration and approval, and upon receipt of approval from Commissioners, forwards the Work Plan

to the Secretary of Commerce for approval.

- The Secretary of Commerce approves the Work Plan.
- The Federal Co-Chair then approves grants and contracts based upon the approved Work Plan.

FY 2014 Appropriations Summary

The Commission has historically received federal funding from several sources. These fund sources are governed by the following general principles:

- In FY 2014 no project specific direction was provided by Congress.
- The Energy and Water Appropriation (i.e. discretionary funding) is eligible for use in all programs.
- Certain appropriations are restricted in their usage. Where restrictions apply, the funds may be used only for specific program purposes.
- Final appropriation funds received may be reduced due to Congressional action, rescissions by the Office of Management and Budget, and other federal agency action. Final program available figures may not be provided until later in FY 2014.
- All Energy and Water Appropriation funds, including operating funds, designated as ''up to'' may be reassigned to other programs, if they are not fully expended in a program component area or a specific project.
- *Total FY 2014 Budgetary Resources provided:*

These are the figures that appear in the rows entitled ''FY 2014 Appropriation'' and are the original appropriations amounts which do not include Commission operating funds. These funds are identified by their source name (i.e., Energy and Water Appropriation, TAPL, etc.). The grand total for all appropriations appears at the end of the FY 2014 Funding Table.

- *Total FY 2014 Program Available Funding:*

These are the figures that appear in the rows entitled ''FY 2014 Appropriations—Program Available'' and are the amounts of funding available for program(s) activities after Commission operating funds have been deducted. The FY 2014 appropriations bill contains language that the Commission may utilize more than five percent for operating costs, Notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998.

However only, five percent of Trans Alaska Pipeline Liability (TAPL) Trust Funds are used for agency operating purposes. The grand total for all program available funds appears at the end of the FY 2014 Funding Table.

- *Program Funding:*

These are the figures that appear in the rows entitled with the specific Program and Sub-Program area, and are the amounts of funding the Draft FY 2014 Work Plan recommends, within each program fund source for program components.

- *Subtotal of Program Funding:*

These are the figures that appear in rows entitled ''subtotal'' and are the subtotals of all program funding within a given fund source. The subtotal must always equal the Total FY 2014 Program Available Funding.

Denali Commission FY 2014 funding table	Totals
FY 2014 Energy & Water Appropriation	$10,000,000.
FY 2014 Energy & Water Appropriation—Operating Funds	$3,000,000.
FY 2014 Energy & Water Appropriation—Program Available	$7,000,000.
Energy:	
• Bulk Fuel Tank Replacements (to be funded in full with TAPL funding)	$0.
• Rural Power System Upgrades*	$2,448,000.
Total Energy Projects	$2,448,000.
Initiatives, Programs, Projects:	
• Sanitation Energy Efficiency	Up to $2,148,000.
• START Program Energy Efficiency Upgrades	Up to $1,250,000.
• Additional Community Scale Energy Efficiency	Up to $854,000.
Community Energy Efficiency Total	Up to $4,252,000.
• Pre-Development Program	Up to $300,000.
Total Initiative, Programs, Projects	Up to $4,552,000.
Sub-total, FY 2014 Energy & Water—Program Available	Not to exceed $7,000,000.
FY 2014 TAPL Trust	$4,000,000.
FY 2014 TAPL—Program Available (less 5% operating funds)	$3,800,000.
Bulk Fuel Planning, Design & Construction	$3,800,000.
Sub-total	$3,800,000.
Total FY 2014 Program Available	$10,800,000.

* Funding for the four initiatives, programs and projects are listed as an upper amount and it is possible that several of these initiatives may require less funds than listed in the table. Under these circumstances, the remaining Energy and Water appropriations will be used for Rural Power System Upgrades.

FY 2014 Program Details & General Information

The following section provides narrative discussion for each of the Commission Programs identified for funding in the FY 2014 funding table above.

Energy Program

Basic Rural Energy Infrastructure

The Energy Program is the Commission's original program and focuses on bulk fuel facilities and rural power system upgrades/power generation (RPSU) across rural Alaska. About 94% of electricity in rural communities is produced by diesel generators and about half of the fuel storage in most villages is used for these power plants. The majority of the Commission's work in the energy program is carried out by two of our long-standing partners: Alaska Energy Authority (AEA), an agency of the State of Alaska, and the Alaska Village Electric Cooperative (AVEC), a non-profit member Organization serving 56 communities.

Since inception of the agency, the Commission has partnered with AEA on rural energy investments, and shortly

thereafter, AVEC also became a program partner to address deficiencies in fuel storage and generation in the cooperative's communities. In recent years, a single combined list of energy projects has been compiled for both bulk fuel and RPSU programs. AEA maintains documents on their Web site that identify the universe of need for each of the programs and provides project status updates (see following links). *http://www.akenergyauthority.org/PDF%20files/BFUStatusList_Sept2013.pdf http://www.akenergyauthority.org/PDF%20files/RPSUStatusListSept2013.pdf*

In addition, the Commission has been exploring opportunities to identify and reduce the consumption of energy in rural communities. Energy efficiency measures can be demonstrated to reduce the use of fossil fuels as well as reducing costs to residents and users, which can contribute to enhanced community services. The Alaska Native Tribal Health Consortium (ANTHC) has been a long-standing program partner on rural clinics and sanitation systems. ANTHC has developed a rural energy initiative to address the high cost of energy associated with clinics and sanitation systems. Previously, the Commission has invested in some clinic energy efficiency improvements with ANTHC. In addition, the Commission for the past two years has collaborated with the US Department of Energy—Office of Indian Energy Policy and Programs on a Strategic Technical Assistance and Response Team (START) program. The START program is a community-driven model to identify local solutions for the local challenges with the high cost of energy.

FY 2014 Project Selection Process

Bulk Fuel and RPSU Projects

The legacy projects prioritized for FY 2014 funding are listed below within the two energy program themes: bulk fuel and RPSU. The selected projects in the table below exceed FY 2014 funding levels (both TAPL and Energy and Water Appropriation), with the understanding that projects may proceed out of order due to factors such as the extended period of time between project selections, draft Work Plan development, and grant execution; match funding availability; and due diligence requirements.

Beginning in FY 2012, Energy and Water Appropriations were subject to a statutory cost share requirement for construction activities of 20% for distressed communities and 50% for non-distressed communities. That cost share match requirement has since been applied to all energy program funding sources. All projects prioritized for FY 2014 funding, with the exception of Shungnak bulk fuel upgrade, are in distressed communities and will include at least a 20% project cost share match.

In FY 2014, the Commission, AEA, and AVEC will investigate opportunities with existing bulk fuel storage facilities to refurbish the infrastructure resulting in code compliance and significant extension of the life of the facilities at a reduced cost versus complete replacement. The Commission provided funding to AEA to update the statewide bulk fuel inventory assessment, which will help inform all parties of the potential for refurbishment of facilities. The updated assessment is scheduled to be completed by the end of FY 2015. The refurbishment approach was considered for the AVEC projects listed in the bulk fuel project table.

Bulk fuel projects	Total project cost	Cost share	DC funding	Program partner
Pilot Station AVEC Tanks	$4,621,000	$924,200	$3,696,800	AVEC.
Pilot Station Community Tanks	4,456,000	891,200	3,564,800	AVEC.
Chalkyitsik	2,600,000	520,000	2,080,000	AEA.
Togiak AVEC Tanks	4,656,000	931,200	3,724,800	AVEC.
Togiak Community Tanks	6,045,000	1,209,000	4,836,000	AVEC.
Beaver	2,300,000	460,000	1,840,000	AEA.
Shungnak	1,100,000	550,000	550,000	AVEC.
Venetie	2,100,000	420,000	1,680,000	AEA.
RPSU projects **	**Total project cost**	**Cost share**	**DC funding**	**Program partner**
Pilot Station Relocation	1,556,000	311,200	1,244,800	AVEC.
Perryville	3,200,000	640,000	2,560,000	AEA.
Togiak	7,409,000	1,481,800	5,927,000	AVEC.
Koliganek	2,900,000	580,000	2,320,000	AEA.

** The Commission expects to receive prior year USDA Rural Utilities Service funds in FY 2014 which will be used to address a portion of the Perryville RPSU project. The balance of funding necessary to complete the Perryville project will be provided from FY 2014 Energy and Water appropriations and some prior year funds from energy projects that were completed under budget and therefore have a surplus of funds.

Project management	Total project cost	Cost share	DC funding	Program partner
AEA/AVEC/ANTHC Project Management	$10,800,000	N/A	$932,688 ***	AEA/AVEC/ANTHC.

*** Project management costs have been estimated pending final project selection.

Initiatives, Programs, Projects

Community Energy Efficiency

In FY 2014, the Commission will collaborate with federal, state, and local agencies to coordinate and provide funding for community energy efficiency projects. Projects for the FY 2014 year will include completion of energy efficiency improvements previously determined by energy audits in 39 communities, energy audits for an additional 39 communities with circulating water systems, as well as, funding for energy efficiency improvements in START round one which includes five communities. Specific types of energy efficiency activities that will be carried out in funded communities will include, but are not limited to, replacement of old inefficient circulating pumps, lighting changes, installation of occupancy sensors for lights, weather sealing work

for doors and windows, insulation work, control upgrades for thermostats and heating and ventilation systems, and education of building operators to decrease building interior set points.

Pre-Development Program Investment

The Pre-Development program has been a historic investment of the Commission since 2007, when the Commission partnered with the Alaska Mental Health Trust Authority, the Rasmuson Foundation, and the Foraker Group to ''stand up'' the program. The Pre- Development program provides technical assistance to prospective Commission grantees on capital development projects. In 2010 the Mat-Su Health Foundation joined as a partner to the Pre-Development program. Further information about the program can be obtained at the following link: *http://www.forakergroup.org/index.cfm/Shared-Services/Pre-Development.*

Discussion on Future Commission Investments

The agency is exploring what is our role in a time of decreasing Federal and State of Alaska budgets and therefore limited funds for pressing rural Alaska needs. It is the intent of the Commissioners to carry out a public dialogue on what are the core areas of need and how best can Commission investments address these needs while complementing the work of many other State and Federal agencies operating in rural Alaska. We welcome comments about this question, but more importantly, we are alerting the public and our current program partners that we will be raising this question in the future.

Joel Neimeyer,

Federal Co-Chair.

[FR Doc. 2014–13710 Filed 6–11–14; 8:45 am]

BILLING CODE 3300–01–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Rehabilitation Services Administration—Centers for Independent Living

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice.

Overview Information: Rehabilitation Services Administration—Centers for Independent Living Notice inviting applications for new awards for fiscal year (FY) 2014.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.132A.

DATES:

Applications Available: June 12, 2014.

Deadline for Transmittal of Applications: July 14, 2014.

Deadline for Intergovernmental Review: September 10, 2014.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Centers for Independent Living program provides support for planning, conducting, administering, and evaluating centers for independent living (centers) that comply with the standards and assurances in section 725 of part C of title VII of the Rehabilitation Act of 1973, as amended (Act), consistent with the design included in the State plan for establishing a statewide network of centers.

Program Authority: 29 U.S.C. 796f–1.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, and 97. (b) The Education Department debarment and suspension regulations in 2 CFR part 3485. (c) The regulations for this program in 34 CFR parts 364 and 366.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

II. Award Information

Type of Award: Discretionary grant.

Estimated Available Funds: $219,669.

Estimated Number of Awards: 1.

States and outlying areas	*Estimated available funds*	*Estimated number of awards*
Kentucky	$219,669	1

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* To be eligible for funding, an applicant must—

(a) Be a consumer-controlled, community-based, cross-disability, nonresidential, private nonprofit agency;

(b) Have the power and authority to—

(1) Carry out the purpose of part C of title VII of the Act and perform the functions listed in section 725(b) and (c) of the Act and subparts F and G of 34 CFR part 366 within a community located within a State or in a bordering State; and

(2) Receive and administer—

(i) Funds under 34 CFR part 366;

(ii) Funds and contributions from private or public sources that may be used in support of a center; and

(iii) Funds from other public and private programs;

(c) Be able to plan, conduct, administer, and evaluate a center consistent with the standards and assurances in section 725(b) and (c) of the Act and subparts F and G of 34 CFR part 366;

(d) Either—

(1) Not currently be receiving funds under part C of chapter 1 of title VII of the Act; or

(2) Propose the expansion of an existing center through the establishment of a separate and complete center (except that the governing board of the existing center may serve as the governing board of the new center) at a different geographical location;

(e) Propose to serve one or more of the geographic areas that are identified as unserved or underserved by the States and Outlying Areas listed under *Estimated Number of Awards;* and

(f) Submit appropriate documentation demonstrating that the establishment of a new center is consistent with the design for establishing a statewide network of centers in the State plan of the State or Outlying Area whose geographic area or areas the applicant proposes to serve.

2. *Cost Sharing or Matching:* This competition does not require cost sharing or matching.

IV. Application and Submission Information

1. *Address to Request Application Package:* ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1–877–433–7827. FAX: (703) 605–6794. If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call, toll free: 1–877–576–7734.

You can contact ED Pubs at its Web site, also: *www.EDPubs.gov* or at its email address: *edpubs@inet.ed.gov.*

If you request an application package from ED Pubs, be sure to identify this competition as follows: CFDA number 84.132A.

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 team listed under *Accessible Format* in section VIII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in

the application package for this competition.

3. *Submission Dates and Times:*

Applications Available: June 12, 2014.

Deadline for Transmittal of Applications: July 14, 2014.

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). 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 requirement, please refer to section IV.7. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the 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.

Deadline for Intergovernmental Review: September 10, 2014.

4. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:* To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry (CCR)), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the 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.

Note: Once your SAM registration is active, you will need to allow 24 to 48 hours for the information to be available in Grants.gov. and before you can submit an application through Grants.gov.

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.*

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page: *www.grants.gov/web/grants/register.html.*

7. *Other Submission Requirements:* Applications for grants under this competition 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 Centers for Independent Living Program, CFDA number 84.132A, must be submitted electronically using the Governmentwide Grants.gov Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

You may access the electronic grant application for the Centers for Independent Living competition at *www.Grants.gov.* You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.132, not 84.132A).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection.

Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

• You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at *www.G5.gov.*

• You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

• You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

• You must upload any narrative sections and all other attachments to your application as files in a PDF (Portable Document) read-only, non-modifiable format. Do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, non-modifiable PDF or submit a password-protected file, we will not review that material.

• Your electronic application must comply with any page-limit requirements described in this notice.

• After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by email. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).

• We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1–800–518–4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

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 Grants.gov system because—

• You do not have access to the Internet; or

• You do not have the capacity to upload large documents to the Grants.gov system; and

• No later than two weeks before the application deadline date (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: Timothy Beatty, U.S. Department of Education, 400 Maryland Avenue SW., Room 5057, Potomac Center Plaza (PCP), Washington, DC 20202–2800. FAX: (202) 245–7593.

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 Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.132A) LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202–4260.

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.

If your application is postmarked after the application deadline date, 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 date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.132A) 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 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—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from 34 CFR 366.27 and are listed in the application package.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary also requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

Additional factors we consider in selecting an application for an award are comments regarding the application, if any, by the Statewide Independent Living Council in the State in which the applicant is located (see 34 CFR 366.25).

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR part 74; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

4. *Performance Measures:* Pursuant to the Government Performance and Results Act of 1993 (GPRA), the Department measures outcomes in the following three areas to evaluate the overall effectiveness of projects funded under this competition: (1) The effectiveness of individual services in enabling consumers to access previously unavailable transportation, appropriate accommodations to receive health care services, or assistive technology resulting in increased independence in at least one significant life area; (2) the effectiveness of individual services designed to help consumers move out of institutions and into community-based settings; and (3) the extent to which projects are participating in community activities to expand access to transportation, health care, assistive technology, and housing for individuals with disabilities in their communities. Grantees will be required to report annually on the percentage of their consumers who achieve their individual goals in the first two areas and on the percentage of their staff, board members, and consumers involved in community activities related to the third area.

5. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made ''substantial progress toward meeting the objectives in its approved application.'' This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Timothy Beatty, U.S. Department of Education, 400 Maryland Avenue SW., Room 5057, PCP, Washington, DC 20202–2800. Telephone: (202) 245–6156 or by email: *timothy.beatty@ed.gov.*

If you use a TDD or a TTY, call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: 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 computer disc) by contacting the Grants and Contracts Service Team, U.S. Department of Education, 400 Maryland Avenue SW., Room 5075, PCP, Washington, DC 20202–2550. Telephone: (202) 245–7363. If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of 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: June 6, 2014.

Michael K. Yudin,

Acting Assistant Secretary, for Special Education and, Rehabilitative Services.

[FR Doc. 2014–13690 Filed 6–11–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13563–003]

Juneau Hydropower, Inc.; Notice of Application Tendered for Filing With the Commission

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Major Original License.

b. *Project No.:* 13563–003.

c. *Date filed:* May 29, 2014.

d. *Applicant:* Juneau Hydropower, Inc.

e. *Name of Project:* Sweetheart Lake Hydroelectric Project.

f. *Location:* On Sweetheart Lake and Sweetheart Creek in the City and Borough of Juneau, Alaska. The project will occupy about 2,058 acres of federal lands located in the Tongass National Forest administered by the United States Forest Service.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Duff W. Mitchell, Business Manager, Juneau Hydropower, Inc., P.O. Box 22775, Juneau, AK 99802; (907) 789–2775.

i. *FERC Contact:* John Matkowski at (202) 502–8576, *john.matkowski@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 k 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. *Deadline for requests for cooperating agency status:* July 28, 2014.

The Commission strongly encourages electronic filing. Please file requests for cooperating agency status using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–13563–003.

l. The application is not ready for environmental analysis at this time.

m. The proposed Sweetheart Lake Project would consist of: (1) The existing Sweetheart Lake with a surface area of 1,702 acres and an active storage capacity of 94,069 acre-feet at normal maximum water elevation; (2) a 280-foot-long, 111-foot-high roller-compacted concrete dam; (3) an intake structure with a fish screen; (4) a 9,621-foot-long, 15-foot-high, 15-foot-wide unlined power tunnel conveying flow from the project intake to the penstock; (5) a 1,056-foot-long, 7- to 9-foot-diameter penstock, the initial 896 feet of which is located in the lower power tunnel; (6) a 160-foot-long, 60-foot-wide powerhouse containing three 6.6-megawatt Francis generating units; (7) a 541-foot-long tailrace that will flow into Sweetheart Creek; (8) a 25-foot-long, 5-foot-wide, 4-foot-deep salmon smolt re-entry pool located adjacent to the powerhouse and tailrace; (9) a switchyard adjacent to the powerhouse; (10) an 8.69-mile-long, 138-kilovolt (kV) transmission line consisting of buried, submarine, and overhead segments; (11) a 2.8-mile-long, 12.47-kV service line; (12) a 4,400-foot-long access road; (13) marine access facilities including a dock, ramp, and landing site; (14) a caretaker facility near the powerhouse; (15) a shelter facility at the dam site; and (16) appurtenant facilities. The proposed Sweetheart Lake Project would have an average annual generation of 116 gigawatt-hours.

n. A copy of the application is 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. A copy is also available for inspection and reproduction at the address in item h above.

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 this or other pending projects. For assistance, contact FERC Online Support.

o. *Procedural schedule:* The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate.

Issue Notice of Acceptance/Notice of Ready for Environmental Analysis.	November 2014.
Filing of Comments, Terms and Conditions, Recommendations and Prescriptions.	January 2015.
Commission issues Draft Environmental Impact Statement (EIS).	August 2015.
Comments on draft EIS ...	October 2015.
Commission issues final EIS.	March 2016.

Dated: June 5, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13699 Filed 6–11–14; 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 corporate filings:

Docket Numbers: EC14–94–000.

Applicants: White Pine Electric Power, L.L.C., Up Power Marketing, LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act for Disposition of Jurisdictional Facilities and Requests for Expedited Consideration and Confidential Treatment of White Pine Electric Power L.L.C., et. al.

Filed Date: 5/29/14.
Accession Number: 20140529–5280.
Comments Due: 5 p.m. ET 6/19/14.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG14–61–000.
Applicants: Selmer Farm, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Selmer Farm, LLC.
Filed Date: 6/5/14.
Accession Number: 20140605–5061.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: EG14–62–000.
Applicants: Mulberry Farm, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Mulberry Farm, LLC.
Filed Date: 6/5/14.
Accession Number: 20140605–5063.
Comments Due: 5 p.m. ET 6/26/14.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER14–2053–001.
Applicants: Interstate Power and Light Company.
Description: Amendment to IPL's filing of proposed changes in book depreciation rates to be effective 7/1/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5119.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2120–000.
Applicants: Southwest Power Pool, Inc.
Description: 2632 MKEC, Westar Energy and KG&E Interconnection Agreement to be effective 12/31/9998.
Filed Date: 6/5/14.
Accession Number: 20140605–5035.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2121–000.
Applicants: Southwest Power Pool, Inc.
Description: Clarify Intent of Detailed Project Proposal Confidentiality Language to be effective 8/4/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5044.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2122–000.
Applicants: Southwest Power Pool, Inc.
Description: 2652R1 Waverly Wind Farm LLC GIA to be effective 5/16/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5060.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2123–000.
Applicants: Southwest Power Pool, Inc.
Description: Notice of Cancellation of Happy Hereford Wind Large Generator Interconnection Service Agreement of Southwest Power Pool, Inc.
Filed Date: 6/5/14.
Accession Number: 20140605–5064.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2125–000.
Applicants: East Kentucky Power Cooperative, Inc.
Description: EKPC Specification of Reactive Revenue Requirement to be effective 7/1/2013.
Filed Date: 6/5/14.
Accession Number: 20140605–5070.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2126–000.
Applicants: Big Savage, LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5073.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2127–000.
Applicants: Big Sky Wind, LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5076
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2128–000.
Applicants: Public Service Company of New Mexico.
Description: Notice of Cancellation of Firm Point-to-Point Transmission Service Agreement of Public Service Company of New Mexico.
Filed Date: 6/5/14.
Accession Number: 20140605–5079.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2129–000.
Applicants: Highland North LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5078.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2130–000.
Applicants: Howard Wind LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5081.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2131–000.
Applicants: Krayn Wind LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5082.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2132–000.
Applicants: Patton Wind Farm, LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5083.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2133–000.
Applicants: Mustang Hills, LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5084.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2134–000.
Applicants: EverPower Commercial Services LLC.
Description: Tariff Revision Updating Seller Category Designation to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5113.
Comments Due: 5 p.m. ET 6/26/14.

Docket Numbers: ER14–2135–000.
Applicants: Louisville Gas and Electric Company.
Description: EKPC Service Agreement No. 4 revisions to be effective 8/5/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5120.
Comments Due: 5 p.m. ET 6/26/14.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF14–571–000.
Applicants: Rentech Nitrogen Pasadena, LLC.
Description: Form 556 of Rentech Nitrogen Pasadena, LLC.
Filed Date: 6/5/14.
Accession Number: 20140605–5108.
Comments Due: None Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: June 5, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13731 Filed 6–11–14; 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 corporate filings:

Docket Numbers: EC14–99–000.
Applicants: Catalina Solar Lessee, LLC.
Description: Application for Authorization under Section 203 of the Federal Power Act and Requests for Waivers, Confidential Treatment and Expedited Consideration of Catalina Solar Lessee, LLC.
Filed Date: 6/3/14.
Accession Number: 20140603–5170.
Comments Due: 5 p.m. ET 6/24/14.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG14–60–000.
Applicants: Beebe 1B Renewable Energy, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Beebe 1B Renewable Energy, LLC.
Filed Date: 6/3/14.
Accession Number: 20140603–5166.
Comments Due: 5 p.m. ET 6/24/14.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2564–003; ER10–2600–003; ER10–2289–003.
Applicants: UNS Electric, Inc., Tucson Electric Power Company, UniSource Energy Development Company.
Description: Errata to January 21, 2014 and February 7, 2014 Notice of Change in Status of Tucson Electric Power Company, et al.
Filed Date: 6/3/14.
Accession Number: 20140603–5096.
Comments Due: 5 p.m. ET 6/24/14.

Docket Numbers: ER13–187–005.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–06–04_Order 1000 Regional Compliance Part 1 to be effective 6/1/2013.
Filed Date: 6/4/14.
Accession Number: 20140604–5088.
Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER13–187–006.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–06–04_Order 1000 Regional Compliance Filing Part 1(2) to be effective 6/1/2013.
Filed Date: 6/4/14.
Accession Number: 20140604–5125.
Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER14–7–000.
Applicants: American Electric Power Service Corporation.
Description: Refund Report to be effective N/A.
Filed Date: 6/4/14.
Accession Number: 20140604–5121.
Comments Due: 5 p.m. ET 6/25/14.

Docket Numbers: ER14–1455–001.
Applicants: San Diego Gas & Electric Company.
Description: SDGE Generator Interconnection Procedures Compliance Filing to be effective 5/6/2014.
Filed Date: 6/4/14.
Accession Number: 20140604–5126.
Comments Due: 5 p.m. ET 6/25/14.

Docket Numbers: ER14–1735–001.
Applicants: New York Independent System Operator, Inc.
Description: NYISO compliance filing re: 2 week notification of effective date to be effective 6/18/2014.
Filed Date: 6/4/14.
Accession Number: 20140604–5118.
Comments Due: 5 p.m. ET 6/25/14.

Docket Numbers: ER14–1781–001.
Applicants: PJM Interconnection, L.L.C.
Description: Non-Queue No. NQ89; Substitute Original Service Agreement No. 3808 to be effective 5/6/2017.
Filed Date: 6/4/14.
Accession Number: 20140604–5061.
Comments Due: 5 p.m. ET 6/25/14.

Docket Numbers: ER14–1850–000; ER14–1852–000; ER14–1853–000; ER14–1854–000; ER14–1855–000; ER14–1856–000; ER14–1867–000; ER14–1869–000; ER14–1870–000; ER14–1871–000; ER14–1902–000; ER14–1909–000; ER14–1910–000; ER14–1915–000; ER14–1916–000; ER14–1917–000; ER14–1918–000; ER14–1919–000; ER14–1929–000; ER14–1930–000; ER14–1932–000.
Applicants: NRG Sterlington Power LLC, Louisiana Generating LLC, Cottonwood Energy Company LP, Big Cajun I Peaking Power LLC, North Community Turbines LLC, North Wind Turbines LLC, Larswind, LLC, Lookout WindPower LLC, Pinnacle Wind, LLC, Sierra Wind, LLC, Bendwind, LLC, Storm Lake Power Partners I LLC, TAIR Windfarm, LLC, Bayou Cove Peaking Power, LLC, Forward WindPower LLC, Groen Wind, LLC, Hillcrest Wind, LLC, Jeffers Wind 20, LLC, DeGreeff DP, LLC, DeGreeffpa, LLC, GenOn Mid-Atlantic, LLC.
Description: Amendment to May 1, 2014 through May 9, 2014 NRG Sterlington Power LLC, et al. tariff filing(s).
Filed Date: 6/4/14.
Accession Number: 20140604–5115.
Comments Due: 5 p.m. ET 6/25/14.

Docket Numbers: ER14–1912–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Amendment to May 7, 2014 Request for limited, one-time waiver of certain provisions of its Open Access Transmission, Energy and Operating Reserve Markets Tariff of Midcontinent Independent System Operator, Inc.
Filed Date: 6/4/14.
Accession Number: 20140604–5116.
Comments Due: 5 p.m. ET 6/18/14.

Docket Numbers: ER14–2057–000.
Applicants: San Diego Gas & Electric Company.
Description: Informational Filing of Third Annual Transmission Rate of San Diego Gas & Electric Company.
Filed Date: 5/28/14.
Accession Number: 20140528–5218.
Comments Due: 5 p.m. ET 6/18/14.

Docket Numbers: ER14–2113–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–06–03 Docket No. ER14–2113–000 Interzonal Resource Replacement Filing to be effective 8/2/2014.
Filed Date: 6/3/14.
Accession Number: 20140603–5082.
Comments Due: 5 p.m. ET 6/24/14.

Docket Numbers: ER14–2114–000.
Applicants: PJM Interconnection, L.L.C.
Description: Second Revised Service Agreement No. 2922; Queue No. W2–090 to be effective 5/8/2014.
Filed Date: 6/3/14.
Accession Number: 20140603–5083.
Comments Due: 5 p.m. ET 6/24/14.

Docket Numbers: ER14–2115–000.
Applicants: PJM Interconnection, L.L.C.
Description: PJM Interconnection, L.L.C. submits tariff filing per 35.13(a)(2)(iii: Original Service Agreement No. 3837; Queue No. X4–048 to be effective 5/6/2014.
Filed Date: 6/3/14.
Accession Number: 20140603–5110.
Comments Due: 5 p.m. ET 6/24/14.

Docket Numbers: ER14–2116–000.
Applicants: PJM Interconnection, L.L.C.
Description: Original Service Agreement No. 3872; Queue No. X4–039 to be effective 5/8/2014.
Filed Date: 6/3/14.
Accession Number: 20140603–5128.
Comments Due: 5 p.m. ET 6/24/14.

Docket Numbers: ER14–2117–000.
Applicants: Spindle Hill Energy LLC.
Description: Revised Market-Based Rate Tariff Filing to be effective 8/3/2014.

Filed Date: 6/3/14.
Accession Number: 20140603–5129.
Comments Due: 5 p.m. ET 6/24/14.

Docket Numbers: ER14–2118–000.
Applicants: Pheasant Run Wind II, LLC.
Description: Notice of Cancellation of MBR Tariff to be effective 6/5/2014.
Filed Date: 6/4/14.
Accession Number: 20140604–5087.
Comments Due: 5 p.m. ET 6/25/14.

Docket Numbers: ER14–2119–000.
Applicants: Calpine Energy Services, L.P.
Description: Revised Market-Based Rate Tariff to be effective 6/5/2014.
Filed Date: 6/4/14.
Accession Number: 20140604–5123.
Comments Due: 5 p.m. ET 6/25/14.

Take notice that the Commission received the following foreign utility company status filings:

Docket Numbers: FC14–14–000.
Applicants: Enbridge Inc.
Description: Self-Certification of Enbridge Inc.
Filed Date: 6/3/14.
Accession Number: 20140603–5069.
Comments Due: 5 p.m. ET 6/24/14.

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: June 4, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–13668 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Effectiveness of Exempt Wholesale Generator Status

RE Camelot LLC	EG14–29–000
Windthorst-2, LLC	EG14–30–000
Spinning Spur Wind Two, LLC	EG14–31–000
Copper Mountain Solar 3, LLC	EG14–32–000
Campo Verde Solar, LLC	EG14–33–000
Lone Valley Solar Park I LLC	EG14–34–000
Lone Valley Solar Park II LLC	EG14–35–000

Take notice that during the month of May 2014, the status of the above-captioned entities as Exempt Wholesale Generators Companies became effective by operation of the Commission's regulations. 18 CFR 366.7(a).

Dated: June 6, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13730 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14616–000]

Oregon State University; Notice of Scoping Meeting and Soliciting Scoping Comments for an Applicant Prepared Environmental Assessment Using the Alternative Licensing Process

a. *Type of Filing:* Notice of Intent to File License Application and Pre-Application Document for an Original License.

b. *Project No.:* 14616–000.

c. *Applicant:* Oregon State University.

d. *Name of Project:* Pacific Marine Energy Test Center South Energy Test Site.

e. *Location:* Pacific Ocean approximately six nautical miles off the coast of Newport, Oregon on the Outer Continental Shelf.

f. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

g. *Applicant Contact:* Belinda Batten, Oregon State University, 350 Batcheller Hall, Corvallis, OR 97331; (541) 737–9492; email at *Belinda.Batten@oregonstate.edu.*

h. *FERC Contact:* Jim Hastreiter at (503) 552–2760; or email at *james.hastreiter@ferc.gov.*

i. *Deadline for filing scoping comments:* August 4, 2014.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–14616–000.

j. The proposed project would consist of: (1) Four offshore test berths; (2) a maximum of 20 wave energy conversion (WEC) devices with a maximum total installed capacity of 20 megawatts; (2) various WEC devices including point absorbers, oscillating water column, overtopping, attenuator, and ''other'' types that utilize a combination of technology designs; (3) various anchoring systems including gravity based anchors, drag anchors, and embedment anchors, consisting of steel, concrete, or a mixture of steel and concrete; (4) single- or 3-point mooring systems consisting of chain, steel cables, or synthetic materials; (5) mooring infrastructure including surface buoys, subsurface floats, and chain, wire or rope, as catenary, tendon or bridle lines; (6) subsea connectors; (7) buried subsea transmission cables converging in a nearshore conduit; (8) an onshore cable landing connecting to a power monitoring and conditioning facility; (9) grid-interconnection at Central Lincoln Public Utility District substation; and (10) appurtenant facilities.

k. *Scoping Process:*

Oregon State University (OSU) intends to utilize the Federal Energy Regulatory Commission's (Commission) alternative licensing process (ALP). Under the ALP, OSU will prepare an Applicant Prepared Environmental Assessment (APEA) and license application for the Pacific Marine Energy Test Center South Energy Test Site.

OSU expects to file with the Commission, the APEA and the license application for the Pacific Marine Energy Test Center South Energy Test Site Project by December 2015. Although the Commission's intent is to prepare an 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.

The purpose of this notice is to inform you of the opportunity to participate in the upcoming scoping meetings and environmental site review identified below, and to solicit your scoping comments.

Scoping Meetings and Environmental Site Review

OSU and the Commission staff will hold two scoping meetings, one in the daytime and one in the evening, to help us identify the scope of issues to be addressed in the APEA.

The daytime scoping meeting will focus on resource agency concerns, while the evening scoping meeting is primarily for public input. All interested individuals, organizations, and agencies are invited to attend one or both of the meetings, and to assist the staff in identifying the environmental issues that should be analyzed in the APEA. The times and locations of these meetings and environmental site review are as follows:

Daytime Meeting

Wednesday, July 9, 2014
1:00 p.m.
Hatfield Marine Science Center
Guin Library (Seminar Room)
2121 SE Marine Science Drive
Newport, Oregon 97365

Evening Meeting

Wednesday, July 9, 2014
7:00 p.m.
Hatfield Marine Science Center
Visitor Center Auditorium
2030 SE Marine Science Drive
Newport, Oregon 97365

Environmental Site Review

Thursday, July 10, 2014
Ona Beach State Park
Day Use Beach Parking Lot (west of Hwy. 101)
Oregon Coast Highway
Waldport, Oregon 97376

Please notify Brenda Langley at *brenda.langley@oregonstate.edu* or (541) 737–6138 by June 25, 2014, if you plan to attend the site visit.

To help focus discussions, Scoping Document 1 (SD1) was mailed by OSU on June 5, 2014, outlining the subject areas to be addressed in the APEA, to the parties on the mailing list. Copies of the SD1 also will be available at the scoping meetings. OSU will file SD1 with the Commission and the document will be 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.

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 this or other pending projects. For assistance, contact *FERCOnlineSupport@ferc.gov.*

Based on all written comments received, a Scoping Document 2 (SD2) may be issued. SD2 will include a revised list of issues, based on the scoping sessions.

Objectives

At the scoping meetings, OSU and Commission staff will: (1) Summarize the environmental issues tentatively identified for analysis in the APEA; (2) solicit from the meeting participants all available information, especially quantifiable data, on the resources at issue; (3) encourage statements from experts and the public on issues that should be analyzed in the APEA, including viewpoints in opposition to, or in support of, the OSU and Commission staff's preliminary views; (4) determine the resource issues to be addressed in the APEA; and (5) identify those issues that require a detailed analysis, as well as those issues that do not require a detailed analysis.

Procedures

The meetings will be recorded by a stenographer and will become part of the formal record of the Commission proceeding on the project.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meetings and to assist OSU in defining and clarifying the issues to be addressed in the APEA.

Dated: May 5, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13700 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP14–123–000]

Questar Overthrust Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Jurisdictional Tap Line 139 Delivery Project and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Jurisdictional Tap Line (JTL) 139 Delivery Project (Project) involving construction and operation of facilities by Questar Overthrust Pipeline Company (Questar) in Sweetwater County, Wyoming. The Commission will use this EA in its decision-making process to determine whether the Project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the Project. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Please note that the scoping period will close on July 7, 2014.

You may submit comments in written form. Further details on how to submit written comments are in the Public Participation section of this notice.

This notice is being sent to the Commission's current environmental mailing list for this Project. State and local government representatives should notify their constituents of this proposed Project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

Questar provided landowners with a fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC Web site (*www.ferc.gov*).

Summary of the Proposed Project

Questar proposes to construct and operate a new pipeline between Questar's existing Mainline 116 Pipeline and a new ammonia plant to be built, owned, and operated by Simplot Phosphates, LLC (Simplot). The JTL 139 Delivery Project would provide about 19.4 million standard cubic feet (20,000 dekatherms) and potentially up to 58.2 million standard cubic feet (60,000 dekatherms) of natural gas per day to Simplot's ammonia plant.

The JTL139 Delivery Project would consist of the following facilities:

• The JTL139 Pipeline: 8 inches in diameter and 2.54 miles long;
• a tap located at milepost (MP) 0.0; and
• a District Regulator Station at MP 2.54.

The general location of the Project facilities is shown in appendix 1.[1]

Land Requirements for Construction

Construction of the proposed facilities would disturb about 30 acres of land for the aboveground facilities and the pipeline. Following construction, Questar would maintain about 23 acres for permanent operation of the Project's facilities; all remaining acreage affected by construction would be restored and revert to former uses.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. The NEPA also requires us[2] to discover and address concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed Project under these general headings:
• Geology and soils;
• land use, recreation, and visual impacts;
• water resources and wetlands;
• cultural resources;
• vegetation and wildlife;
• air quality and noise; and
• public safety and pipeline reliability.

We will also evaluate reasonable alternatives to the proposed Project or portions of the Project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary.[3] Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section of this notice.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.[4] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultations with the Wyoming State Historic Preservation Office (SHPO), and to solicit its views, and those of other government agencies, interested Indian tribes, and the public on the Project's potential effects on historic properties.[5] We will define the Project-specific area of potential effects (APE) in consultation with the SHPO as the Project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this Project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before July 7, 2014.

For your convenience, there are three methods which you can use to submit your comments to the Commission. In all instances please reference the Project docket number (CP14–123–000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *efiling@ferc.gov.*

(1) You can file your comments electronically using the eComment feature on the Commission's Web site (*www.ferc.gov*) under the link to Documents and Filings. This is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You can file your comments electronically using the eFiling feature on the Commission's Web site (*www.ferc.gov*) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; regional environmental groups and non-governmental organizations; potentially interested Indian tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for Project purposes, or who own homes

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[2] The pronouns ''we,'' ''us,'' and ''our'' refer to the environmental staff of the Commission's Office of Energy Projects.

[3] Instructions for using eLibrary can be found in the Additional Information section of this notice.

[4] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[5] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

within certain distances of aboveground facilities, and anyone who submits comments on the Project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the compact disc version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an ''intervenor'' which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User's Guide under the ''e-filing'' link on the Commission's Web site.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site at *www.ferc.gov* using the ''eLibrary'' link. Click on the eLibrary link, click on ''General Search'' and enter the docket number, excluding the last three digits in the Docket Number field (i.e., CP14–123). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Finally, public meetings or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: June 5, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13696 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF14–8–000]

Western Area Power Administration; Notice of Filing

Take notice that on May 21, 2014, the Western Area Power Administration submitted a tariff filing per 300.10: WAPA–163 WestConnect–20140519 to be effective 6/1/2014, concerning Formula Rates for Western Transmission Projects to use under the WestConnect Point-to-Point Regional Transmission Service Participation Agreement.

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 June 20, 2014.

Dated: June 5, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13697 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EF14–9–000]

Western Area Power Administration; Notice of Filing

Take notice that on May 28, 2014, the Western Area Power Administration submitted a tariff filing per 300.10: CRSP_FA_WAPA164–20140527 to be effective 6/8/2014, concerning Falcon Amistad Formula Rate Extension.

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 June 27, 2014.

Dated: June 5, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13698 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 2426–218; 14579–000; 14580–000]

California Department of Water Resources; Notice of Applications Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, and Terms and Conditions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Applications:* Amendment of License and Conduit Exemptions.

b. *Project Nos.:* 2426–218, 14579–000, & 14580–000.

c. *Date Filed:* January 15, 2014.

d. *Applicant:* California Department of Water Resources.

e. *Name of Projects:* South SWP Hydropower Project, Alamo Powerplant Project, and Mojave Siphon Powerplant Project.

f. *Location:* The South SWP Hydropower Project is located on the California Aqueduct in San Bernardino, Los Angeles, San Luis Obispo, Ventura, and Kern Counties, California. The project occupies U.S. lands administered by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Ted Craddock, Chief, Hydropower License Planning and Compliance Office, California Department of Water Resources, P.O. Box 942836, Sacramento, California 94236–0001, telephone: (316) 263–0261.

i. *FERC Contact:* Christopher Chaney, telephone (202) 502–6778 or email: *christopher.chaney@ferc.gov.*

j. *Deadline for filing comments, motions to intervene, and protests:* 60 days from the issuance of this notice by the Commission; reply comments are due 105 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file any motion to intervene, protest, comments, and/or recommendations using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket numbers P–2426–218, P–14579–000, and P–14580–000.

k. *Description of Request:* We consider the applications filed on January 15, 2014, as consisting of three requests: An application for amendment of license under P–2426 and two applications for conduit exemptions under P–14579 and P–14580. The applicant is not proposing any changes to the project operations or facilities, and no ground disturbing activity will occur.

i. *Amendment of License:* The applicant proposes to amend the South SWP Hydropower Project license to remove the Alamo Powerplant and Mojave Siphon Powerplant from the project. Concurrent with the amendment, the licensee proposes to convert the two powerplants to conduit exemptions as described below. This would result in a decrease of 49,400 kilowatts in the installed capacity from 1,679,100 kilowatts to 1,629,700 kilowatts, and a decrease of approximately 270 acres in the acreage encompassed by the project boundary.

ii. *Conduit Exemptions:* The Alamo Powerplant Project would consist of: (1) The existing Alamo Powerplant containing one existing generating unit with an installed capacity of 17,000 kilowatts; and (2) appurtenant facilities. The applicant estimates the project would have an average annual generation of 83.751 gigawatt-hours. The Mojave Siphon Powerplant Project would consist of: (1) The existing Mojave Siphon Powerplant containing three generating units with an installed capacity of 10,800 kilowatts each, for a total installed capacity of 32,400 kilowatts; and (2) appurtenant facilities. The applicant estimates the project would have an average annual generation of 65.678 gigawatt-hours.

l. *Locations of the Application:* This filing may be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number P–2426, P–14579, or P–14580 in the docket number field to access the documents. 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 this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above and at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (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 protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license amendment. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener 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. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: June 6, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13732 Filed 6–11–14; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[9912–13–ORD; Docket ID No. EPA–HQ–ORD–2013–0357]

Workshop To Obtain Input on Draft Materials for the Integrated Science Assessment (ISA) for Sulfur Oxides (SO_X): Health Criteria

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Workshop.

SUMMARY: As part of the review of the air quality criteria for sulfur oxides (SO_X) and primary (health-based) National Ambient Air Quality Standards (NAAQS) for sulfur dioxide (SO_2), the Environmental Protection Agency (EPA) is announcing a teleconference workshop to evaluate preliminary draft materials that will inform the development of the SO_X Integrated Science Assessment (ISA) for health effects. The workshop is being organized by EPA's National Center for Environmental Assessment (NCEA) within the Office of Research and Development and will be held on June 23–24, 2014. Participation in the workshop will be by webinar or teleconference only.

DATES: The workshop will be held on June 23–24, 2014, beginning at 1:00 p.m. and ending at 4:00 p.m. each day.

FOR FURTHER INFORMATION CONTACT: Questions regarding information, registration, and logistics for the workshop should be directed to Ms. Whitney Kihlstrom, ICF International; telephone: 919–293–1646; facsimile: 919–293–1645; or email: *whitney.kihlstrom@icfi.com*. Questions regarding the scientific and technical aspects of the workshop should be directed to Dr. Tom Long; telephone: 919–541–1880; facsimile: 919–541–1818; or email: *long.tom@epa.gov* or Dr. Lisa Vinikoor-Imler; telephone: 919–541–2931; facsimile: 919–541–1818; or email: *vinikoor-imler.lisa@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Summary of Information About the Workshop

Section 109(d) of the Clean Air Act (CAA) requires the U.S. EPA to conduct periodic reviews of the air quality criteria for each air pollutant listed under section 108 of the Act. Based on such reviews, EPA is to retain or revise the NAAQS for a given pollutant as appropriate. As part of these reviews, NCEA assesses newly available scientific information and develops ISA documents (formerly known as Air Quality Criteria Documents) that provide the scientific basis for the reviews of the NAAQS.

NCEA is holding this teleconference workshop to inform the Agency's evaluation of the scientific evidence for the review of the primary NAAQS for SO_2. Section 109(b)(1) of the CAA defines primary NAAQS as standards, ''the attainment and maintenance of which in the judgment of the Administrator, based on such criteria and allowing an adequate margin of safety, are requisite to protect the public health.'' EPA intends to develop a separate ISA, and NAAQS review, for the secondary (welfare-based) NAAQS for SO_X, in conjunction with a review of the secondary NAAQS for oxides of nitrogen. The purpose of the workshop is to obtain peer input on the scientific content of preliminary draft materials that will inform the development of the draft health effects ISA. Workshop participants will review and discuss preliminary draft materials on the atmospheric chemistry of and human exposure to SO_X as well as health effects evidence from in vivo and in vitro animal toxicology, controlled human exposure, and epidemiology studies. In addition, panel discussions will help identify key studies or concepts within each discipline to assist EPA in integrating relevant literature within and across disciplines. These preliminary materials are not being released to the general public before the workshop but will be used during the teleconference to guide workshop discussions and inform the development of the draft health effects ISA. This workshop is planned to help ensure that the ISA, once developed, is up-to-date and focuses on the key evidence to inform the scientific understanding for the review of the primary NAAQS for SO_2. EPA is planning to release the first external review draft health effects ISA for SO_X for review by the Clean Air Scientific Advisory Committee and the public in December 2014.

II. Workshop Information

Members of the public may attend the teleconference as observers. Space in the teleconference or webinar may be limited, and reservations will be accepted on a first-come, first-served basis. Registration for the workshop is available online at *https://sites.google.com/site/soxpeerinputwebinar/*. The workshop agenda and additional information will be available through the NCEA Web site at *http://www.epa.gov/ncea* or by contacting one of the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Dated: June 5, 2014.

James Gallahan,

Acting Deputy Director, National Center for, Environmental Assessment.

[FR Doc. 2014–13740 Filed 6–11–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[9912–16–Region–3]

Notice of Administrative Settlement Agreement for Recovery of Past Response Costs Pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), notice is hereby given that a proposed administrative settlement agreement for recovery of past response costs (''Proposed Agreement'') associated with Absco Scrap Yard Site, Philadelphia County, Pennsylvania was executed by the Environmental Protection Agency (''EPA'') and is now subject to public comment, after which EPA may modify or withdraw its consent if comments received disclose facts or considerations that indicate that the Proposed Agreement is inappropriate, improper, or inadequate. The Proposed Agreement would resolve potential EPA claims under Section 107(a) of CERCLA, against Absco Inc., Sandra Blumberg and Marvin Blumberg (''Settling Parties''). The Proposed Agreement would require Settling Parties to

reimburse EPA $85,000.00 for past response costs incurred by EPA for the Site.

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the Proposed Agreement. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103.

DATES: Comments must be submitted on or before thirty (30) days after the date of publication of this notice.

ADDRESSES: The Proposed Agreement and additional background information relating to the Proposed Agreement are available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103. A copy of the Proposed Agreement may be obtained from Jefferie E. Garcia (3RC42), Senior Assistant Regional Counsel, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, PA 19103. Comments should reference the ''Absco Scrap Yard Site, Proposed Administrative Settlement Agreement for Recovery of Past Response Costs'' and ''EPA Docket No. CERCLA–03–2014–0005–CR,'' and should be forwarded to Jefferie E. Garcia at the above address.

FOR FURTHER INFORMATION CONTACT: Jefferie E. Garcia (3RC42), U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, PA 19103, Phone: (215) 814–2697; *garcia.jefferie@epa.gov.*

Dated: May 27, 2014.

Cecil Rodrigues,

Director, Hazardous Site Cleanup Division, U.S. Environmental Protection Agency, Region III.

[FR Doc. 2014–13747 Filed 6–11–14; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

Intent to Conduct a Detailed Economic Impact Analysis

Pursuant to Section 2(e)(7)(B) of the Ex-Im Charter, this notice is to inform the public that the Export-Import Bank of the United States has received an application for a $100 million guarantee to support the export of up to $117.6 million in U.S. equipment and services for fertilizer production in Morocco.

The U.S. exports will support the Moroccan producer's long-term modernization plans. Parts of those efforts include an expansion of production capacity at four diammonium phosphate (DAP) fertilizer processing plants by a total of 4 million metric tons of DAP per year. The new foreign production will be sold globally.

Interested parties may submit comments on this transaction by email to *economic.impact@exim.gov* or by mail to 811 Vermont Avenue, Washington, DC 20571, attention Policy and Planning Division, within 14 days of the date this notice appears in the **Federal Register**.

Helene Walsh,

Vice President, Policy and Planning.

[FR Doc. 2014–13806 Filed 6–11–14; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 7, 2014.

A. Federal Reserve Bank of Cleveland (Nadine Wallman, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101–2566:

1. *Farmers and Merchants Bancorp of Western Pennsylvania, Inc.,* Kittanning, Pennsylvania to acquire 100 percent of the voting shares of Nextier, Inc., and thereby indirectly acquire voting shares of Nextier Bank, NA, both in Butler, Pennsylvania.

B. Federal Reserve Bank of Minneapolis (Jacquelyn K. Brunmeier, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. *J & B Financial Holdings, Inc.,* Minneapolis, Minnesota; to acquire 100 percent of the voting shares of DUBOIS BankShares, Inc. (d/b/a 1st State Agency), and indirectly acquire voting shares of First State Bank of Sauk Centre, both in Sauk Centre, Minnesota.

In connection with this application, Applicant has proposed to engage in general insurance activities in a community that has a population not exceeding 5,000, pursuant to section 225.28(b)(11)(iii)(A).

Board of Governors of the Federal Reserve System, June 9, 2014.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2014–13722 Filed 6–11–14; 8:45 am]

BILLING CODE 6210–01–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 June 27, 2014.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Elizabeth Lane Bitterlin, Milford, Kansas; and Chad Edward Chase, Manhattan, Kansas, as members of the Chase Family group;* to acquire control of First Team Resources Corporation, and thereby indirectly acquire voting shares of Verus Bank, both in Derby, Kansas.

Board of Governors of the Federal Reserve System, June 9, 2014.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2014–13723 Filed 6–11–14; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination—on the dates indicated—of the waiting period provided by law and the premerger notification rules. The listing for each transaction includes the transaction number and the parties to the transaction. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

EARLY TERMINATIONS GRANTED

[May 1, 2014 thru May 30, 2014]

05/01/2014		
20140775	G	The Walt Disney Corporation; Maker Studios, Inc. The Walt Disney Corporation.
20140823	G	PS Fund 1, LLC; Allergan, Inc.; PS Fund 1, LLC.
05/02/2014		
20140818	G	Andreessen Horowitz Fund III, L.P.; Mr. Mark Zuckerberg; Andreessen Horowitz Fund III, L.P.
20140819	G	AH Parallel Fund III, L.P.; Mr. Mark Zuckerberg; AH Parallel Fund III, L.P.
20140837	G	Mr. Marc Lasry; Senator Herbert H. Kohl; Mr. Marc Lasry.
20140838	G	Mr. Wesley Edens; Senator Herbert H. Kohl; Mr. Wesley Edens.
05/05/2014		
20140793	G	Bain Capital Fund XI, L.P.; Viewpoint, Inc.; Bain Capital Fund XI, L.P.
20140829	Y	Koppers Holdings Inc.; OHI Parent, Inc.; Koppers Holdings Inc.
20140836	G	Post Holdings, Inc.; MFI Holding Corporation; Post Holdings, Inc.
20140845	G	Carlyle Europe Partners IV, L.P.; Schneider Electric S.A.; Carlyle Europe Partners IV, L.P.
05/06/2014		
20140057	G	Health Care Service Corporation; Welsh, Carson, Anderson & Stowe IX, L.P.; Health Care Service Corporation.
20140858	G	Mustang Holdco 1 LLC; Electronic Funds Source LLC; Mustang Holdco 1 LLC.
05/07/2014		
20140786	G	STERIS Corporation; Farrell Eugene Robinson; STEAM Corporation.
20140807	G	Berkshire Hathaway, Inc.; Graham Holdings Company; Berkshire Hathaway, Inc.
20140808	G	Summit Partners Growth Equity Fund VIII–A, L.P.; ABILITY Network Holding Inc.; Summit Partners Growth Equity Fund VIII–A, L.P.
20140839	G	The Goldman Sachs Group, Inc.; CVC European Equity Partners III L.P.; The Goldman Sachs Group, Inc.
20140840	G	Olympus Growth Fund V. L.P.; Pregis Holding I Corporation; Olympus Growth Fund V, L.P.
20140853	G	Brown & Brown, Inc.; Paul L. Barden; Brown & Brown, Inc.
20140866	G	The Laclede Group, Inc.; Energen Corporation; The Laclede Group, Inc.
05/08/2014		
20140802	G	International Business Machines Corporation; Silverpop Systems, Incorporated; International Business Machines Corporation.
05/09/2014		
20140657	G	Rock-Tenn Company; Kamilche Company; Rock-Tenn Company.
20140815	G	Mallinckrodt public limited company; Questcor Pharmaceuticals, Inc.; Mallinckrodt public limited company.
20140847	G	Vista Equity Partners Fund V, L.P.; DealerSocket, Inc.; Vista Equity Partners Fund V, L.P.
20140856	G	Saltchuk Resources, Inc.; AGL Resources Inc.; Saltchuk Resources, Inc.
20140859	G	LS Power Equity Partners III, L.P.; Calpine Corporation; LS Power Equity Partners III, L.P.
05/12/2014		
20140872	G	AT&T Inc.; SoftBank Corporation AT&T Inc.
20140878	G	Lincolnshire Equity Fund IV–A, L.P.; MUIR Institutional Partners III LP; Lincolnshire Equity Fund IV–A, L.P.
20140881	G	Columbia Sportswear Company; Moore Global Investments, Ltd.; Columbia Sportswear Company.
20140882	G	The Hillshire Brands Company; Catterton Partners VI, L.P.; The Hillshire Brands Company.

EARLY TERMINATIONS GRANTED—Continued

[May 1, 2014 thru May 30, 2014]

20140887	G	Samsung SDI Co., Ltd.; Cheil Industries, Inc.; Samsung SDI Co., Ltd.
05/13/2014		
20140846	G	Blue Harbour Active Ownership Partners, L.P.; Chico's FAS, Inc.; Blue Harbour Active Ownership Partners, L.P.
20140877	G	Gulf Pacific Power, LLC; OTPPB US Power, LLC; Gulf Pacific Power, LLC.
20140884	G	Holcombe T. Green, Jr.; Cbeyond, Inc.; Holcombe T. Green, Jr.
20140885	G	Endo International plc; Zogenix, Inc.; Endo International plc.
20140890	G	Genpact Limited; Peter Griffin; Genpact Limited.
05/14/2014		
20140869	G	Celgene Corporation; Achille Gregory Severgnini; Celgene Corporation.
20140895	G	Genstar Capital Partners VI, L.P.; Castle Harlan Partners V, L.P.; Genstar Capital Partners VI, L.P.
05/15/2014		
20140797	G	GTCR Fund X/A AIV LP; Vocus, Inc; GTCR Fund X/A AIV LP.
05/16/2014		
20140850	G	Newco; KKR 2006 Fund (Invictus) L.P.; Newco.
20140896	G	Lion Capital Fund III, L.P.; TSG4 L.P.; Lion Capital Fund III, L.P.
05/19/2014		
20140841	G	Jacobs Engineering Group; Verizon Communications Inc.; Jacobs Engineering Group.
20140891	G	Fidelity National Information Services, Inc.; Reliance Financial Corporation; Fidelity National Information Services, Inc.
20140898	G	Graham Holdings Company; Fulham Investors II, L.P.; Graham Holdings Company.
20140902	G	Capital Credit Union; Pioneer Credit Union; Capital Credit Union.
20140908	G	Riverstone Global Energy et Power Fund V (Cayman), L.P.; General Electric Company Riverstone Global Energy & Power Fund V (Cayman), L.P.
05/20/2014		
20140886	G	EMC Corporation; DSSD, Inc.; EMC Corporation.
20140905	G	Memorial Production Partners LP; Merit Energy Company, LLC; Memorial Production Partners LP.
20140906	G	Trident V, L.P.; Genstar Capital Partners V, LP.; Trident V. L.P.
20140911	G	Quintiles Transnational Holdings Inc.; Encore Health Resources LLC; Quintiles Transnational Holdings Inc.
20140913	G	Silver Point Capital Fund, L.P.; Arclin Cayman Holdings Ltd.; Silver Point Capital Fund, L.P.
05/21/2014		
20140915	G	HC2 Holdings, Inc,; Scott A. Schuff; HC2 Holdings, Inc.
05/22/2014		
20140880	G	Gibson Brands, Inc.; Koninlclijke Philips NV.; Gibson Brands, Inc.
20140909	G	Teachers Insurance & Annuity Association of America; Windy City Investments Holdings, L.L.C.; Teachers Insurance & Annuity Association of America.
05/27/2014		
20140711	G	MKS Instruments, Inc.; Brooks Automation, Inc.; MKS Instruments, Inc.
20140897	G	SSH Holdings, Inc.; Brookstone Holdings Corp.; SSH Holdings, Inc.
20140918	G	Chip Holding Company, LP; Snyder's-Lance, Inc.; Chip Holding Company, LP.
20140921	G	Energy Transfer Equity, L.P.; Susser Holdings Corporation; Energy Transfer Equity, L.P.
20140922	G	Jeffery D. Hildebrand; BP p.l.c.; Jeffery D. Hildebrand.
20140923	G	B/E Aerospace, Inc.; Jerald M. Jendusa; B/E Aerospace, Inc.
20140928	G	Summit Partners Growth Equity Fund VIII–A, L.P.; The Procter & Gamble Company; Summit Partners Growth Equity Fund VIII–A, L.P.
20140929	G	Encana Corporation; Freeport-McMoRan Copper & Gold Inc.; Encana Corporation.
20140932	G	Clearlake Capital Partners III, L.P.; Genstar Capital Partners IV, L.P.; Clearlake Capital Partners III, L.P.
20140935	G	The Energy & Minerals Group Fund III, LP; Enduring Resources II, LLC; The Energy & Minerals Group Fund III, LP.
20140940	G	Huntington Ingalls Industries, Inc.; UniversalPegasus International; Huntington Ingalls Industries, Inc.
20140948	G	Sentinel Capital Partners V, L.P.; Irving Place Capital Partners III, L.P.; Sentinel Capital Partners V, L.P.
05/28/2014		
20140920	G	Hilltop Holdings Inc.; SWS Group, Inc.; Hilltop Holdings Inc.
20140936	G	News Corporation; Torstar Corporation; News Corporation.
20140946	G	Golden Gate Capital Opportunity Fund, L.P.; Phillips-Medisize Corporation Golden; Gate Capital Opportunity Fund, L.P.
20140947	G	West Corporation; Health Advocate, Inc.; West Corporation.

EARLY TERMINATIONS GRANTED—Continued

[May 1, 2014 thru May 30, 2014]

20140958	G	Solera Holdings, Inc.; KPGW Holding Company, LLC; Solera Holdings, Inc.
05/29/2014		
20140863	G	Xerox Corporation; ISG Holdings, Inc; Xerox Corporation.
20140888	G	Renewable Energy Group, Inc.; Tyson 2009 Family Trust c/o Chuck Erwin, Trustee; Renewable Energy Group, Inc.
20140889	G	Renewable Energy Group, Inc.: Syntroleum Corporation; Renewable Energy Group, Inc.
20140893	G	United Technologies Corporation; Blades Technology International, Inc.; United Technologies Corporation.
20140900	G	Forest Laboratories, Inc.; Furiex Pharmaceuticals, Inc.; Forest Laboratories, Inc.
20140957	G	BDCM Opportunity Fund II, L.P.; Arclin Cayman Holdings Ltd.; BDCM Opportunity Fund II, L.P.
05/30/2014		
20140778	G	Thales SA; JetBlue Airways Corporation; Thales SA.

FOR FURTHER INFORMATION CONTACT: Renee Chapman, Contact Representative, or Theresa Kingsberry, Legal Assistant, Federal Trade Commission, Premerger Notification Office, Bureau of Competition, Room H–303, Washington, DC 20580, (202) 326–3100.

By Direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–13634 Filed 6–11–14; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Subcommittee for Dose Reconstruction Reviews (SDRR), Advisory Board on Radiation and Worker Health (ABRWH or the Advisory Board), National Institute for Occupational Safety and Health (NIOSH)

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control and Prevention (CDC), announces the following meeting for the aforementioned subcommittee:

Date and Time: July 7, 2014, 10:30 a.m.–5:00 p.m. EST.

Place: Audio Conference Call via FTS Conferencing.

Status: Open to the public. The public is welcome to submit written comments in advance of the meeting, to the contact person below. Written comments received in advance of the meeting will be included in the official record of the meeting. The public is also welcome to listen to the meeting by joining the teleconference at the USA toll-free, dial-in number, 1–866–659–0537 and the passcode is 9933701.

Background: The Advisory Board was established under the Energy Employees Occupational Illness Compensation Program Act of 2000 to advise the President on a variety of policy and technical functions required to implement and effectively manage the new compensation program. Key functions of the Advisory Board include providing advice on the development of probability of causation guidelines that have been promulgated by the Department of Health and Human Services (HHS) as a final rule; advice on methods of dose reconstruction, which have also been promulgated by HHS as a final rule; advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program; and advice on petitions to add classes of workers to the Special Exposure Cohort (SEC).

In December 2000, the President delegated responsibility for funding, staffing, and operating the Advisory Board to HHS, which subsequently delegated this authority to CDC. NIOSH implements this responsibility for CDC. The charter was issued on August 3, 2001, renewed at appropriate intervals, and will expire on August 3, 2015.

Purpose: This Advisory Board is charged with (a) providing advice to the Secretary, HHS, on the development of guidelines under Executive Order 13179; (b) providing advice to the Secretary, HHS, on the scientific validity and quality of dose reconstruction efforts performed for this program; and (c) upon request by the Secretary, HHS, advise the Secretary on whether there is a class of employees at any Department of Energy facility who were exposed to radiation but for whom it is not feasible to estimate their radiation dose, and on whether there is reasonable likelihood that such radiation doses may have endangered the health of members of this class. The Subcommittee for Dose Reconstruction Reviews was established to aid the Advisory Board in carrying out its duty to advise the Secretary, HHS, on dose reconstruction.

Matters for Discussion: The agenda for the Subcommittee meeting includes the following dose reconstruction program quality management and assurance activities: Discussion of current findings from NIOSH and Advisory Board dose reconstruction blind reviews; discussion of dose reconstruction cases under review (cases involving Oak Ridge National Laboratory, Y–12, K–25, and other DOE and Atomic Weapons Employer sites from sets 10–13); and preparation of the Advisory Board's next report to the Secretary, HHS, summarizing the results of completed dose reconstruction reviews.

The agenda is subject to change as priorities dictate.

Contact Person for More Information: Theodore Katz, Designated Federal Officer, NIOSH, CDC, 1600 Clifton Road NE., Mailstop E–20, Atlanta, Georgia 30333, Telephone (513)533–6800, Toll Free 1(800)CDC–INFO, Email *ocas@cdc.gov*.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 2014–13661 Filed 6–11–14; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): Initial Review

The meeting announced below concerns Health Promotion and Disease Prevention Research Centers: Special Interest Project Competitive Supplements DP14–011–A, initial review.

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control and Prevention (CDC) announces the aforementioned meeting:

Time and Date: 9:30 a.m.–6:00 p.m., July 9, 2014 (Closed)

Place: Teleconference.

Status: The meeting will be closed to the public in accordance with provisions set forth in Section 552b(c)(4) and (6), Title 5 U.S.C., and the Determination of the Director, Management Analysis and Services Office, CDC, pursuant to Public Law 92–463.

Matters for Discussion: The meeting will include the initial review, discussion, and evaluation of applications received in response to,'' Health Promotion and Disease Prevention Research Centers: Special Interest Project Competitive Supplements DP14–011–A, initial review.''

Contact Person for More Information: M. Chris Langub, Ph.D., Scientific Review Officer, CDC, 4770 Buford Highway NE., Mailstop F–80, Atlanta, Georgia 30341, Telephone: (770) 488–3585, *EEO6@cdc.gov.*

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 2014–13662 Filed 6–11–14; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): Initial Review

The meeting announced below concerns Health Promotion and Disease Prevention Research Centers: Special Interest Project Competitive Supplements DP14–011, initial review.

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control and Prevention (CDC) announces the aforementioned meeting:

Time and Date: 9:30 a.m.–6:00 p.m., July 8, 2014 (Closed).

Place: Teleconference.

Status: The meeting will be closed to the public in accordance with provisions set forth in Section 552b(c)(4) and (6), Title 5 U.S.C., and the Determination of the Director, Management Analysis and Services Office, CDC, pursuant to Public Law 92–463.

Matters for Discussion: The meeting will include the initial review, discussion, and evaluation of applications received in response to, ''Health Promotion and Disease Prevention Research Centers: Special Interest Project Competitive Supplements DP14–011, initial review.''

Contact Person for More Information: M. Chris Langub, Ph.D., Scientific Review Officer, CDC, 4770 Buford Highway NE., Mailstop F–80, Atlanta, Georgia 30341, Telephone: (770) 488–3585, *EEO6@cdc.gov.*

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 2014–13660 Filed 6–11–14; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2011–N–0075]

Agency Information Collection Activities; Proposed Collection; Comment Request; Good Laboratory Practice Regulations for Nonclinical Studies

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice invites comments on the information collection provisions of FDA's good laboratory practice (GLP) regulations for nonclinical laboratory studies.

DATES: Submit either electronic or written comments on the collection of information by August 11, 2014.

ADDRESSES: Submit electronic comments on the collection of information to *http://www.regulations.gov.* Submit written comments on the collection of information to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, we are publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, we invite comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Good Laboratory Practice Regulations for Nonclinical Studies—21 CFR Part 58 (OMB Control Number 0910–0119)—Extension

Sections 409, 505, 512, and 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348, 355, 360(b), 360(e)) and related statutes require manufacturers of food additives, human drugs and biological products, animal drugs, and medical devices to demonstrate the safety and utility of their product by submitting applications to FDA for research or marketing permits. Such applications contain, among other important items, full reports of all studies done to demonstrate product safety in man and/or other animals. In order to ensure adequate quality control

for these studies and to provide an adequate degree of consumer protection, the Agency issued GLP regulations for nonclinical laboratory studies in part 58 (21 CFR part 58). The regulations specify minimum standards for the proper conduct of safety testing and contain sections on facilities, personnel, equipment, standard operating procedures (SOPs), test and control articles, quality assurance, protocol and conduct of a safety study, records and reports, and laboratory disqualification.

Part 58 requires testing facilities engaged in conducting toxicological studies to retain, and make available to regulatory officials, records regarding compliance with good laboratory practices. Records are maintained on file at each testing facility and examined there periodically by FDA inspectors. The GLP regulations require that, for each nonclinical laboratory study, a final report be prepared that documents the results of quality assurance unit inspections, test and control article characterization, testing of mixtures of test and control articles with carriers, and an overall interpretation of nonclinical laboratory studies. The GLP regulations also require written records pertaining to: (1) Personnel job descriptions and summaries of training and experience; (2) master schedules, protocols and amendments thereto, inspection reports, and SOPs; (3) equipment inspection, maintenance, calibration, and testing records; (4) documentation of feed and water analyses, and animal treatments; (5) test article accountability records; and (6) study documentation and raw data.

Recordkeeping is necessary to document the conduct of nonclinical laboratory studies of FDA-regulated products to ensure the quality and integrity of the resulting final study report on which a regulatory decision may be based. Written SOPs and records of actions taken are essential for testing facilities to implement GLP's effectively. Further, they are essential for FDA to be able to determine a testing facility's compliance with the GLP regulations in part 58.

Description of Respondents: The likely respondents collecting this information are contract laboratories, sponsors of FDA-regulated products, universities, or government agencies.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR Section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
58.29(b); Personnel	300	20	6,000	0.21 (13 minutes)	1,260
58.35(b)(1)–(b)(6) and (c); Quality assurance	300	270.76	81,228	3.36	279,926
58.35(b)(7); Quality assurance	300	60.25	18,075	1	18,075
58.63(b) and (c); Maintenance and calibration of equipment.	300	60	18,000	0.09 (5 minutes)	1,620
58.81(a)–(c); SOPs	300	301.8	90,540	0.14 (8 minutes)	12,676
58.90(c) and (g); Animal care	300	62.7	18,810	0.13(8 minutes)	2,445
58.105(a) and (b); Test and control article characterization.	300	5	1,500	11.8	17,700
58.107(d); Test and control article handling	300	1	300	4.25	1,275
58.113(a); Mixtures of articles with carriers	300	15.33	4,599	6.8	31,273
58.120; Protocol	300	15.38	4,614	32.7	150,878
58.185; Nonclinical laboratory study results	300	60.25	18,075	27.65	499,774
58.195; Retention of records	300	251.5	75,450	3.9	294,255
Total					1,311,157

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: June 9, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13787 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–D–0984]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Guidance for Industry on Specification of the Unique Facility Identifier System for Drug Establishment Registration

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax or email written comments on the collection of information by July 14, 2014.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0045. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Registration of Producers of Drugs and Listing of Drugs in Commercial Distribution (OMB Control Number 0910–0045)

In the **Federal Register** of September 6, 2013 (78 FR 54899), FDA announced the availability of a draft guidance for industry entitled ''Specification of the Unique Facility Identifier (UFI) System

for Drug Establishment Registration.'' Sections 701 and 702 of the Food and Drug Administration Safety and Innovation Act (FDASIA) (Pub. L. 112–144) direct the Secretary to specify the UFI system for registration of domestic and foreign drug establishments. Once the UFI system is specified, section 510 of the Federal, Food, Drug, and Cosmetic Act (FD&C Act), as amended, requires that each initial and annual drug establishment registration include a UFI (21 U.S.C. 360(b), (c), and (i)). This draft guidance specifies the UFI system as follows. At this time, FDA's preferred UFI for a drug establishment is the Data Universal Numbering System D–U–N–S (DUNS) number, assigned and managed by Dun and Bradstreet. The DUNS number is available free of charge to all drug establishments and may be obtained by visiting the Web site for Dun and Bradstreet. As explained in the guidance, however, if a company wants to use an alternative UFI for its drug establishment, it may contact FDA via email at *edrls@fda.hhs.gov.*

OMB has previously approved existing information collections associated with the electronic submission of initial and annual registration of domestic and foreign drug establishments, as described in part 207 (21 CFR part 207) and the guidance document ''Providing Regulatory Submissions in Electronic Format—Drug Establishment Registration and Drug Listing'' (the 2009 Guidance) (available at *http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM072339.pdf*), under OMB control number 0910–0045. The Food and Drug Administration Amendments Act of 2007 (Pub. L. 110–85) required that drug establishment registration and drug listing information must be submitted electronically unless a waiver is granted. As part of its recommendations to facilitate electronic submission of drug establishment registration information, as required by statute, the 2009 guidance explained that FDA is adopting the use of extensible markup language files in a standard structured product labeling format for the electronic submission of drug establishment registration and drug listing information. The 2009 guidance also explained that the automated submission process functions most efficiently and effectively when the information is provided in a standardized format with defined code sets and codes. In addition, the 2009 guidance requested, among other things, the electronic submission of a site-specific DUNS number for each entity as part of the registration information submitted electronically. In FDA's experience, all firms currently registered with FDA under section 510 of the FD&C Act and part 207 have submitted their DUNS number as requested in the 2009 guidance.

The guidance modifies the currently approved information collections associated with drug establishment registration, consistent with subsequent statutory enactment. In July 2012, Congress enacted FDASIA, sections 701 and 702 of which direct the Secretary to specify the UFI system for registration of domestic and foreign drug establishments. Once the UFI system is specified, section 510 of the FD&C Act, as amended, requires that each initial and annual drug establishment registration include a UFI. Because drug firms generally possess, and for those already registered, have previously provided, a DUNS number for each facility, FDA expects that consistent with the proposed UFI system, they will submit DUNS numbers as the UFIs for drug establishments. Although the change in statutory authority described in this document will alter the legal basis for submission of the DUNS number, it is not expected to have any other impact on the previously approved collection of information. FDA expects that the DUNS number will continue to be submitted by the same respondents, with the same frequency, as part of the same electronic registration submission previously approved under the PRA, and the Agency will continue to use the information for the same purposes, in furtherance of its mission to protect the public health.

While FDA anticipates that firms will submit DUNS as UFI, the guidance also suggests that firms who want to submit an alternative identifier contact FDA. FDA estimates that no more than one respondent per year will invoke this option. FDA estimates that it would require on average 1 hour for a company to contact FDA and identify its proposed alternative UFI.

In the **Federal Register** of September 6, 2013 (78 FR 54899), FDA published a 60-day notice requesting public comment on the proposed collection of information. FDA received three comments that did not pertain to the information collection. Upon review of these comments FDA does not plan to revise the information collection.

Dated: June 9, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13788 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2006–P–0136 (Formerly Docket No. 2006P–0496) and Docket No. FDA–2007–P–0353 (Formerly Docket No. 2007P–0034)]

Determination That AZO GANTANOL (Phenazopyridine Hydrochloride, Sulfamethoxazole) Tablet, 100 Milligrams/500 Milligrams, and AZO GANTRISIN (Phenazopyridine Hydrochloride, Sulfisoxazole) Tablet, 50 Milligrams/500 Milligrams, Were Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its determination that AZO GANTANOL (phenazopyridine hydrochloride (HCl) and sulfamethoxazole) Tablet, 100 milligrams (mg)/500 mg, and AZO GANTRISIN (phenazopyridine HCl and sulfisoxazole) Tablet, 50 mg/500 mg, were not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for phenazopyridine HCl and sulfamethoxazole tablet, 100 mg/500 mg, and phenazopyridine HCl and sulfisoxazole tablet, 50 mg/500 mg, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT: David Joy, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6254, Silver Spring, MD 20993–0002, 301–796–3601.

SUPPLEMENTARY INFORMATION: In 1984, Congress enacted the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) (the 1984 amendments), which authorized the approval of duplicate versions of drug products approved under an ANDA procedure. ANDA applicants must, with certain exceptions, show that the drug for which they are seeking approval contains the same active ingredient in the same strength and dosage form as the ''listed drug,'' which is a version of

the drug that was previously approved. Sponsors of ANDAs do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA). The only clinical data required in an ANDA are data to show that the drug that is the subject of the ANDA is bioequivalent to the listed drug.

The 1984 amendments include what is now section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)), which requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the ''Approved Drug Products With Therapeutic Equivalence Evaluations,'' which is known generally as the ''Orange Book.'' Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to FDA's approval of an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

AZO GANTANOL is the subject of NDA 013294, held by Roche and approved on April 8, 1965. AZO GANTRISIN is the subject of NDA 019358, held by Roche and initially approved on August 31, 1990. Under the Drug Efficacy Study Implementation (DESI), FDA concluded that a fixed combination drug product containing 500 mg of sulfamethoxazole and 100 mg of phenazopyridine HCl, and certain other sulfonamide/phenazopyridine combinations, are effective for indications described in a **Federal Register** notice published on July 29, 1983 (DESI 12056, 48 FR 34516). Consistent with that determination, both AZO GANTANOL and AZO GANTRISIN are indicated for the initial treatment of uncomplicated urinary tract infections caused by susceptible strains of *Escherichia coli, Klebsiella* species, *Enterobacter* species, *Proteus mirabilis, Proteus vulgaris,* and *Staphylococcus aureus* when relief of symptoms of pain, burning, or urgency is needed during the first 2 days of therapy.

In a letter dated May 29, 1998, Roche requested that FDA withdraw approval of NDA 013294 for AZO GANTANOL (phenazopyridine HCl and sulfamethoxazole) Tablet, 100 mg/500 mg. In the **Federal Register** of September 25, 1998 (63 FR 51359), FDA announced that it was withdrawing approval of NDA 013294 effective September 25, 1998.

In a letter dated March 23, 1998, Roche requested that FDA withdraw approval of NDA 019358 for AZO GANTRISIN (phenazopyridine HCl and sulfisoxazole) Tablet, 50 mg/500 mg. In the **Federal Register** of May 12, 1998 (63 FR 26191), FDA announced that it was withdrawing approval of NDA 019358 effective June 11, 1998.

Vintage Pharmaceuticals, LLC, submitted a citizen petition dated December 1, 2006 (Docket No. FDA–2006–P–0136), under 21 CFR 10.30, requesting that FDA determine whether AZO GANTANOL and AZO GANTRISIN were withdrawn from sale for reasons of safety or effectiveness. JRRapoza Associates, Inc., submitted a citizen petition dated January 17, 2007 (Docket No. FDA–2007–P–0353), under 21 CFR 10.30, also requesting that FDA determine whether AZO GANTANOL and AZO GANTRISIN were withdrawn from sale for reasons of safety or effectiveness.

FDA has reviewed its records and, under § 314.161, has determined that AZO GANTANOL (phenazopyridine HCl and sulfamethoxazole) Tablet, 100 mg/500 mg, and AZO GANTRISIN (phenazopyridine HCl and sulfisoxazole) Tablet, 50 mg/500 mg, were not withdrawn from sale for reasons of safety or effectiveness. We have also independently evaluated relevant literature and have found no information that would indicate that these products were withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list AZO GANTANOL (phenazopyridine HCl and sulfamethoxazole) Tablet, 100 mg/500 mg, and AZO GANTRISIN (phenazopyridine HCl and sulfisoxazole) Tablet, 50 mg/500 mg, in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' delineates, among other things, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to either AZO GANTANOL (phenazopyridine HCl and sulfamethoxazole) Tablet, 100 mg/500 mg, or AZO GANTRISIN (phenazopyridine HCl and sulfisoxazole) Tablet, 50 mg/500 mg, may be approved by the Agency if all other legal and regulatory requirements for the approval of ANDAs are met. If FDA determines that the labeling for either drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Dated: June 6, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13757 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–D–0725]

Draft Guidance for Industry on Abbreviated New Drug Application Submissions; Content and Format of Abbreviated New Drug Applications; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a draft guidance for industry entitled ''ANDA Submissions—Content and Format of Abbreviated New Drug Applications.'' The guidance document is intended to assist applicants in preparing complete and high-quality original abbreviated new drug applications (ANDAs) for submission to FDA under the Federal Food, Drug, and Cosmetic Act. The guidance summarizes the statutory and regulatory requirements for ANDAs, references existing guidance documents, and incorporates additional recommendations on the content and format of ANDA submissions. This guidance describes the Common Technical Document format for human pharmaceutical product applications and specifies the information to be submitted in each section of the application.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by August 11, 2014.

ADDRESSES: Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New

Hampshire Ave., Bldg. 51, Rm. 2201, Silver Spring, MD 20993–0002, or the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

Submit electronic comments on the draft guidance to *http://www.regulations.gov*. Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Elizabeth Giaquinto, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1670, Silver Spring, MD 20993–0002, 240–402–7930, email: *elizabeth.giaquinto@fda.hhs.gov*, or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7268, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''ANDA Submissions—Content and Format of Abbreviated New Drug Applications.'' On July 9, 2012, the Generic Drug User Fee Amendments (GDUFA) was signed into law by the President to speed the delivery of safe and effective generic drugs to the public and reduce costs to industry. Under GDUFA, FDA agreed to certain obligations as laid out in the GDUFA Commitment Letter. Among these obligations is FDA's commitment to performance metrics for the review of original ANDAs. For example, FDA has committed to review and act on 90 percent of original ANDA submissions within 10 months from the date of submission in Year 5 of the program, which begins on October 1, 2016.

In an effort to increase the number of original ANDAs that the Agency can receive upon initial submission and to decrease the number of review cycles required to approve an application for marketing, FDA prepared this guidance on improving the quality of original ANDA submissions. FDA is committed to providing comprehensive assistance in the early stages of the application process to ensure that an original ANDA contains all information necessary for FDA to complete its review in one review cycle.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the Agency's current thinking on ''ANDA Submissions—Content and Format of Abbreviated New Drug Applications.'' It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR 314.94 have been approved under *0910–0001.* The collection of information in Form FDA 356h has been approved under *0910–0338.* The collection of information for Form FDA 3674 has been approved under *0910–0616.* The collection of information for Form FDA 3794 has been approved under *0910–0727.* The collection of information for Form FDA 3454 has been approved under *0910–0393.* The collection of information for Form FDA 3455 has been approved under *0910–0396.* The collection information for 21 CFR part 11, Electronic Records, has been approved under *0910–0303.*

III. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov*.

IV. Electronic Access

Persons with access to the Internet may obtain the document at either *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm*, *http://www.fda.gov/BiologicsBloodVaccines/GuidanceComplianceRegulatoryInformation/default.htm*, or *http://www.regulations.gov*.

Dated: June 5, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13641 Filed 6–11–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–1504]

Independent Assessment of the Process for the Review of Device Submissions; Final Comprehensive Findings and Recommendations and First Implementation Plan; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a notice entitled ''Independent Assessment of the Process for the Review of Device Submissions; Final Comprehensive Findings and Recommendations and First Implementation Plan'' that appeared in the **Federal Register** of May 29, 2014 (79 FR 30853). The document announced Booz Allen Hamilton's final comprehensive findings and recommendations submitted as part of their independent assessment of the process for the review of medical device submissions as well as FDA's first implementation plan based on Booz Allen Hamilton's high priority recommendations issued December 11, 2013. The notice was issued earlier than intended. The documents will be available on June 11, 2014, as required by the Medical Device User Fee Amendments of 2012 (MDUFA) III Performance Goals and Procedures Commitment Letter.

FOR FURTHER INFORMATION CONTACT: Amber Sligar, Office of Planning, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 3291, Silver Spring, MD 20993–0002, 301–796–9384, *Amber.Sligar@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In the **Federal Register** of Thursday, May 29, 2014, in FR Doc. 2014–12403, on pages 30853–30854, the following correction is made:

The notice implied that Booz Allen Hamilton's final comprehensive findings and recommendations and FDA's first implementation plan are available as of May 29, 2014. In fact, the

documents will be available Wednesday, June 11, 2014, at the following Web site: *http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Overview/MDUFAIII/ucm314036.htm.*

Dated: June 6, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13758 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–0001]

Gastroenterology and Urology 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: Gastroenterology and Urology 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 July 30 and 31, 2014, from 8 a.m. to 6 p.m.

Location: Hilton Washington DC North/Gaithersburg, Salons A, B, C, and D, 620 Perry Pkwy., Gaithersburg, MD 20877. The hotel's telephone number is 301–977–8900.

Contact Person: Sara Anderson, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1643, Silver Spring, MD 20993–0002, *Sara.Anderson@fda.hhs.gov*, 301–796–7047, 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 July 30, 2014, the committee will discuss, make recommendations, and vote on information regarding the premarket approval application (PMA) for the Ablatherm Integrated Imaging device sponsored by EDAP Technomed, Inc. The proposed Indication for Use for the Ablatherm Integrated Imaging device, as stated in the PMA, is as follows:

The Ablatherm Integrated Imaging device is intended for the primary treatment of prostate cancer in subjects with low risk, localized prostate cancer.

On July 31, 2014, the committee will discuss and make recommendations regarding the classification of Penile Tumescence Monitors, Nephrostomy Catheters, Stimulators for Electrical Sperm Collection, Erectile Dysfunction Devices, and Alloplastic Spermatoceles. These devices are considered preamendments devices since they were in commercial distribution prior to May 28, 1976, when the Medical Devices Amendments became effective. Penile Tumescence Monitors are currently regulated under the heading, ''Monitor, Penile Tumescence,'' Product Code LIL, as unclassified under the 510(k) premarket notification authority. Nephrostomy Catheters are currently regulated under the heading, ''Catheter, Nephrostomy,'' Product Code LJE, as unclassified under the 510(k) premarket notification authority. Stimulators for Electrical Sperm Collection are currently regulated under the heading, ''Stimulator, Electrical for Sperm Collection,'' Product Code LNL, as unclassified under the 510(k) premarket notification authority. Erectile Dysfunction Devices are currently regulated under the heading, ''Device, Erectile Dysfunction,'' Product Code LST, as unclassified under the 510(k) premarket notification authority. Alloplastic Spermatoceles are currently regulated under the heading, ''Spermatocele, Alloplastic,'' Product Code LQS, as unclassified under the 510(k) premarket notification authority. FDA is seeking committee input on the safety and effectiveness and the regulatory classification of Penile Tumescence Monitors, Nephrostomy Catheters, Stimulators for Electrical Sperm Collection, Erectile Dysfunction Devices, and Alloplastic Spermatoceles.

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 June 24, 2014. Oral presentations from the public will be scheduled between approximately 1 p.m. and 2 p.m. on July 30, 2014, and between approximately 8:50 a.m. and 9:50 a.m. on July 31, 2014. 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 June 16, 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 June 17, 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 at *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: June 6, 2014.

Jill Hartzler Warner,

Associate Commissioner for Special Medical Programs.

[FR Doc. 2014–13650 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–E–0157]

Determination of Regulatory Review Period for Purposes of Patent Extension; Arcapta Neohaler

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for Arcapta Neohaler and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

ADDRESSES: Submit electronic comments to *http://www.regulations.gov.* Submit written petitions (two copies are required) and written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. Submit petitions electronically to *http://www.regulations.gov* at Docket No. FDA–2013–S–0610.

FOR FURTHER INFORMATION CONTACT: Beverly Friedman, Office of Management, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6257, Silver Spring, MD 20993–0002, 301–796–7900.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product Arcapta Neohaler (indacaterol maleate). Arcapta Neohaler is indicated for long term, once-daily maintenance bronchodilator treatment of airflow obstruction in patients with chronic obstructive pulmonary disease, including chronic bronchitis and/or emphysema. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for Arcapta Neohaler (U.S. Patent No. 6,878,721) from Novartis AG, and USPTO requested FDA's assistance in determining this patent's eligibility for patent term restoration. In a letter dated July 9, 2012, FDA advised USPTO that this human drug product had undergone a regulatory review period and that the approval of Arcapta Neohaler represented the first permitted commercial marketing or use of the product. Thereafter, USPTO requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for Arcapta Neohaler is 3,097 days. Of this time, 2,171 days occurred during the testing phase of the regulatory review period, while 926 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 355(i)) became effective:* January 9, 2003. FDA has verified the applicant's claim that the date the investigational new drug application became effective was on January 9, 2003.

2. *The date the application was initially submitted with respect to the human drug product under section 505(b) of the FD&C Act:* December 18, 2008. The applicant claims December 19, 2008, as the date the new drug application (NDA) for Arcapta Neohaler (NDA 22–383) was initially submitted. However, FDA records indicate that NDA 22–383 was submitted on December 18, 2008.

3. *The date the application was approved:* July 1, 2011. FDA has verified the applicant's claim that NDA 22–383 was approved on July 1, 2011.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 1,597 days of patent term extension.

Anyone with knowledge that any of the dates as published are incorrect may submit to the Division of Dockets Management (see **ADDRESSES**) either electronic or written comments and ask for a redetermination by August 11, 2014. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by December 9, 2014. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) electronic or written comments and written or electronic petitions. It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. If you submit a written petition, two copies are required. A petition submitted electronically must be submitted to *http://www.regulations.gov*, Docket No. FDA–2013–S–0610. Comments and petitions that have not been made publicly available on *http://www.regulations.gov* may be viewed in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Dated: June 5, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13638 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2011–E–0383; FDA–2011–E–0386, and FDA–2011–E–0387]

Determination of Regulatory Review Period for Purposes of Patent Extension; Arctic Front Cryocatheter System

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for Arctic Front Cryocatheter System and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of applications to the Director of Patents and Trademarks, Department of Commerce, for the extension of patents which claim that medical device.

ADDRESSES: Submit electronic comments to *http://www.regulations.gov*. Submit written petitions (two copies are required) and written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. Submit petitions electronically to *http://www.regulations.gov* at Docket No. FDA–2013–S–0610.

FOR FURTHER INFORMATION CONTACT: Beverly Friedman, Office of Management, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6257, Silver Spring, MD 20993–0002, 301–796–7900.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For medical devices, the testing phase begins with a clinical investigation of the device and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the device and continues until permission to market the device is granted. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of Patents and Trademarks may award (half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a medical device will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(3)(B).

FDA has approved for marketing the medical device, Arctic Front Cryocatheter System. Arctic Front Cryocatheter System is indicated for treatment of drug refractory recurrent symptomatic paroxysmal atrial fibrillation. Subsequent to this approval, the Patent and Trademark Office received patent term restoration applications for Arctic Front Cryocatheter System (U.S. Patent Nos. 6,575,966; 7,648,497; and 7,727,228) from Medtronic CryoCath LP, and the Patent and Trademark Office requested FDA's assistance in determining the patents' eligibility for patent term restoration. In a letter dated March 6, 2012, FDA advised the Patent and Trademark Office that this medical device had undergone a regulatory review period and that the approval of Arctic Front Cryocatheter System represented the first permitted commercial marketing or use of the product. Thereafter, the Patent and Trademark Office requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for Arctic Front Cryocatheter System is 2,670 days. Of this time, 2,389 days occurred during the testing phase of the regulatory review period, while 281 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 520(g) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360j(g)) involving this device became effective:* August 28, 2003. FDA has verified the applicant's claim that the date the investigational device exemption required under section 520(g) of the FD&C Act for human tests to begin became effective was August 28, 2003.

2. *The date an application was initially submitted with respect to the device under section 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e):* March 12, 2010. FDA has verified the applicant's claim that the premarket approval application (PMA) for Arctic Front Cryocatheter System (PMA P100010) was initially submitted March 12, 2010.

3. *The date the application was approved:* December 17, 2010. FDA has verified the applicant's claim that PMA P100010 was approved on December 17, 2010.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its applications for patent extension, this applicant seeks 200, 307, or 1,476 days of patent term extension.

Anyone with knowledge that any of the dates as published are incorrect may submit to the Division of Dockets Management (see **ADDRESSES**) either electronic or written comments and ask for a redetermination by August 11, 2014. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by December 9, 2014. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) electronic or written comments and written or electronic petitions. It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. If you submit a written petition, two copies are required. A petition submitted electronically must be submitted to *http://www.regulations.gov*, Docket No. FDA–2013–S–0610. Comments and petitions that have not been made publicly available on *http://www.regulations.gov* may be viewed in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Dated: June 5, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13640 Filed 6–11–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–E–1233]

Determination of Regulatory Review Period for Purposes of Patent Extension; Zuprevo

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for ZUPREVO and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that animal drug product.

ADDRESSES: Submit electronic comments to *http://www.regulations.gov*. Submit written petitions (two copies are required) and written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. Submit petitions electronically to *http://www.regulations.gov* at Docket No. FDA–2013–S–0610.

FOR FURTHER INFORMATION CONTACT: Beverly Friedman, Office of Management, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6257, Silver Spring, MD 20993–0002, 301–796–7900.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For animal drug products, the testing phase begins on the earlier date when either a major environmental effects test was initiated for the drug or when an exemption under section 512(j) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360b(j)) became effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the animal drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for an animal drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(4)(B).

FDA has approved for marketing the animal drug product ZUPREVO (tildipirosin). ZUPREVO is an animal drug product indicated for the treatment of bovine respiratory disease (BRD) associated with *Mannheimia haemolytica, Pasteurella multocida*, and *Histophilus somni* in beef and non-lactating dairy cattle at high risk of developing BRD associated with *M. haemolytica, P. multocida,* and *H. somni*. Subsequent to this approval, USPTO received a patent term restoration application for ZUPREVO (U.S. Patent No. 6,514,946) from Koueki Zaidan Hojin Biseibutsu Kagaku Kenkyu Kai, and USPTO requested FDA's assistance in determining this patent's eligibility for patent term restoration. In a letter dated February 19, 2013, FDA advised USPTO that this animal drug product had undergone a regulatory review period and that the approval of ZUPREVO represented the first permitted commercial marketing or use of the product. Thereafter, USPTO requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for ZUPREVO is 2,903 days. Of this time, 2,842 days occurred during the testing phase of the regulatory review period, while 61 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 355(i)) became effective:* June 4, 2004. The applicant claims March 8, 2004, as the date the investigational new animal drug application (INAD) became effective. However, FDA records indicate that the INAD effective date was June 4, 2004, which was the date a major health or environmental effects test is begun or the date on which the Agency acknowledges the filing of a notice of claimed investigational exemption for a new animal drug, whichever is earlier.

2. *The date the application was initially submitted with respect to the animal drug product under section 512 of the FD&C Act (21 U.S.C. 360b):* March 15, 2012. The applicant claims March 14, 2012, as the date the new animal drug application (NADA) for ZUPREVO (NADA 141–334) was initially submitted. However, FDA records indicate that NADA 141–334 was submitted on March 15, 2012.

3. *The date the application was approved:* May 14, 2012. FDA has verified the applicant's claim that NADA 141–334 was approved on May 14, 2012.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 1,524 days of patent term extension.

Anyone with knowledge that any of the dates as published are incorrect may submit to the Division of Dockets Management (see **ADDRESSES**) either electronic or written comments and ask for a redetermination by August 11, 2014. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by December 9, 2014. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) electronic or written comments and written or electronic petitions. It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. If you submit a written petition, two copies are required. A petition submitted electronically must be submitted to *http://www.regulations.gov*, Docket No. FDA–2013–S–0610. Comments and petitions that have not been made publicly available on *http://www.regulations.gov* may be viewed in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Dated: June 5, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13637 Filed 6–11–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-Day Comment Request; HIV Study in Blood Donors From Five Chinese Regions

Summary: In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, for opportunity for public comment on proposed data collection projects, the National Heart, Lung, and Blood Institute (NHLBI), the National Institutes of Health (NIH), will publish periodic summaries of proposed projects to the Office of Management and Budget (OMB) for review and approval.

Written comments and/or suggestions from the public and affected agencies are invited on one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

To Submit Comments And For Further Information: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Simone Glynn, MD, Project Officer/ICD Contact, Two Rockledge Center, Suite 9142, 6701 Rockledge Drive, Bethesda, MD 20892, or call 301–435–0065, or Email your request, including your address to: *glynnsa@nhlbi.nih.gov*. Formal requests for additional plans and instruments must be requested in writing.

Comment Due Date: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

Proposed Collection: HIV Study in Blood Donors from Five Chinese Regions, 0925–0596 reinstatement with change, National Heart, Lung and Blood Institute (NHLBI).

Need and Use of Information Collection: This Study is a reinstatement of OMB Number: 0925–0596 expiration date, January 31, 2012. To better understand the diversifying and changing Human Immunodeficiency Virus (HIV) epidemic, and contemporary HIV risk factors, especially those associated with recent HIV infections, this HIV risk factor study in China is proposed as part of the Recipient Epidemiology and Donor Evaluation Study-III (REDS–III). The major objectives of the study will be to evaluate the proportion of blood donors in China who test positive for HIV and have acquired their infection recently or more remotely; the risk of releasing a blood product that contains HIV (HIV residual risk); and the risk factors associated with HIV infection in China. The study will also assess the frequency of distinct HIV–1 viral lineages and drug resistant mutations among HIV-positive blood donors. In 2011, there were 780,000 people infected with HIV in China and it is estimated that over 300,000 HIV infected people in China are not aware of their infection status. The large migrating population and the complexity of HIV transmission routes in China make it difficult to implement a comprehensive and effective national HIV control strategy. Risk factors for infections can change over time; thus, identifying factors that contribute to the recent spread of HIV in a broad cross-section of an otherwise unselected general population, such as blood donors, is highly important for obtaining a complete picture of the epidemiology of HIV infection in China. Because the pace of globalization means infections can cross borders easily, the study objectives have direct relevance for HIV control in the U.S. and globally. Recent years have seen an increase in blood donations from repeat donors in most Chinese regions. This increase permits longer-term follow-up and testing of repeat donors which allow for calculation of new HIV infection rates and residual risks. The HIV data, for both recently and remotely acquired infections, from the proposed study will complement existing data on HIV risks obtained from general and high risk populations to provide comprehensive HIV surveillance data for China. This study will also monitor genetic characteristics of recently acquired infections through genotyping and drug resistance testing, thus serving a U.S. and global public health imperative to monitor the genotypes of HIV that have recently been transmitted. For HIV, the additional monitoring of drug resistance patterns in newly acquired infection is critical to determine if currently available antiretroviral medicines are capable of combating infection. Genotyping and host response information are scientifically important not only to China, but to the U.S. and other nations since they provide a broader global understanding of how to most effectively manage and potentially prevent HIV, for example through vaccine development. Efforts to develop vaccines funded by the National Institutes of Health and other U.S.-based organizations may directly benefit from the findings of this study.

Blood donors are tested for transfusion-transmissible infections including HIV when they present to donate, and test result information as well as demographic data will be routinely collected in a database at the five blood centers participating in REDS–III studies (located in the cities of Chongqing, Liuzhou, Luoyang, Mianyang, and Urumqi). These data will allow for calculation of HIV incidence, prevalence, and residual risk. Additionally, a case-control study will be conducted over a 2 and 1/2 year period to evaluate the risk factors associated with HIV infection among blood donors. Cases will be defined as potential donors who deny risks on the donor screening questionnaire but are found to be positive on HIV testing (their donation is discarded). HIV-positive donors who gave blood at one of the five blood centers as stated above (primary sites) or at blood centers located in the Guangxi Autonomous Region (peripheral sites, recruited through the Guangxi CDC for this study only but not other REDS–III studies) will be eligible to participate and complete a Risk Factor Questionnaire that will assess general demographic and risk factor information pertinent to HIV infection. Controls will be negative for HIV on confirmatory testing. Assuming 50% response rate, it is anticipated that 390 HIV-positive donors and 960 controls will participate in the case control study. The results of this study will contribute to global HIV surveillance and prevention, provide a broader global understanding of HIV epidemiology, and support public health efforts to most effectively manage and potentially prevent HIV transmission both worldwide and in the U.S.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total

estimated annualized burden hours are 450.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hours
HIV Risk factor Q	Blood donors—Case Primary Sites	210	1	20/60	70
	Blood donors—Case peripheral sites	180	1	20/60	60
	Blood donors—Control primary sites	540	1	20/60	180
	Blood donors—Control—peripheral sites	420	1	20/60	140
	Blood donors—total	1,350	1	20/60	450

Dated: May 29, 2014.

Keith Hoots,

Director, Division of Blood Diseases and Resources, National Heart, Lung, and Blood Institute, NIH.

Dated: May 29, 2014.

Lynn Susulske,

NHLBI Project Clearance Liaison, National Institutes of Health.

[FR Doc. 2014–13724 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; The National Diabetes Education Program (NDEP) Comprehensive Evaluation Plan

SUMMARY: Under the provisions of Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), the National Institutes of Health (NIH) 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 March 19 2014, pages 15351 and 15351[FR DOC #: 2014–06064], and allowed 60 days for public comment. There was 1 public comment received. The purpose of this notice is to allow an additional 30 days for public comment. The 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.

DATES: *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: Ms. Joanne Gallivan, M.S., R.D., Director, National Diabetes Education Program, OCPL, NIDDK, 31 Center Drive, MSC 2560, Bethesda, MD 20892, or call non-toll-free number 301–496–6110, or Email your request, including your address to: *joanne_gallivan@nih.gov*. Formal requests for additional plans and instruments must be requested in writing.

Proposed Collection: The National Diabetes Education Program (NDEP) Comprehensive Evaluation Plan, 0925–0552, Expiration Date 10/31/2015, REVISION, National Institute of Diabetes and Digestive and Kidney Disease (NIDDK), National Institutes of Health (NIH).

Need and Use of Information Collection: The National Diabetes Education Program (NDEP) is a partnership of the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention (CDC) and more than 200 public and private organizations. The long-term goal of the NDEP is to reduce the burden of diabetes and pre-diabetes in the United States, and its territories, by facilitating the adoption of proven strategies to prevent or delay the onset of diabetes and its complications.

The NDEP evaluation will document the extent to which the NDEP program has been implemented and how successful it has been in meeting program objectives, outlined in the NDEP Strategic Plan. The evaluation relies heavily on data gathered from existing national surveys such as National Health and Nutrition Examination Survey (NHANES), the National Health Interview Survey (NHIS), the Behavioral Risk Factor Surveillance System (BRFSS), among others for this information. This is a continued collection of additional primary data from NDEP target audiences on some key process and impact measures that are necessary to effectively evaluate the program. The audiences targeted by the NDEP include people at risk for diabetes, people with diabetes and their families, and the public.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 841.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent and instrument	Estimated number of respondents	Estimated number of responses per respondent	Average time per response (in hours)	Estimated total annual burden hours
Adults—Pretest surveys	25	1	20/60	8
Adults—Surveys	2500	1	20/60	833

Dated: May 27, 2014.

Ruby N. Akomeah,

Project Clearance Liaison, NIDDK, NIH.

[FR Doc. 2014–13729 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Eye Institute; 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 Eye Institute Special Emphasis Panel; NEI Institutional Training Grant Applications.

Date: August 6, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn, 7301 Waverly St., Bethesda, MD 20814.

Contact Person: Jeanette M. Hosseini, Ph.D., Scientific Review Officer, 5635 Fishers Lane, Suite 1300, Bethesda, MD 20892, 301–451–2020, *jeanetteh@mail.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.

(Catalogue of Federal Domestic Assistance Program Nos. 93.867, Vision Research, National Institutes of Health, HHS)

Dated: June 5, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13676 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review 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: Center for Scientific Review Special Emphasis Panel; Topics in Bacterial Pathogenesis.

Date: June 30–July 1, 2014.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Richard G Kostriken, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3192, MSC 7808, Bethesda, MD 20892, 240–519–7808, *kostrikr@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Genes, Genomes and Genetics.

Date: June 30–July 1, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Nikko San Francisco, 222 Mason Street, San Francisco, CA 94102.

Contact Person: Marie-Jose Belanger, Ph.D., Scientific Review Officer Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5181, MSC 7804, Bethesda, MD 20892, *belangerm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Synthetic and Biological Chemistry.

Date: July 8–9, 2014.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Michael Eissenstat, Ph.D., Scientific Review Officer, BCMB IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4166, MSC 7806, Bethesda, MD 20892, 301–435–1722, *eissenstatma@csr.nih.gov.*

Name of Committee: AIDS and Related Research Integrated Review Group; Behavioral and Social Consequences of HIV/AIDS Study Section.

Date: July 9–10, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: St. Gregory Hotel, 2033 M Street NW., Washington, DC 20036.

Contact Person: Mark P Rubert, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–806–6596, *rubertm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Cell Biology, Developmental Biology and Bioengineering.

Date: July 9–10, 2014.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Kenneth Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3218, MSC 7717, Bethesda, MD 20892, 301–435–1789, *kenneth.ryan@nih.hhs.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Biobehavioral Regulation, Learning and Ethology.

Date: July 9, 2014.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Serena Chu, Ph.D., Scientific Review Officer, BBBP IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3178, MSC 7848, Bethesda, MD 20892, 301–500–5829, *sechu@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Behavioral Interventions, Obesity and Chronic Pain.

Date: July 9, 2014.

Time: 1:30 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Mary Ann Guadagno, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3170, MSC 7770, Bethesda, MD 20892, (301) 451–8011, *guadagma@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; P01: Pre-Clinical Pharmacogenetics: a systems approach.

Date: July 9, 2014.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Dominique Lorang-Leins, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Room 5108, MSC 7766, Bethesda, MD 20892, 301.326.9721, *Lorangd@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 5, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13672 Filed 6–11–14; 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 Acquired Immunodeficiency Syndrome Research Review Committee.

Date: July 10, 2014.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Room 3256, 6700B Rockledge Drive, Bethesda, MD 20817 (Telephone Conference Call).

Contact Person: Vasundhara Varthakavi, Ph.D., Scientific Review Officer Scientific Review Program, NIH/NIAID/DEA/ARRB, 6700 B Rockledge Drive Room 3256, Bethesda, MD 20892, 301–451–1740, *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: June 6, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13678 Filed 6–11–14; 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 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 on Aging Special Emphasis Panel; EUREKA.

Date: July 8, 2014.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Elaine Lewis, Ph.D., Scientific Review Branch, National Institute on Aging, Gateway Building, Suite 2C212, MSC–9205, 7201 Wisconsin Avenue, Bethesda, MD 20892, 301–402–7707, *elainelewis@nia.nih.gov.*

Name of Committee: National Institute on Aging Special Emphasis Panel; Hip Fracture Trial.

Date: July 9, 2014

Time: 3:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Isis S. Mikhail, MPH, DRPH, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7702, *mikhaili@mail.nih.gov.*

Name of Committee: National Institute on Aging Special Emphasis Panel; Aging Lung Review.

Date: July 18, 2014.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Isis S. Mikhail, MPH, DRPH, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7702, *mikhaili@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: June 5, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13677 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the NIH Scientific Management Review Board (SMRB).

The NIH Reform Act of 2006 (Pub. L. 109–482) provides organizational authorities to HHS and NIH officials to: (1) Establish or abolish national research institutes; (2) reorganize the offices within the Office of the Director, NIH including adding, removing, or transferring the functions of such offices or establishing or terminating such offices; and (3) reorganize, divisions, centers, or other administrative units within an NIH national research institute or national center including adding, removing, or transferring the functions of such units, or establishing or terminating such units. The purpose of the SMRB is to advise appropriate HHS and NIH officials on the use of these organizational authorities and identify the reasons underlying the recommendations.

The meeting will be open to the public, 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.

Name of Committee: Scientific Management Review Board.

Date: July 7–8, 2014.

Time: July 7, 2014, 9:00 a.m. to 5:00 p.m.

Agenda: The first day of the meeting will focus on stakeholder input regarding ways for NIH to cultivate sustained interest in

biomedical science among students from pre-kindergarten through high school in order to contribute to a healthy biomedical workforce pipeline. Sign up for public comments will begin approximately at 8:00 a.m. and will be restricted to one sign-in per person. In the event that time does not allow for all those interested to present oral comments, 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.

Time: July 8, 2014, 9:00 a.m. to 3:00 p.m.

Agenda: Members will hear from stakeholders on the topic of streamlining the NIH grant review, award, and management process while maintaining proper oversight. Time will be allotted on the agenda for public comment. Sign up for public comments will begin approximately at 8:00 a.m. and will be restricted to one sign-in per person. In the event that time does not allow for all those interested to present oral comments, 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.

Place: National Institutes of Health, Building 35, 1st Floor, Porter Seminar Room, 9000 Rockville Pike, Bethesda, MD 20892.

Contact Person: Juanita Marner, Office of Science Policy, Office of the Director, NIH, National Institutes of Health, 6705 Rockledge Drive, Suite 750, Bethesda, MD 20892, *smrb@mail.nih.gov,* (301) 435–1770.

The meeting will be webcast. The draft meeting agenda and other information about the SMRB, including information about access to the webcast, will be available at *http://smrb.od.nih.gov.*

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxis, 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.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: June 5, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13682 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; 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 of General Medical Sciences Special Emphasis Panel, Centers of Biomedical Research Excellence (COBRE) (P20).

Date: July 18, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Bethesda, 7301 Waverly Street, Bethesda, MD 20814.

Contact Person: Margaret J. Weidman, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3An.18B, Bethesda, MD 20892, 301–594–2048, *weidmanma@nigms.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives, National Institutes of Health, HHS)

Dated: June 6, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13681 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 Cancer Institute Special Emphasis Panel; IMAT.

Date: July 10, 2014.

Time: 10 a.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 6E032, Rockville, MD, 20850, (Telephone Conference Call).

Contact Person: Jeffrey E. DeClue, Ph.D., Scientific Review Officer, Research Technology and Contract Review, Division of Extramural Activities, National Cancer Institute, 9609 Medical Center Drive, Room 7W238, Bethesda, MD 20892–8329, 240–276–6371, *decluej@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; Early Stage Innovative Molecular Analysis Tech Development for Cancer Research.

Date: July 31, 2014.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Room Forest Glen , Bethesda, MD 20852.

Contact Person: Jeffrey E. DeClue, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, 9609 Medical Center Drive, Room 7W238, Bethesda, MD 20892–8329, 240–276–6371, *decluej@mail.nih.gov.*

Information is also available on the Institute's/Center's home page: *http://deainfo.nci.nih.gov/advisory/sep/sep.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support;

93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: June 5, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13675 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Arthritis and Musculoskeletal and Skin 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: Arthritis and Musculoskeletal and Skin Diseases Initial Review Group; Arthritis and Musculoskeletal and Skin Diseases Clinical Trials Review Committee.

Date: July 8–9, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

Contact Person: Charles H. Washabaugh, Ph.D., Scientific Review Officer, Scientific Review Branch, NIAMS/NIH, 6701 Democracy Boulevard, Suite 800, Bethesda, MD 20892, 301–594–4952 *washabac@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: June 6, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13679 Filed 6–11–14; 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 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 of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Ancillary Studies to PENUT.

Date: July 14, 2014.

Time: 1:00 p.m. to 2:00 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: Barbara A. Woynarowska, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 754, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 402–7172, *woynarowskab@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: June 6, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13680 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 meetings of the Board of Scientific Counselors for Basic Sciences, National Cancer Institute and the Board of Scientific Counselors for Clinical Sciences and Epidemiology, National Cancer Institute.

The meetings 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 Cancer Institute, 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 for Basic Sciences, National Cancer Institute.

Date: July 15, 2014.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, Building 31, 31 Center Drive, C-Wing, 6th Floor, Conference Room 6, Bethesda, MD 20892.

Contact Person: Mehrdad M. Tondravi, Ph.D., Executive Secretary, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 2W464, Rockville, MD 20850, 240–276–5664, *tondravim@mail.nih.gov.*

Name of Committee: Board of Scientific Counselors for Clinical Sciences and Epidemiology, National Cancer Institute.

Date: July 14, 2014.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, Building 31, 31 Center Drive, C Wing, 6th Floor, Conference Room 6, Bethesda, MD 20892.

Contact Person: Brian E. Wojcik, Ph.D., Executive Secretary, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 3W414, Rockville, MD 20850, 240–276–5665, *wojcikb@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: June 5, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13674 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; 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: Center for Scientific Review Special Emphasis Panel; PAR–13–080: Accelerating the Pace of Drug Abuse Research Using Existing Data.

Date: June 24, 2014.

Time: 2:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: George Vogler, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3140, MSC 7770, Bethesda, MD 20892, (301) 237–2693, *voglergp@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Skeletal Biology and Tissue Engineering.

Date: July 8–9, 2014.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Yanming Bi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4214, MSC 7814, Bethesda, MD 20892, 301–451–0996, *ybi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Interventions for Health Behavior over the Life Course.

Date: July 8, 2014.

Time: 11:30 a.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Mary Ann Guadagno, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3170, MSC 7770, Bethesda, MD 20892, (301) 451–8011, *guadagma@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Health and Behavior.

Date: July 8, 2014.

Time: 12:00 p.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Stacey C FitzSimmons, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3114, MSC 7808, Bethesda, MD 20892, 301–451–9956, *fitzsimmonss@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Comparative Medicine Training.

Date: July 9, 2014.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Paul Sammak, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6185, MSC 7892, Bethesda, MD 20892, 301–435–0601, *sammakpj@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; AREA: Genes, Genomes and Genetics applications.

Date: July 9, 2014.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Michael M. Sveda, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2204, MSC 7890, Bethesda, MD 20892, 301–435–3565, *svedam@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 6, 2014.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13673 Filed 6–11–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given that the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Substance Abuse Treatment (CSAT) National Advisory Council will meet June 19, 2014, 4:00–5:00 p.m. via teleconference.

The meeting is open to the public and will include discussions and evaluation of grant applications reviewed by SAMHSA's Initial Review Groups. To attend on-site, or request special accommodations for persons with disabilities, please register at SAMHSA Committees' Web site, *http://nac.samhsa.gov/Registration/meetingsRegistration.aspx,* or contact the Council's Designated Federal Officer, Ms. Cynthia Graham, (see contact information below). Substantive program information, a summary of the meeting, and a roster of Council members may be obtained as soon as possible after the meeting, by accessing the SAMHSA Committee Web site at *http://beta.samhsa.gov/about-us/advisory-councils/csat-national-advisory-council,* or by contacting the DFO.

Committee Name: SAMHSA's Center for Substance Abuse Treatment National Advisory Council.

Date/Time/Type: June 19, 2014, 4:00–5:00 p.m. OPEN.

Place: SAMHSA Building, 1 Choke Cherry Road, Great Falls Conference Room, Rockville, Maryland 20857.

Contact: Cynthia Graham, M.S., Designated Federal Official, SAMHSA CSAT National Advisory Council, 1 Choke Cherry Road, Room 5–1035, Rockville, Maryland 20857, Telephone: (240) 276–1692, Fax: (240) 276–1690, Email: *cynthia.graham@samhsa.hhs.gov.*

Cathy J. Friedman,

Public Health Analyst, SAMHSA.

This notice is being published less than 15 days prior to the meeting due to the urgent need to meet timing limitations imposed by the review and funding cycle.

[FR Doc. 2014–13670 Filed 6–11–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2014–0067]

Imposition of Conditions of Entry for Certain Vessels Arriving to the United States From Nigeria

AGENCY: Coast Guard, DHS.

ACTION: Notice.

SUMMARY: The Coast Guard announces that it will impose conditions of entry on vessels arriving from the Federal Republic of Nigeria with the exception of vessels arriving from certain ports.

DATES: The policy announced in this notice will become effective June 26, 2014.

FOR FURTHER INFORMATION CONTACT: For information about this document call or email Michael Brown, International Port Security Evaluation Division, United States Coast Guard, telephone 202–372–1081. For information about viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826, toll free 1–800–647–5527.

SUPPLEMENTARY INFORMATION:

Discussion

The authority for this notice is 5 U.S.C. 552(a), 46 U.S.C. 70110, and Department of Homeland Security Delegation No. 0170.1(II)(97)(f). As delegated, section 70110 authorizes the Coast Guard to impose conditions of entry on vessels arriving in U.S. waters from ports that the Coast Guard has not found to maintain effective anti-terrorism measures.

The Coast Guard does not find that ports in the Federal Republic of Nigeria maintain effective anti-terrorism measures with certain exceptions and that Nigeria's legal regime, designated authority oversight, access control and cargo control are all deficient. Our determination does not apply to the ports listed in Table 1 and the listed ports are excepted from the conditions of entry we are imposing.

TABLE 1—PORTS TO WHICH THIS NOTICE DOES NOT APPLY

Port	IMO Port No.
APP Apapa Bulk Terminal	NGAPP–0009
APP AP Moller Terminal	NGAPP–0001
APP Greenview Terminal	NGAPP–0004
BON Bonny River Terminal	NGBON–0001
BON NLGN Bonny Terminal.	NGBON–0002
BON SPDC Bonny Offshore Terminal.	NG663–001
CBQ FSO YOHO (Exxon Mobile).	NG638–0001
CBQ Logistics Base	NGCBQ–0001
CBQ McIver Wharf	NGCBQ–0004
CBQ Port Terminal A	NGCBQ–0002
CBQ QIT BOP	NGOBO–0001
ESC Escra BOP	NGESC–0001
ESC LPG–FSO	NGESC–0003
FOR Forcados Offshore Terminal.	NGFOR–0001
ONN FLT	NGONN–0005
ONN FOT	NGONN–0006
TIN Dantata MRS Terminal	NGTIN–0003
TIN FSL	NGTIN–0013
TIN P&CH Terminal C	NGTIN–0011
TIN PTML Terminal E	NGTIN–0010
TIN Snake Island Integrated Free Zone.	NGTIN–0001
TIN TICT Terminal B	NGTIN–0009

In March 26, 2013, Nigeria was notified of this determination and given recommendations for improving antiterrorism measures and 90 days to respond. To date, we cannot confirm that Nigeria has corrected the identified deficiencies.

Accordingly, beginning June 26, 2014, the conditions of entry shown in Table 2 will apply to any vessel that visited a non-excepted Nigerian port in its last five port calls.

TABLE 2—CONDITIONS OF ENTRY FOR VESSELS VISITING NIGERIAN PORTS NOT LISTED IN TABLE 1

No.	Each vessel must:
1	Implement measures per the vessel's security plan equivalent to Security Level 2 while in a port in the Federal Republic of Nigeria. As defined in the ISPS Code and incorporated herein, "Security Level 2" refers to the "level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident."
2	Ensure that each access point to the vessel is guarded and that the guards have total visibility of the exterior (both landside and waterside) of the vessel while the vessel is in ports in the Federal Republic of Nigeria.
3	Guards may be provided by the vessel's crew; however, additional crewmembers should be placed on the vessel if necessary to ensure that limits on maximum hours of work are not exceeded and/or minimum hours of rest are met, or provided by outside security forces approved by the vessel's master and Company Security Officer. As defined in the ISPS Code and incorporated herein, "Company Security Officer" refers to the "person designated by the Company for ensuring that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained and for liaison with port facility security officers and the ship security officer."
4	Attempt to execute a Declaration of Security while in a port in the Federal Republic of Nigeria;
5	Log all security actions in the vessel's security records; and
6	Report actions taken to the cognizant Coast Guard Captain of the Port (COTP) prior to arrival into U.S. waters.
7	In addition, based on the findings of the Coast Guard boarding or examination, the vessel may be required to ensure that each access point to the vessel is guarded by armed, private security guards and that they have total visibility of the exterior (both landside and waterside) of the vessel while in U.S. ports. The number and position of the guards has to be acceptable to the cognizant COTP prior to the vessel's arrival.

The following countries currently do not maintain effective anti-terrorism measures and are therefore subject to conditions of entry: Cambodia, Cameroon, Comoros, Cote d'Ivoire, Cuba, Equatorial Guinea, Guinea-Bissau, Iran, Liberia, Madagascar, Nigeria, Sao Tome and Principe, Syria, Timor-Leste, Venezuela, and Yemen. This list is also available in a policy notice available at *https://homeport.uscg.mil* under the Maritime Security tab; International Port Security Program (ISPS Code); Port Security Advisory link.

Dated: June 2, 2014.

Vice Admiral Peter V. Neffenger, USCG,

Deputy Commandant for Operations.

[FR Doc. 2014–13741 Filed 6–11–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0030]

Agency Information Collection Activities: Declaration of Unaccompanied Articles

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security 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: Declaration of Unaccompanied Articles. This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before July 14, 2014 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, at 202–325–0265.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** (79 FR 18304) on April 1, 2014, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Declaration of Unaccompanied Articles.

OMB Number: 1651–0030.

Form Number: CBP Form 255.

Abstract: CBP Form 255, Declaration of Unaccompanied Articles, is completed by travelers arriving in the United States with a parcel or container which is to be sent from an insular possession at a later date. It is the only means whereby the CBP officer, when the person arrives, can apply the exemptions or five percent flat rate of duty to all of the traveler's purchases.

A person purchasing articles in American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States receives a sales slip, invoice, or other evidence of purchase which is presented to the CBP officer along with CBP Form 255, which is prepared in triplicate. The CBP officer verifies the information, indicates on the form whether the article or articles were free of duty, or dutiable at the flat rate. Two copies of the form are returned to the traveler, who sends one form to the vendor. Upon receipt of the form the vendor places it in an envelope, affixed to the outside of the package, and clearly marks the package ''Unaccompanied Tourist Shipment,'' and sends the package to the traveler, generally via mail, although it could be sent by other means. If sent through the mail, the package would be examined by CBP and forwarded to the Postal Service for delivery. Any duties due would be collected by the mail carrier. If the shipment arrives other than through the mail, the traveler is notified by the carrier when the article arrives. Entry would be made by the carrier or the traveler at the customhouse. Any duties due would be collected at that time.

CBP Form 255 is authorized by Sections 202 & 203 of Public Law 95–410 and provided for 19 CFR 148.110, 148.113, 148.114, 148.115 and 148.116. A sample of this form may be viewed at: *http://www.cbp.gov/sites/default/files/documents/CBP%20Form%20255.pdf*

Current Actions: This submission is being made to extend the expiration date of this information collection with no change to the burden hours or to the information being collected.

Type of Review: Extension (without change).

Affected Public: Individuals.

Estimated Number of Respondents: 7,500.

Estimated Number of Responses: 15,000.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 1,250.

Dated: June 9, 2014.

Tracey Denning,

Agency Clearance Officer, U.S. Customs and Border Protection.

[FR Doc. 2014–13798 Filed 6–11–14; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0134]

Agency Information Collection Activities: Request for Entry or Departure for Flights To and From Cuba

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security 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: Request for Entry or Departure for Flights To and From Cuba. This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with a change to the burden

hours. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before July 14, 2014 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, at 202–325–0265.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** (79 FR 19348) on April 8, 2014, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Request for Entry or Departure for Flights To and From Cuba.

OMB Number: 1651–0134.

Abstract: On January 28, 2011, Customs and Border Protection (CBP) regulations were amended to allow additional U.S. airports that are able to process international flights to request approval of CBP to process authorized flights between the United States and Cuba. To be eligible to request approval to accept flights to and from Cuba, an airport must be an international airport, landing rights airport, or user fee airport, as defined and described in part 122 of the CBP regulations, and have adequate and up-to-date staffing, equipment and facilities to process international traffic. In order for an airport to seek approval to allow arriving and departing flights from Cuba, the port authority must send a written request to CBP requesting permission. Information about the program and how to apply may be found at *http://www.cbp.gov/newsroom/spotlights/2011-02-03-050000/dhs-cbp-publish-final-rule-allowing-additional-us-ports-entry*. This information collection is authorized by 19 U.S.C.1433, 1644a, 8 U.S.C 1103, and provided for by 19 CFR 122.153.

Current Actions: This submission is being made to extend the expiration date of this information collection with a change to the burden hours resulting from revised estimates of the number of respondents. There is no change to the information being collected.

Type of Review: Extension (with change).

Affected Public: Businesses.

Estimated Number of Respondents: 2.

Estimated Total Annual Responses: 2.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 2.

Dated: June 9, 2014.

Tracey Denning,

Agency Clearance Officer, U.S. Customs and Border Protection.

[FR Doc. 2014–13799 Filed 6–11–14; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF THE INTERIOR

[NPS–NERO–GATE–15664]

Gateway National Recreation Area Fort Hancock 21st Century Advisory Committee

AGENCY: National Park Service, Interior.

ACTION: Call for Nominations.

SUMMARY: The National Park Service, U.S. Department of the Interior, is seeking nominations for individuals to be considered for appointment to the Gateway National Recreation Area Fort Hancock 21st Century Advisory Committee (Committee). The purpose of the Committee is to advise the Secretary of the Interior, through the Director of the National Park Service, on the development of a reuse plan and on matters relating to future uses of the Fort Hancock Historic Landmark District, located within the Sandy Hook Unit of Gateway National Recreation Area.

Eight of the 20 members' terms will expire on August 25, 2014. Nominations will take place in the same manner as when the Committee was first staffed. Anyone interested in membership, including current members whose terms are expiring, must follow the same nomination process as all others. Members are appointed by the Secretary of the Interior for a term not to exceed three years or the life of the Committee, whichever is shorter.

Nominations should describe and document the proposed member's qualifications for membership to the Committee, and include a resume listing their name, title, address, telephone, email, and fax number.

DATES: Written nominations must be received by July 14, 2014.

ADDRESSES: Send nominations to: Gateway National Recreation Area, Office of the Superintendent, 210 New York Avenue, Staten Island, New York 10305.

FOR FURTHER INFORMATION CONTACT: Gateway National Recreation Area, Sandy Hook Unit, 26 Hudson Road, Highlands, New Jersey 07732 or email at *forthancock21stcentury@yahoo.com.* Phone number is 732–872–5908.

SUPPLEMENTARY INFORMATION: In accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. Appendix 1–16) and with the concurrence of the General Services Administration, the Secretary established the advisory committee for the Gateway National Recreation Area Fort Hancock Historic Landmark District. The Committee is a discretionary advisory committee established under the authority of the Secretary of the Interior.

The Committee provides advice on the development of a specific reuse plan and on matters relating to the future uses of the Fort Hancock Historic Landmark District within the Sandy Hook Unit of Gateway National Recreation Area. The Committee provides guidance to the National Park Service in developing a plan for reuse of more than 30 historic buildings that the NPS has determined are excess to its needs and eligible for lease under 16 U.S.C. 1 *et seq.,* particularly 16 U.S.C.

1a–2(k), and 16 U.S.C. 470h–3, or under agreement through appropriate authorities.

Members of the Committee include representatives from, but not limited to, groups with the following interests: natural resources and the environment, business, cultural resources and historic preservation, real estate, recreation, education, hospitality and science. Members of the Committee will also consist of representatives from the Monmouth County Freeholders as well as the following municipalities and boroughs: Highlands, Sea Bright, Rumson and Middletown.

Nominations are sought to represent the following categories: real estate, recreation, cultural resources and historic preservation, business, and hospitality.

Committee members will be selected based on the following criteria: (1) Ability to collaborate, (2) the ability to understand NPS management and policy, and (3) connection with local communities. No individual who is currently registered as a Federal lobbyist is eligible to serve on the Committee. Members will serve without compensation.

The first meeting took place in January 2013. The Committee has met a total of 10 times, usually six to eight weeks apart. Meetings may take places at such times as designated by the DFO. Members are expected to make every effort to attend all meetings. Members may not appoint deputies or alternates.

Dated: May 28, 2014

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2014–13778 Filed 6–11–14; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS00560.L58530000.EU0000.241A; N–92814; 12–08807; MO# 4500064620; TAS:14X5232]

Notice of Realty Action: Non-Competitive (Direct) Sale and Release of Reversionary Interest, Clark County, NV (N–92814)

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM), Las Vegas Field Office, proposes to sell the Federal reversionary interest in 2.5 acres of land in Las Vegas, Nevada. The land was conveyed out of Federal ownership in 1996 subject to the Federal reversionary interest that is now proposed for sale under the authority of Section 202 and Section 203 of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA), as amended. The appraised fair market value for the Federal reversionary interest is $558,000.00.

DATES: Comments regarding the proposed sale must be received by the BLM on or before July 28, 2014.

ADDRESSES: Send written comments concerning the proposed sale to the BLM, Las Vegas Field Manager, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130.

FOR FURTHER INFORMATION CONTACT: Dorothy Jean Dickey, Realty Specialist, at the above address or by telephone at 702–515–5119, or by email to *ddickey@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 BLM will offer a direct sale for the Federal reversionary interest in the following described land in Las Vegas, Nevada.

Mount Diablo Meridian, Nevada

T. 20 S., R. 60 E.,
Sec. 29, NW¼NE¼NE¼NE.
The area described contains 2.5 acres.

On May 22, 1996, the BLM patented to the City of Las Vegas 320 acres under the authority of the Recreation and Public Purpose (R&PP) Act of June 14, 1926, as amended, 43 U.S.C. 869 et. seq., for use as a public park. A portion of the park was not constructed. The Chabad Hebrew Center (a non-profit association) requested permission from BLM to use 5 acres of the 320 acres for a synagogue with classrooms. A Notice of Realty Action was published on January 24, 2005 in the **Federal Register**, Volume 70, No. 14, pages 3381 and 3382 to allow the City of Las Vegas to transfer 5 acres of its patented land to Chabad Hebrew Center for use as a synagogue, social hall, classrooms and administrative offices. The change of use will be from a public park to Chabad Hebrew Center. Because of the rising property values beginning in 2004, the Chabad Hebrew Center elected to use only 2.5 acres. On October 20, 2006, under the authority of the R&PP Act, the BLM issued a Partial Transfer of Patent and Change in Use document for 2.5 acres of patent 27–96–0031, to the Chabad Hebrew Center for their use as a synagogue, social hall, classrooms, and offices (Certificate Number 27–43). The United States (U.S.) retained a reversionary interest in the parcel which could result in title reverting to the U.S. if the land is used for purposes not allowed under the R&PP Act or is transferred to another party without the BLMs approval. The Chabad Hebrew Center's original plans included construction of a synagogue, social hall, classrooms, and administrative offices on the parcel to serve the Jewish community. The Chabad Hebrew Center now plans to install a cellular tower in addition to other building, which will support the synagogue, classrooms, and the surrounding local community and businesses. The BLM received a request from the Chabad Hebrew Center to purchase the Federal reversionary interest so they can install the cellular tower. After purchase of the Federal reversionary interest, the Chabad Hebrew Center will be allowed to use the 2.5 acres for commercial development and to transfer the land to another party without the BLM's approval

The Federal reversionary interest is difficult and uneconomic to manage, and meets the criteria for disposal set forth in 43 CFR 2710.0–3(a)(3). The parcel is within the boundaries of the City of Las Vegas and is in an urban setting. The parcel is not contiguous to any public lands administered by the BLM. The urban setting and the lack of other contiguous public lands makes the parcel impractical for the BLM to administer. Therefore, the BLM has determined that the best interest of the public will be served by a direct sale of the Federal reversionary interest to the Chabad Hebrew Center. The lands will be offered for sale using direct sale procedures pursuant to 43 CFR 2711.3–3.

The sale and release of the Federal reversionary interest is in conformance with the BLM Las Vegas Resource Management Plan (RMP) and the Record of Decision (ROD) approved October 5, 1998. Under Section 202 and Section 203 of FLPMA, October 21, 1976, as amended, gives the Secretary of the Interior authority to sell public land if the Secretary of the Interior determines that the sale of the parcel meets the criteria of being difficult and uneconomic to manage and is not suitable for management by another Federal agency. In this situation, the parcel of land is difficult and uneconomic to manage due to its location, is not required for any other Federal purpose, and is not suitable for

management by any other Federal Department or agency.

The reversionary interest will not be sold until at least August 11, 2014. Any conveyance document issued will only convey the reversionary interest retained by the U.S. in patent 27–96–0031 and will contain the following terms, conditions, and reservations:

1. A condition that the conveyance be subject to all valid existing rights of record.

2. A condition that the conveyance will be subject to all reservations, conditions and restrictions in patent 27–96–0031, except the Federal reversionary interest, which is being conveyed.

3. An appropriate indemnification clause protecting the U.S. from claims arising out of the patentee's use, occupancy, or operations on the patented lands.

4. Additional terms and conditions that the authorized officer deems appropriate. Detailed information concerning the proposed sale including the appraisal, planning and environmental document is available for review at the location identified in **ADDRESSES** above.

Public comments regarding the proposed sale may be submitted in writing to the BLM Las Vegas Field Office (see **ADDRESSES** above) on or before July 28, 2014. Any comments regarding the proposed sale will be reviewed by the BLM Nevada State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action in whole or in part. In the absence of timely filed objections, this realty action will become final determination of the Department of the Interior.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 43 CFR 2711.1–2.

Vanessa L. Hice,

Assistant Field Manager, Las Vegas Field Office.

[FR Doc. 2014–13709 Filed 6–11–14; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

National Park Service

[[NPS–SER–FOMA–15561;PSESEROC3, PPMPSAS1Y.YP0000]

Final General Management Plan, and Final Environmental Impact Statement, Fort Matanzas National Monument, Florida

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), the National Park Service (NPS) announces the availability of a Final Environmental Impact Statement for the General Management Plan (Final EIS/GMP) for Fort Matanzas National Monument (National Monument), Florida. Consistent with NPS laws, regulations, and policies and the purpose of the National Monument, the Final EIS/GMP will guide the management of the National Monument over the next 20+ years.

DATES: The NPS will execute a Record of Decision no sooner than 30 days following publication by the Environmental Protection Agency's Notice of Availability of the Final EIS/GMP in the **Federal Register**.

ADDRESSES: Electronic copies of the Final EIS/GMP will be available online at *http://parkplanning.nps.gov/FOMA.* To request a copy, contact David Libman, National Park Service, 100 Alabama Street, 1924 Building, Atlanta, Georgia 30303; telephone (404) 507–5701. A limited number of compact disks and printed copies of the Final EIS/GMP will be made available at Fort Matanzas National Monument Headquarters, One South Castillo Drive, St. Augustine, FL 32084.

FOR FURTHER INFORMATION CONTACT: David Libman, National Park Service, 100 Alabama Street, 1924 Building, Atlanta, Georgia 30303; telephone (404) 507–5701.

SUPPLEMENTARY INFORMATION: The Final EIS/GMP responds to, and incorporates agency and public comments received on the Draft EIS, which was available for public review from June 22, 2012, through August 20, 2012. Two public meetings were held on July 23, 2012 and July 24, 2012, and a total of 1,857 comments were received. The NPS responses to substantive agency and public comments are provided in Chapter 5, Consultation and Coordination section, of the Final EIS/GMP.

The Final EIS/GMP evaluated three alternatives for managing use and development of the National Monument:

- Alternative A, the No Action alternative, represents the continuation of current management action and direction into the future.
- Alternative B, the NPS preferred alternative, centers around managing the National Monument in a manner consistent with its history as a small military outpost within a sometimes harsh, but beautiful and rich natural environment. There would be minimal development of new facilities and minimal expansion of existing facilities. There would be increased emphasis on the interpretation of the natural environment.
- Alternative C combines the history of the Rattlesnake Island fortified outpost with its establishment as a National Monument and the further development and evolution of the park to its present day configuration. A portion of the north end of Anastasia Island would be preserved as an exhibit that commemorates the efforts of the New Deal agencies and local citizens would create a permanent monument to the Spanish history of the site. The central and southern ends of Anastasia Island, and the east side of Highway A1A would continue to be managed to protect and conserve the natural resources of the zone.

The responsible official for this Final EIS/GMP is the Regional Director, NPS Southeast Region, 100 Alabama Street SW., 1924 Building, Atlanta, Georgia 30303.

Dated: May 7, 2014.

Sherri L. Fields,

Acting Regional Director, Southeast Region.

[FR Doc. 2014–13780 Filed 6–11–14; 8:45 am]

BILLING CODE 4310–JD–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–15873; 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 May 17, 2014. 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 June 27, 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: May 22, 2014.

Alexandra Lord,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

CALIFORNIA

Monterey County

Mission Nuestra Senora de la Soledad Historic District, 36641 Fort Romie Rd., Soledad, 14000344

GEORGIA

Chatham County

Bordley Cottage—Beach View House, 1701 Butler Ave., Tybee Island, 14000345

KANSAS

Butler County

First Presbyterian Church of De Graff, 1145 NW. 108th St., Burns, 14000346

Moyle, John, Building, 605 & 607 N. State St., Augusta, 14000347

Doniphan County

Lincoln School, District 2, (Public Schools of Kansas MPS) 410 N. 9th St., Elwood, 14000348

Harper County

First Congregational Church, 202 N. Bluff Ave., Anthony, 14000349

Sedgwick County

Victor Court Apartments, (Residential Resources of Wichita, Sedgwick County, Kansas 1870–1957 MPS) 140 N. Hydraulic Ave. Wichita, 14000350

Wichita County

Washington, William B. and Julia, House, 112 N. 3rd St., Leoti, 14000351

Wyandotte County

Town House Hotel, 1021 N. 7th St. Trafficway, Kansas City, 14000352

OHIO

Cuyahoga County

Northern Ohio Blanket Mills, 3160 & 3166 W. 33rd St., 3401 Paris Ave., 3167 Fulton Rd., Cleveland, 14000353

Franklin County

Zettler Grocery and Hardware, 268 S. 4th St., Columbus, 14000354

Hamilton County

Ambassador, The, (Apartment Buildings in Ohio Urban Centers, 1870–1970 MPS) 722–724 Gholson Ave., Cincinnati, 14000356

Somerset Apartments, The, (Apartment Buildings in Ohio Urban Centers, 1870–1970 MPS) 802–814 Blair Ave., Cincinnati, 14000355

A request for removal has been received for the following resources:

TEXAS

Denton County

Gregory Road Bridge at Duck Creek, Approx. 0.5 mi. W. of Lois Rd., near the N. Denton County line, Sanger, 03001419

McLennan County

Brown—Mann House, 725 W. Sixth St., McGregor, 87001887

[FR Doc. 2014–13692 Filed 6–11–14; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–15907; 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 May 24, 2014. 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 June 27, 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: May 30, 2014.

J. Paul Loether,

Chief, National Register of Historic Places/National Historic Landmarks Program.

ALABAMA

Tuscaloosa County

Drish, Dr. John R. House, 2300 17th St., Tuscaloosa, 14000357

GEORGIA

DeKalb County

Ponce de Leon Terrace—Ponce de Leon Heights—Clairmont Estates Historic District, Roughly bounded by Ponce de Leon Pl., Scott Blvd., Nelson Ferry Rd., Ponce de Leon & Clairmont Aves., Decatur, 14000358

IOWA

Linn County

Best Oil and Refining Company Service Station, 624 12th Ave., SE., Cedar Rapids, 14000359

MAINE

Oxford County

Lovell Meeting House, 1133 Main St., Lovell, 14000360

Penobscot County

Dixmont Town House, 702 Western Ave., Dixmont, 14000361

Holden Town Hall, 723 Main Rd., Holden, 14000362

Waldo County

Village School, 69 School St., Unity, 14000363

MASSACHUSETTS

Essex County

Pine Grove Cemetery, 145 Boston St., Lynn, 14000364

Suffolk County

Dorchester South Burying Ground, 2095 Dorchester Ave., Boston, 14000365

MICHIGAN

Alger County

Bar Lake Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000366

Hartney Terrace Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000367

Widewaters Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000368

Delta County

Gooseneck Lake III Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000369

Gooseneck Lake IV Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000370

Jackpine Lake Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000371

Schoolcraft County

Thunder Lake II Site, (Woodland Period Archaeological Sites of the Indian River and Fishdam River Basins MPS) Address Restricted, Escanaba, 14000372

MISSOURI

Barry County

Downtown Monett Historic District, Parts of the 200–400 blks. of Broadway & Bond, Monett, 14000373

Cole County

West End Saloon, 700–702 W. Main St., Jefferson City, 14000374

Franklin County

Old Gerald School, 111 W. 3rd St., Gerald, 14000375

Jackson County

Perfection Stove Company Building, (Railroad Related Historic Commercial and Industrial Resources in Kansas City, Missouri MPS) 1200 Union Ave., Kansas City, 14000376

Wiltshire Apartment Hotel, The, (Working-Class and Middle-Income Apartment Buildings in Kansas City, Missouri MPS) 703 E. 10th St., Kansas City, 14000377

St. Louis Independent City

5882 Cabanne Courtyard Apartment Building, 5882 Cabanne Ave., St. Louis (Independent City), 14000380

Bellefontaine Cemetery, 4947 W. Florissant Ave., St. Louis (Independent City), 14000378

Downtown YMCA Building, 1528 Locust St., St Louis (Independent City), 14000379

OREGON

Linn County

Fish Lake Guard Station, 57600 McKenzie Hwy., McKenzie Bridge, 14000381

SOUTH CAROLINA

Charleston County

Old Georgetown Road, Old Georgetown Rd. between S. bank of the South Santee R. & SC 45, McClellanville, 14000382

UTAH

Sanpete County

Madsen, David and Evinda, House, 60 N. 100 W., Ephraim, 14000383

WISCONSIN

Bayfield County

West Bay Club, Sand Island, Bayfield, 14000385

WYOMING

Big Horn County

American Legion Hall, Post 32, 130 N. 5th St., Greybull, 14000386.

In the interest of preservation, a three day comment period has been requested for the following resource:

VIRGINIA

Accomack County

Tangier Island Historic District, W. Ridge, Main Ridge & Canton Rds., Tangier, 14000384.

A request for removal has been received for the following resource:

UTAH

Salt Lake County

Brooks Arcade, 260 S. State St., Salt Lake City, 82004133

[FR Doc. 2014–13691 Filed 6–11–14; 8:45 am]

BILLING CODE 4312–51–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–918]

Certain Toner Cartridges and Components Thereof; Institution of Investigation Pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 7, 2014, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Canon Inc. of Japan; Canon U.S.A., Inc. of Melville, New York; and Canon Virginia, Inc. of Newport News, Virginia. A letter supplementing the complaint was filed on May 14, 2014. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain toner cartridges and components thereof by reason of infringement of certain claims of U.S. Patent No. 8,280,278 (''the '278 patent''); U.S. Patent No. 8,630,564 (''the '564 patent''); U.S. Patent No. 8,682,215 (''the '215 patent''); U.S. Patent No. 8,676,090 (''the '090 patent''); U.S. Patent No. 8,369,744 (''the '744 patent''); U.S. Patent No. 8,565,640 (''the '640 patent''); U.S. Patent No. 8,676,085 (''the '085 patent''); U.S. Patent No. 8,135,304 (''the '304 patent''); and U.S. Patent No. 8,688,008 (''the '008 patent''). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion order, and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *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.*

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2014).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on June 6, 2014, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain toner cartridges and components thereof by reason of infringement of one or more of claims 160, 165, and 166 of the '278 patent; claims 171, 176, 179, 181, 189, 192, and 200 of the '564 patent; claims 23, 26, 27, and 29 of the '215 patent; claims 1–4 of the '090 patent; claim 1 of the '744 patent; claim 1 of the '640 patent; claims 1–4 of the '085 patent; claim 1 of the '304 patent; and claims 1, 7–9, 11, 12,

and 34 of the '008 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Canon Inc., 30–2, Shimomaruko 3-chome, Ohta-ku, Tokyo 146–8501, Japan.

Canon U.S.A., Inc., One Canon Park, Melville, New York 11747.

Canon Virginia, Inc., 12000 Canon Boulevard, Newport News, Virginia 23606.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Ninestar Image Tech Limited, No. 3883, Zhuhai Avenue, Xiangzhou District, Zhuhai Guangdong, China 519060.

Zhuhai Seine Technology Co., Ltd., No. 3883, Zhuhai Avenue, Xiangzhou District, Zhuhai Guangdong, China 519060.

Ninestar Technology Company, Ltd., 17950 East Ajax Circle, City of Industry, California 91748.

Seine Tech (USA) Co., Ltd., 19805 Harrison Avenue, Walnut, California 91789.

Seine Image Int'l Co., Ltd., 9/F Unit 18, New Commerce Centre, No. 9 On Lai Street, Shatin, Hong Kong.

Ninestar Image Tech, Ltd., 9/F Unit 18, New Commerce Centre, No. 9 On Lai Street, Shatin, Hong Kong.

Seine Image (USA) Co., Ltd., 1142 South Diamond Bar Boulevard, #466, Diamond Bar, California 91765.

Nano Pacific Corporation, 191 Beacon Street, South San Francisco, California 94080.

Aster Graphics, Inc., 540 S. Melrose Street, Placentia, California 92870.

Jiangxi Yibo E-tech Co., Ltd., No. 756 Feiyu Avenue, Xinyu Hi-Tech Industry Development Area, Xinyu City, Jiangxi, 338004 China.

Aster Graphics Co., Ltd., No. C71, 2/F, Building E, Phase 1, Parklane Centre, Agile Garden, Sanxiang, Zhongshan, Guangdong, China 528463.

Print-Rite Holdings Ltd., Unit 8, 10/F, Block A, MP Industrial Centre, No. 18 Ka Yip Street, Chai Wan, Hong Kong.

Print-Rite N.A., Inc., 341 Mason Road, La Vergne, Tennessee 37086.

Union Technology Int'l (M.C.O.) Co. Ltd., 14H Nam Kwong Building, 223–225 Avenida Dr. Rodrigo Rodrigues, Macau, SAR, China.

Print-Rite Unicorn Image Products Co. Ltd., No. 32 Pingbeiyi Road, Nanping Technology Industry Park, Nanping Town, Xiangzhou District, Zhuhai, Guangdong, 519060 China.

Innotex Precision Ltd., Unit 6, 10/F, Block A, MP Industrial Centre, No. 18 Ka Yip Street, Chai Wan, Hong Kong.

International Laser Group, Inc., 6022 Variel Avenue, Woodland Hills, California 91367.

Shenzhen ASTA Official Consumable Co., Ltd., E Building, Huilongpu Industrial Area, AI'xin Road, Longgang District, Shenzhen, China.

Acecom, Inc.—San Antonio, d/b/a InkSell.com, 14034 Nacogdoches Road, San Antonio, Texas 78247.

ACM Technologies, Inc., 2535 Research Drive, Corona, California 92882.

American Internet Holdings, LLC, 268 Greenwood Avenue, Midland Park, New Jersey 07432.

The Supplies Guys, LLC, 268 Greenwood Avenue, Midland Park, New Jersey 07432.

Do It Wiser LLC, d/b/a Image Toner, 4255 Trotters Way #84, Alpharetta, Georgia 30004.

Grand Image Inc., d/b/a Grand Image USA, d/b/a INK4S.com, 19909 Harrison Avenue, City of Industry, California 91789.

Green Project, Inc., 15335 Don Julian Road, Hacienda Heights, California 91745.

Ink Technologies Printer Supplies, LLC, 7600 McEwen Road, Dayton, Ohio 45459.

Katun Corporation, 10951 Bush Lake Road, Bloomington, Minnesota 55438.

LD Products, Inc., 3700 Cover Street, Long Beach, California 90808.

Linkyo Corp., 629 South 6th Avenue, La Puente, California 91746.

Nectron International, Inc., 725 Park Two Drive, Sugar Land, Texas 77478.

Online Tech Stores, LLC, d/b/a SuppliesOutlet.com, d/b/a SuppliesWholesalers.com, d/b/a OnlineTechStores.com, 500 Damonte Ranch Parkway, Suite 944, Reno, Nevada 89521.

Printronic Corporation, d/b/a Printronic.com, d/b/a InkSmile.com, 1621 East Saint Andrew Place, Santa Ana, California 92705

Zinyaw LLC, d/b/a TonerPirate.com, 14781 Memorial Drive, Suite 1359, Houston, Texas 77079.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: June 6, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014–13651 Filed 6–11–14; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–910]

Certain Television Sets, Television Receivers, Television Tuners, and Components Thereof; Commission Determination Not To Review an Initial Determination Granting a Complainant's Motion for Leave To Amend the Complaint and 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. 12) of the presiding administrative law judge (''ALJ'') granting complainant's motion for leave to amend the complaint and notice of investigation.

FOR FURTHER INFORMATION CONTACT: Jia Chen, Office of the General Counsel, U.S. International Trade Commission,

500 E Street SW., Washington, DC 20436, telephone (202) 708–4737. 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 at *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 March 5, 2014, based on a complaint filed by Cresta Technology Corporation, of Santa Clara, California (''Cresta''), alleging violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain television sets, television receivers, television tuners, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 7,075,585; 7,265,792; and 7,251,466. 79 FR. 12526 (Mar 5, 2014). The notice of investigation named the following respondents: Silicon Laboratories, Inc. of Austin, Texas; Samsung Electronics Co. Ltd. Of Gyeonggi-do, Republic of Korea, Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; LG Electronics, Inc. of Seoul, Republic of Korea, LG Electronics U.S.A. of Englewood Cliffs, New Jersey; MaxLinear, Inc. of Carlsbad, California; Sharp Corporation of Osaka, Japan, Sharp Electronics Corporation of Mahwah, New Jersey; and Vizio, Inc. of Irvine, California.

On April 21, 2014, Cresta filed a motion to amend the complaint and notice of investigation to add SIO International Inc., Hon Hai Precision Industry Co., Ltd., Wistron Corporation, Wistron Infocomm Technology (America) Corporation, Top Victory Investments Ltd., and TPV International (USA), Inc. (collectively, ''Proposed Respondents'') as respondents.

On May 16, 2014, the presiding administrative law judge (''Judge Lord'') issued the subject ID (Order No. 12), over one opposition, granting Cresta's motion to amend the complaint and notice of investigation. The ALJ found that Cresta has demonstrated good cause to add the Proposed Respondents and that prejudice, if any, to the respondents will be minimal.

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: June 9, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014–13733 Filed 6–11–14; 8:45 am]

BILLING CODE 7020–02–P

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Meeting of the Advisory Committee; Meeting

AGENCY: Joint Board for the Enrollment of Actuaries.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Executive Director of the Joint Board for the Enrollment of Actuaries gives notice of a meeting of the Advisory Committee on Actuarial Examinations (a portion of which will be open to the public) in Washington, DC, on July 7 and July 8, 2014.

DATES: Monday, July 7, 2014, from 9:00 a.m. to 5:00 p.m., and Tuesday, July 8, 2014, from 8:30 a.m. to 5:00 p.m.

ADDRESSES: The meeting will be held at Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Patrick W. McDonough, Executive Director of the Joint Board for the Enrollment of Actuaries, (703) 414–2173.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet at Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC, on Monday, July 7, 2014, from 9:00 a.m. to 5:00 p.m., and Tuesday, July 8, 2014, from 8:30 a.m. to 5:00 p.m.

The purpose of the meeting is to discuss topics and questions which may be recommended for inclusion on future Joint Board examinations in actuarial mathematics and methodology referred to in 29 U.S.C. 1242(a)(1)(B) and to review the May 2014 Basic (EA–1) and Pension (EA–2L) examinations in order to make recommendations relative thereto, including the minimum acceptable pass score. Topics for inclusion on the syllabus for the Joint Board's examination program for the November 2014 Pension (EA–2F) examination will be discussed.

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App., that the portions of the meeting dealing with the discussion of questions that may appear on the Joint Board's examinations and the review of the May 2014 Joint Board examinations fall within the exceptions to the open meeting requirement set forth in 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such portions be closed to public participation.

The portion of the meeting dealing with the discussion of other topics will commence at 1:00 p.m. on July 8, and will continue for as long as necessary to complete the discussion, but not beyond 3:00 p.m. Time permitting, after the close of this discussion by Committee members, interested persons may make statements germane to this subject. Persons wishing to make oral statements must notify the Executive Director in writing prior to the meeting in order to aid in scheduling the time available and must submit the written text, or at a minimum, an outline of comments they propose to make orally. Such comments will be limited to 10 minutes in length. All persons planning to attend the public session must notify the Executive Director in writing to obtain building entry. Notifications of intent to make an oral statement or to attend must be sent electronically to *patrick.mcdonough@irs.gov.* In addition, any interested person may file a written statement for consideration by the Joint Board and the Committee by sending it to: Executive Director, Joint Board for the Enrollment of Actuaries SE:RPO; Internal Revenue Service; 1111 Constitution Avenue NW.; REFM, Park 4, Floor 4; Washington, DC 20224–0002.

Dated: June 6, 2014.

Patrick W. McDonough,

Executive Director, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2014–13797 Filed 6–11–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–378]

Proposed Adjustments to the Aggregate Production Quotas for Schedule I and II Controlled Substances and Assessment of Annual Needs for the List I Chemicals Ephedrine, Pseudoephedrine, and Phenylpropanolamine for 2014

AGENCY: Drug Enforcement Administration (DEA), Department of Justice.

ACTION: Notice with request for comments.

SUMMARY: The Drug Enforcement Administration proposes to adjust the 2014 aggregate production quotas for several controlled substances in schedules I and II of the Controlled Substances Act and assessment of annual needs for the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine.

DATES: Interested persons may file written comments on this notice in accordance with 21 CFR 1303.11(c) and 1315.11(d). Electronic comments must be submitted, and written comments must be postmarked, on or before July 14, 2014. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after midnight Eastern Time on the last day of the comment period.

ADDRESSES: To ensure proper handling of comments, please reference ''Docket No. DEA–378'' on all electronic and written correspondence. The DEA encourages that all comments be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov.* Paper comments that duplicate electronic submissions are not necessary. Should you, however, wish to submit written comments via regular or express mail, they should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/ODW, 8701 Morrissette Drive, Springfield, Virginia 22152.

FOR FURTHER INFORMATION CONTACT: Ruth A. Carter, Office of Diversion Control, Drug Enforcement Administration, 8701 Morrissette Drive, Springfield, Virginia 22152, Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

All comments received are considered part of the public record and will be made available for public inspection online at *http://www.regulations.gov.* Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

The Freedom of Information Act (FOIA) applies to all comments received. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be made publicly available, you must include the phrase ''PERSONAL IDENTIFYING INFORMATION'' in the first paragraph of your comment. You must also place all the personal identifying information you do not want made publicly available in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be made publicly available, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You must also prominently identify the confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be made publicly available. Comments containing personal identifying information or confidential business information identified as directed above will be made publicly available in redacted form.

An electronic copy of this document is available at *http://www.regulations.gov* for easy reference. If you wish to personally inspect the comments and materials received or the supporting documentation the DEA used in preparing the proposed action, these materials will be available for public inspection by appointment. To arrange a viewing, please see the ''For Further Information Contact'' paragraph above.

Legal Authority

Section 306 of the Controlled Substances Act (CSA), 21 U.S.C. 826, requires the Attorney General to determine the total quantity and establish aggregate production quotas for each basic class of controlled substance listed in schedules I and II and for the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine. This responsibility has been delegated to the Administrator of the DEA pursuant to 28 CFR 0.100(b). The Administrator, in turn, has redelegated that authority to the Deputy Administrator, pursuant to 28 CFR pt. 0 subpt. R, App.

The DEA published the established aggregate production quotas for schedule I and II controlled substances and established assessment of annual needs for the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine for 2014 in the **Federal Register** (78 FR 55099) on September 9, 2013. That notice stipulated that, in accordance with 21 CFR 1303.13 and 1315.13, all aggregate production quotas and assessments of annual need are subject to adjustment.

Analysis for Proposed Adjusted 2014 Aggregate Production Quotas and Assessment of Annual Needs

The DEA proposes to adjust the established 2014 aggregate production quotas for certain schedule I and II controlled substances to be manufactured in the United States in 2014 to provide for the estimated medical, scientific, research, and industrial needs of the United States, for lawful export requirements, and for the establishment and maintenance of reserve stocks. These quotas do not include imports of controlled substances for use in industrial processes. The DEA also proposes to adjust the established 2014 assessment of annual needs for the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine to be manufactured in and imported to the United States in 2014 to provide for the estimated medical, scientific, research, and industrial needs of the United States, lawful export requirements, and the establishment and maintenance of reserve stocks.

In proposing the adjustment, the DEA has taken into account the criteria that the DEA is required to consider in accordance with 21 CFR 1303.13 and 21 CFR 1315.13. The DEA determines whether to propose an adjustment of the aggregate production quotas for basic classes of schedule I and II controlled substances and assessment of annual needs for ephedrine, pseudoephedrine, and phenylpropanolamine by considering: (1) Changes in the demand for that class or chemical, changes in the national rate of net disposal of the class or chemical, and changes in the rate of net disposal of the class or chemical by registrants holding individual manufacturing quotas for the class; (2) whether any increased demand for that class or chemical, the national and/or individual rates of net disposal of that class or chemical are temporary, short term, or long term; (3) whether any increased demand for that class or chemical can be met through existing inventories, increased individual manufacturing quotas, or increased

importation, without increasing the aggregate production quota; (4) whether any decreased demand for that class or chemical will result in excessive inventory accumulation by all persons registered to handle that class or chemical; and (5) other factors affecting medical, scientific, research, and industrial needs in the United States and lawful export requirements, as the Deputy Administrator finds relevant.

The DEA also considered updated information obtained from 2013 year-end inventories, 2013 disposition data submitted by quota applicants, estimates of the medical needs of the United States, product development, and other information made available to the DEA after the initial aggregate production quotas and assessment of annual needs had been established. Other factors the DEA considered in calculating the aggregate production quotas, but not the assessment of annual needs, include product development requirements of both bulk and finished dosage form manufacturers, and other pertinent information. In determining the proposed adjusted 2014 assessment of annual needs, the DEA used the calculation methodology previously described in the 2010 and 2011 established assessment of annual needs (74 FR 60294, Nov. 20, 2009, and 75 FR 79407, Dec. 20, 2010, respectively).

As described in the previously published notice establishing the 2014 aggregate production quotas and assessment of annual needs, the DEA has specifically considered that inventory allowances granted to individual manufacturers may not always result in the availability of sufficient quantities to maintain an adequate reserve stock pursuant to 21 U.S.C. 826(a), as intended. *See* 21 CFR 1303.24. This would be concerning if a natural disaster or other unforeseen event resulted in substantial disruption to the amount of controlled substances available to provide for legitimate public need. As such, the DEA has included in all proposed adjusted schedule II controlled substance aggregate production quotas, and certain proposed adjusted schedule I controlled substance aggregate production quotas, an additional 25% of the estimated medical, scientific, and research needs as part of the amount necessary to ensure the establishment and maintenance of reserve stocks. The resulting adjusted established aggregate production quotas will reflect these included amounts. This action will not affect the ability of manufacturers to maintain inventory allowances as specified by regulation. The DEA expects that maintaining this reserve in certain established aggregate production quotas will mitigate adverse public effects if an unforeseen event resulted in substantial disruption to the amount of controlled substances available to provide for legitimate public need, as determined by the DEA. The DEA does not anticipate utilizing the reserve in the absence of these circumstances.

The Deputy Administrator, therefore, proposes to adjust the 2014 aggregate production quotas for certain schedule I and II controlled substances and assessment of annual needs for the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine, expressed in grams of anhydrous acid or base, as follows:

Basic class	Previously established 2014 quotas (g)	Proposed adjusted 2014 quotas (g)
Schedule I		
(1-Pentyl-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144)	15	No change.
[1-(5-Fluoro-pentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (XLR11)	15	No change.
1-(1,3-Benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone)	15	No change.
1-(1,3-Benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone)	15	No change.
1-(1-Phenylcyclohexyl)pyrrolidine	10	No change.
1-(5-Fluoropentyl)-3-(1-naphthoyl)indole (AM2201)	45	No change.
1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole (AM694)	45	No change.
1-[1-(2-Thienyl)cyclohexyl]piperidine	15	No change.
1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200)	45	No change.
1-Butyl-3-(1-naphthoyl)indole (JWH-073)	45	No change.
1-Cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (SR-18 and RCS-8)	45	No change.
1-Hexyl-3-(1-naphthoyl)indole (JWH-019)	45	No change.
1-Methyl-4-phenyl-4-propionoxypiperidine	2	No change.
1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678)	45	No change.
1-Pentyl-3-(2-chlorophenylacetyl)indole (JWH-203)	45	No change.
1-Pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250)	45	No change.
1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398)	45	No change.
1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122)	45	No change.
1-Pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19, RCS-4)	45	No change.
1-Pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081)	45	No change.
2-(2,5-Dimethoxy-4-*n*-propylphenyl)ethanamine (2C-P)	30	No change.
2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E)	30	No change.
2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D)	30	No change.
2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N)	30	No change.
2-(2,5-Dimethoxyphenyl)ethanamine (2C-H)	30	No change.
2-(4-Bromo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36).	15	No change.
2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C)	30	No change.
2-(4-Chloro-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82).	15	No change.
2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I)	30	No change.
2-(4-Iodo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5)	15	No change.
2-(Methylamino)-1-phenylpentan-1-one (pentedrone)	15	No change.
2,5-Dimethoxy-4-ethylamphetamine (DOET)	25	No change.
2,5-Dimethoxy-4-*n*-propylthiophenethylamine	25	No change.

Basic class	Previously established 2014 quotas (g)	Proposed adjusted 2014 quotas (g)
2,5-Dimethoxyamphetamine	25	No change.
2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2)	30	No change.
2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4)	30	No change.
3,4,5-Trimethoxyamphetamine	25	No change.
3,4-Methylenedioxyamphetamine (MDA)	55	No change.
3,4-Methylenedioxymethamphetamine (MDMA)	50	No change.
3,4-Methylenedioxy-*N*-ethylamphetamine (MDEA)	40	No change.
3,4-Methylenedioxy-*N*-methylcathinone (methylone)	50	No change.
3,4-Methylenedioxypyrovalerone (MDPV)	35	No change.
3-Fluoro-*N*-methylcathinone (3-FMC)	15	No change.
3-Methylfentanyl	2	No change.
3-Methylthiofentanyl	2	No change.
4-Bromo-2,5-dimethoxyamphetamine (DOB)	25	No change.
4-Bromo-2,5-dimethoxyphenethylamine (2-CB)	25	No change.
4-Fluoro-*N*-methylcathinone (4-FMC)	15	No change.
4-Methoxyamphetamine	100	No change.
4-Methyl-2,5-dimethoxyamphetamine (DOM)	25	No change.
4-Methylaminorex	25	No change.
4-Methyl-*N*-ethylcathinone (4-MEC)	15	No change.
4-Methyl-*N*-methylcathinone (mephedrone)	45	No change.
4-Methyl-α-pyrrolidinopropiophenone (4-MePPP)	15	No change.
5-(1,1-Dimethylheptyl)-2-[(1*R*,3*S*)-3-hydroxycyclohexyl]-phenol	68	No change.
5-(1,1-Dimethyloctyl)-2-[(1*R*,3*S*)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog).	53	No change.
5-Methoxy-3,4-methylenedioxyamphetamine	25	No change.
5-Methoxy-*N,N*-diisopropyltryptamine	25	No change.
5-Methoxy-*N,N*-dimethyltryptamine	25	No change.
Acetyl-*alpha*-methylfentanyl	2	No change.
Acetyldihydrocodeine	2	No change.
Acetylmethadol	2	No change.
Allylprodine	2	No change.
Alphacetylmethadol	2	No change.
alpha-Ethyltryptamine	25	No change.
Alphameprodine	2	No change.
Alphamethadol	2	No change.
alpha-Methylfentanyl	2	No change.
alpha-Methylthiofentanyl	2	No change.
alpha-Methyltryptamine (AMT)	25	No change.
alpha-Pyrrolidinobutiophenone (α-PBP)	15	No change.
alpha-Pyrrolidinopentiophenone (α-PVP)	15	No change.
Aminorex	25	No change.
Benzylmorphine	2	No change.
Betacetylmethadol	2	No change.
beta-Hydroxy-3-methylfentanyl	2	No change.
beta-Hydroxyfentanyl	2	No change.
Betameprodine	2	No change.
Betaprodine	2	No change.
Bufotenine	3	No change.
Cathinone	70	No change.
Codeine methylbromide	5	No change.
Codeine-*N*-oxide	200	No change.
Desomorphine	5	No change.
Diethyltryptamine	25	No change.
Difenoxin	50	No change.
Dihydromorphine	3,990,000	No change.
Dimethyltryptamine	35	No change.
Dipipanone	5	No change.
Fenethylline	5	No change.
gamma-Hydroxybutyric acid	70,250,000	No change.
Heroin	25	No change.
Hydromorphinol	2	No change.
Hydroxypethidine	2	No change.
Ibogaine	5	No change.
Lysergic acid diethylamide (LSD)	35	No change.
Marihuana	650,000	No change.
Mescaline	25	No change.
Methaqualone	10	No change.
Methcathinone	25	No change.
Methyldesorphine	2	No change.
Methyldihydromorphine	2	No change.
Morphine methylbromide	5	No change.

Basic class	Previously established 2014 quotas (g)	Proposed adjusted 2014 quotas (g)
Morphine methylsulfonate	5	No change.
Morphine-*N*-oxide	175	No change.
N-(1-Adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide (AKB48)	15	No change.
N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide (ADB-PINACA)	15	No change.
N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (AB-FUBINACA)	15	No change.
N,N-Dimethylamphetamine	25	No change.
Naphthylpyrovalerone (naphyrone)	15	No change.
N-Benzylpiperazine	25	No change.
N-Ethyl-1-phenylcyclohexylamine	5	No change.
N-Ethylamphetamine	24	No change.
N-Hydroxy-3,4-methylenedioxyamphetamine	24	No change.
Noracymethadol	2	No change.
Norlevorphanol	52	No change.
Normethadone	2	No change.
Normorphine	18	No change.
para-Fluorofentanyl	2	No change.
Parahexyl	5	No change.
Phenomorphan	2	No change.
Pholcodine	2	No change.
Properidine	2	No change.
Psilocybin	30	40
Psilocyn	30	50
Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22)	15	No change.
Quinolin-8-yl 1-pentyl-1*H*-indole-3-carboxylate (PB-22; QUPIC)	15	No change.
Tetrahydrocannabinols	491,000	No change.
Thiofentanyl	2	No change.
Tilidine	10	No change.
Trimeperidine	2	No change.
Schedule II		
1-Phenylcyclohexylamine	3	No change.
1-Piperidinocyclohexanecarbonitrile	3	No change.
4-Anilino-*N*-phenethyl-4-piperidine (ANPP)	2,687,500	No change.
Alfentanil	17,625	No change.
Alphaprodine	3	No change.
Amobarbital	9	No change.
Amphetamine (for conversion)	18,375,000	No change.
Amphetamine (for sale)	49,000,000	No change.
Carfentanil	19	No change.
Cocaine	240,000	No change.
Codeine (for conversion)	68,750,000	No change.
Codeine (for sale)	46,125,000	No change.
Dextropropoxyphene	19	No change.
Dihydrocodeine	100,750	No change.
Diphenoxylate	750,000	1,288,750
Ecgonine	144,000	174,375
Ethylmorphine	3	No change.
Fentanyl	2,108,750	No change.
Glutethimide	3	No change.
Hydrocodone (for conversion)	0	137,500
Hydrocodone (for sale)	99,625,000	No change.
Hydromorphone	6,750,000	No change.
Isomethadone	5	No change.
Levo-alphacetylmethadol (LAAM)	4	No change.
Levomethorphan	195	No change.
Levorphanol	2,000	4,625
Lisdexamfetamine	23,750,000	No change.
Meperidine	6,250,000	No change.
Meperidine Intermediate-A	6	No change.
Meperidine Intermediate-B	11	No change.
Meperidine Intermediate-C	6	No change.
Metazocine	19	No change.
Methadone (for sale)	31,875,000	No change.
Methadone Intermediate	38,875,000	No change.
Methamphetamine	2,811,375	No change.
[1,250,000 grams of *levo*-desoxyephedrine for use in a non-controlled, non-prescription product; 1,500,000 grams for methamphetamine mostly for conversion to a schedule III product; and 61,375 grams for methamphetamine (for sale)]		
Methylphenidate	96,750,000	No change.
Morphine (for conversion)	91,250,000	No change.

Basic class	Previously established 2014 quotas (g)	Proposed adjusted 2014 quotas (g)
Morphine (for sale)	62,500,000	No change.
Nabilone	30,375	No change.
Noroxymorphone (for conversion)	17,500,000	No change.
Noroxymorphone (for sale)	1,262,500	No change.
Opium (powder)	112,500	No change.
Opium (tincture)	625,000	No change.
Oripavine	22,750,000	27,625,000
Oxycodone (for conversion)	9,250,000	No change.
Oxycodone (for sale)	149,375,000	No change.
Oxymorphone (for conversion)	25,000,000	No change.
Oxymorphone (for sale)	7,750,000	No change.
Pentobarbital	35,000,000	No change.
Phenazocine	6	No change.
Phencyclidine	19	No change.
Phenmetrazine	3	No change.
Phenylacetone	67,000,000	45,750,000
Racemethorphan	3	No change.
Remifentanil	3,750	5,875
Secobarbital	215,003	No change.
Sufentanil	6,255	No change.
Tapentadol	17,500,000	No change.
Thebaine	145,000,000	No change.
List I Chemicals		
Ephedrine (for conversion)	1,000,000	No change.
Ephedrine (for sale)	3,000,000	No change.
Phenylpropanolamine (for conversion)	44,800,000	No change.
Phenylpropanolamine (for sale)	5,300,000	No change.
Pseudoephedrine (for conversion)	5,000	No change.
Pseudoephedrine (for sale)	192,000,000	224,500,000

The Deputy Administrator further proposes that aggregate production quotas for all other schedule I and II controlled substances included in 21 CFR 1308.11 and 1308.12 remain at zero. Pursuant to 21 CFR 1303.13 and 21 CFR 1315.13, upon consideration of the relevant factors, the Deputy Administrator may adjust the 2014 aggregate production quotas and assessment of annual needs as needed.

Comments

Pursuant to 21 CFR 1303.11(c) and 1315.11(d), any interested person may submit written comments on or objections to these proposed determinations. Based on comments received in response to this notice, the Deputy Administrator may hold a public hearing on one or more issues raised. 21 CFR 1303.11(c) and 1515.11(e). In the event the Deputy Administrator decides to hold such a hearing, the Deputy Administrator will publish a notice of the hearing in the **Federal Register**. After consideration of any comments or objections, or after a hearing, if one is held, the Deputy Administrator will issue and publish in the **Federal Register** a final order establishing any adjustment of 2014 aggregate production quota for each basic class of controlled substance and established assessment of annual needs for the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine. 21 CFR 1303.11(c) and 1315.11(f).

Dated: June 4, 2014.

Thomas M. Harrigan,

Deputy Administrator.

[FR Doc. 2014–13804 Filed 6–11–14; 8:45 am]

BILLING CODE 4410–09–P

OFFICE OF MANAGEMENT AND BUDGET

Fiscal Year 2014 Cost of Hospital and Medical Care Treatment Furnished by the Department of Defense Medical Treatment Facilities; Certain Rates Regarding Recovery From Tortiously Liable Third Persons

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice.

SUMMARY: By virtue of the authority vested in the President by Section 2(a) of Pub. B. 87–603 (76 Stat. 593; 42 U.S.C. 2652), and delegated to the Director of the Office of Management and Budget by the President through Executive Order No. 11541 of July 1, 1970, the rates referenced below are hereby established. These rates are for use in connection with the recovery from tortiously liable third persons for the cost of inpatient medical services furnished by military treatment facilities through the Department of Defense (DoD). The rates have been established in accordance with the requirements of OMB Circular A–25, requiring reimbursement of the full cost of all services provided. The *FY14 inpatient medical rates* referenced are effective upon publication of this notice in the **Federal Register** and will remain in effect until further notice. Previously published outpatient medical and dental, and cosmetic surgery rates remain in effect until further notice. Pharmacy rates are updated periodically. A full disclosure of the rates is posted on DoD's Uniform Business Office Web site: *http://www.tricare.mil/ocfo/mcfs/ubo/mhs_rates.cfm.*

Brian C. Deese,

Deputy Director.

[FR Doc. 2014–13687 Filed 6–11–14; 8:45 am]

BILLING CODE P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (14–048)]

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3506(c)(2)(A)).

DATES: All comments should be submitted within 30 calendar days from the date of this publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503. Attention: Desk Officer for NASA.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA PRA Clearance Officer, NASA Headquarters, 300 E Street SW., Mail Code JF000, Washington, DC 20546, *Frances.C.Teel@nasa.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

Information collection is for reports, other than financial, property, or patent, data or copyrights reports (which are covered under separate ICRs) which are required for effective management and administration of contracts with an estimated value of more than $500,000, in support of NASA's mission.

II. Method of Collection

NASA collects this information electronically where feasible, but information may also be collected by mail or fax.

III. Data

Title: NASA—Reports required for contracts with an estimated value of more than $500,000.

OMB Number: 2700–0089.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit; Not-for-profit institutions; and State, Local or Tribal Government.

Estimated Number of Respondents: 501.

Estimated Annual Responses: 1002.

Estimated Time per Response: 7 hours.

Estimated Total Annual Burden Hours: 7014.

Estimated Total Annual Cost: $273,546.00.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 respondents, including automated collection techniques or the use of other forms of information technology.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2014–13719 Filed 6–11–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (14–047)]

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3506(c)(2)(A)).

DATES: All comments should be submitted within 30 calendar days from the date of this publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention: Desk Officer for NASA.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA PRA Clearance Officer, NASA Headquarters, 300 E Street SW., Mail Code JF0000, Washington, DC 20546 or *frances.c.teel@nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Contractors performing research and development are required by statutes, NASA implementing regulations, and OMB policy to submit reports of inventions, patents, data, and copyrights, including the utilization and disposition of same. The NASA New Technology Summary Report reporting form is being used for this purpose.

II. Method of Collection

NASA FAR Supplement clauses for patent rights and new technology encourage the contractor to use an electronic form and provide a hyperlink to the electronic New Technology Reporting Web (eNTRe) site *http://invention.nasa.gov.* This Web site has been set up to help NASA employees and parties under NASA funding agreements (i.e., contracts, grants, cooperative agreements, and subcontracts) to report new technology information directly, via a secure Internet connection, to NASA.

III. Data

Title: NFS 1827—Patents, Data, and Copyrights.

OMB Number: 2700–0052.

Type of rReview: Extension of a currently approved collection.

Affected Public: Businesses or other for-profit institutions.

Estimated Number of Respondents: 2,228.

Estimated Time per Response: 3 hours average.

Estimated Total Annual Burden Hours: 6,308.

Estimated Total Annual Cost: $304,992.00.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2014–13718 Filed 6–11–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (14–046)]

Notice of Information Collection.

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3506(c)(2)(A)).

DATES: All comments should be submitted within 30 calendar days from the date of this publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention: Desk Officer for NASA.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA PRA Clearance Officer, NASA Headquarters, 300 E Street SW., Mail Code JF0000, Washington, DC 20546 or *frances.c.teel@nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This information collection helps to ensure that engineering changes to contracts are made quickly and at a fair and reasonable price. Proposals supporting such change orders contain detailed cost and engineering information. This information collection was formerly titled *Contract Modifications, NASA FAR Supplement Part 18–43.*

II. Method of Collection

NASA does not prescribe a format for submission, though most contractors have cost collection systems which are used for proposal preparation. NASA encourages the use of computer technology for preparing proposals and submission.

III. Data

Title: NFS 1843—Contract Modifications for Engineering Change Proposals.

OMB Number: 2700–0054.

Type of Review: Extension with change of a currently approved collection.

Affected Public: Business or other for-profit institutions.

Estimated Number of Respondents: 200.

Estimated Time per Response: 30 hours.

Estimated Total Annual Burden Hours: 6,000 hours.

Estimated Total Annual Cost: $290,200.00.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2014–13717 Filed 6–11–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (14–049)]

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3506(c)(2)(A)).

DATES: All comments should be submitted within 30 calendar days from the date of this publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503. Attention: Desk Officer for NASA.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA Clearance Officer, NASA Headquarters, 300 E Street SW., JF0000, Washington, DC 20546.

SUPPLEMENTARY INFORMATION:

I. Abstract

The information submitted by recipients is an annual report of Government-owned in the possession of Educational or Nonprofit institutions holding NASA grants. In addition the annual report, a property report may also be required at the end of the grant, or on the occurrence of certain events. The collected information is used by NASA to effectively maintain an appropriate internal control system for equipment and property provided or acquired under grants and cooperative agreements with institutions of higher education and other nonprofit organizations, and to comply with statutory requirements. This information collection was previously titled *NASA Inventory Report: Property Management & Control, Grants.*

The title was changed to include applicability to nonprofit entities.

II. Method of Collection

NASA is participating in Federal efforts to extend the use of information technology to more Government processes via Internet.

III. Data

Title: Property Inventory Report—Grants with Educational and Nonprofit Entities.

OMB Number: 2700–0047.

Type of review: Reinstatement with Change/Previously Approved Information Collection.

Affected Public: Educational institutions and Not-for-profit institutions.

Estimated Number of Respondents: 255.

Estimated Time per Response: 2 hours per submission, and 8 hours of annual recordkeeping.

Estimated Total Annual Burden Hours: 2014 hours.

Estimated Total Annual Cost: $78,104.60.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2014–13783 Filed 6–11–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Submission for OMB Review; Comment Request

The National Endowment for the Arts (NEA) has submitted a public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995: *Clearance Request for NEA Annual Arts Benchmarking Survey.* Copies of this ICR, with applicable supporting documentation, may be obtained by visiting *www.Reginfo.gov*.

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the National Endowment for the Arts, Office of Management and Budget, Room 10235, Washington, DC 20503 202/395–7316, within 30 days from the date of this publication in the **Federal Register**.

The Office of Management and Budget (OMB) is particularly interested in comments which:

- 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: National Endowment for the Arts.

Title: Annual Arts Benchmarking Survey.

OMB Number: New.

Frequency: Annually, in years the Survey of Public Participation in the Arts is not conducted.

Affected Public: American adults.

Estimated Number of Respondents: 36,000.

Estimated Time per Respondent: 4.0 minutes.

Total Burden Hours: 2,000 hours.

Total Annualized Capital/Startup Costs: 0.

Total Annual Costs (Operating/Maintaining Systems or Purchasing Services): 0.

Description: This request is for clearance to conduct the 2015 and 2016 Annual Arts Benchmarking Surveys (AABS). These surveys will be conducted by the U.S. Census Bureau as a supplement to the Bureau of Labor Statistic's Current Population Survey. The AABS will be conducted in February 2015 and February 2016 and are expected to conducted annually thereafter in years that the National Endowment for the Arts' (NEA) Survey of Public Participation in the Arts (SPPA) is not conducted. One of the strengths of the AABS surveys is that they will both complement and supplement the information collected in the SPPA. The SPPA is the field's premiere repeated cross-sectional survey of individual attendance and involvement in arts and cultural activity, and is conducted approximately every five years. The AABS questionnaires are much shorter than the SPPA, consisting of 10 to 12 questions that will be used to track arts participation over time. As with the SPPA, the AABS data will be circulated to interested researchers and will be the basis for a range of NEA reports and independent research publications. Reports on these data will be made publicly available on the NEA's Web site. The AABS will provide annual primary knowledge on the extent and nature of participation in the arts in the United States. These data will also be used by the NEA as a contextual measure for one of the strategic goals identified in its FY 2014–FY 2018 strategic plan.

Kathy Plowitz-Worden,

Panel Coordinator, National Endowment for the Arts.

[FR Doc. 2014–13624 Filed 6–11–14; 8:45 am]

BILLING CODE 7537–01–P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

AGENCY: National Science Foundation.

ACTION: Submission for OMB Review; Comment Request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. The full submission may be found at: *http://www.reginfo.gov/public/do/PRAMain.* This is the second notice; the first notice was published at 79 FR 18322 and no comments were received. 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; and (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 should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725—17th

Street NW., Room 10235, Washington, DC 20503, and to Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Suite 295, Arlington, Virginia 22230 or send email to *splimpto@nsf.gov.* Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling 703–292–7556.

NSF 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.

SUPPLEMENTARY INFORMATION:

Title of Collection: National Science Foundation Applicant Survey.

OMB Approval Number: 3145–0096.

Type of Request: Intent to seek approval to extend an information collection for three years.

Proposed Project: The current National Science Foundation Applicant survey has been in use for several years. Data are collected from applicant pools to examine the racial/sexual/disability composition and to determine the source of information about NSF vacancies.

Use of the Information: Analysis of the applicant pools is necessary to determine if NSF's targeted recruitment efforts are reaching groups that are underrepresented in the Agency's workforce and/or to defend the Foundation's practices in discrimination cases.

Burden on the Public: The Foundation estimates about 4,000 responses annually at 3 minutes per response; this computes to approximately 200 hours annually.

Dated: June 9, 2014.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2014–13800 Filed 6–11–14; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

Request To Amend a License To Export Deuterium

Pursuant to 10 CFR 110.70(b) ''Public Notice of Receipt of an Application,'' please take notice that the Nuclear Regulatory Commission (NRC) has received the following request for an export license. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link *http://www.nrc.gov/reading-rm.html* at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within thirty (30) days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555; the Office of Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

A request for a hearing or petition for leave to intervene may be filed with the NRC electronically in accordance with NRC's E-Filing rule promulgated in August 2007, 72 FR 49139; August 28, 2007. Information about filing electronically is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* To ensure timely electronic filing, at least five (5) days prior to the filing deadline, the petitioner/requestor should contact the Office of the Secretary by email at *HEARINGDOCKET@NRC.GOV,* or by calling (301) 415–1677, to request a digital ID certificate and allow for the creation of an electronic docket.

In addition to a request for hearing or petition for leave to intervene, written comments, in accordance with 10 CFR 110.81, should be submitted within thirty (30) days after publication of this notice in the **Federal Register** to Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemaking and Adjudications.

The information concerning this export license amendment application follows.

NRC EXPORT LICENSE AMENDMENT APPLICATION

Name of applicant, date of application, date received Application No., Docket No.	Description of material		End use	Recipient country
	Material type	Total quantity		
Cambridge Isotope Laboratories, Inc., April 7, 2014, April 8, 2014, XMAT422/01, 11005997.	Deuterium gas, deuterium oxide, and deuterium compounds.	10,000 kgs	Non-nuclear end-use in medical, pharmaceutical, chemical, and industrial markets.	China.

Dated this 28th day of May 2014, in Rockville, Maryland.

For the Nuclear Regulatory Commission.

Michael J. Case,

Acting Deputy Director, Office of International Programs.

[FR Doc. 2014–13779 Filed 6–11–14; 8:45 am]

BILLING CODE 7590–01–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 15c2–11; SEC File No. 270–196, OMB Control No. 3235–0202.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''PRA''), 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 15c2–11, (17 CFR 240.15c2–11), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act'').

Rule 15c2–11 under the Exchange Act regulates the initiation or resumption of

quotations in a quotation medium by a broker-dealer for over-the-counter (''OTC'') securities. The Rule was designed primarily to prevent certain manipulative and fraudulent trading schemes that had arisen in connection with the distribution and trading of unregistered securities issued by shell companies or other companies having outstanding but infrequently traded securities. Subject to certain exceptions, the Rule prohibits brokers-dealers from publishing a quotation for a security, or submitting a quotation for publication, in a quotation medium unless they have reviewed specified information concerning the security and the issuer.

Based on information provided by Financial Industry Regulatory Authority, Inc. (''FINRA''), in the 2013 calendar year, FINRA received approximately 1,009 applications from broker-dealers to initiate or resume publication of quotes of covered OTC securities on the OTC Bulletin Board and/or OTC Link or other quotation mediums. We estimate that (i) 31% of the covered OTC securities were issued by reporting issuers, while the other 69% were issued by non-reporting issuers, and (ii) it will take a broker-dealer about 4 hours to review, record and retain the information pertaining to a reporting issuer, and about 8 hours to review, record and retain the information pertaining to a non-reporting issuer.

We therefore estimate that broker-dealers who initiate or resume publication of quotations for covered OTC securities of reporting issuers will require 1,236 hours (1,009 × 31% × 4) to review, record and retain the information required by the Rule. We estimate that broker-dealers who initiate or resume publication of quotations for covered OTC securities of non-reporting issuers will require 5,600 hours (1,009 × 69% × 8) to review, record and retain the information required by the Rule. Thus, we estimate the total annual burden hours for broker-dealers to initiate or resume publication of quotations of covered OTC securities to be 6,836 hours (1,236 + 5,600). The Commission believes that these 6,836 hours would be borne by internal staff working at a rate of $53 per hour.[1]

Subject to certain exceptions, the Rule prohibits brokers-dealers from publishing a quotation for a security, or submitting a quotation for publication, in a quotation medium unless they have reviewed specified information concerning the security and the issuer. The broker-dealer must also make the information reasonably available upon request to any person expressing an interest in a proposed transaction in the security with such broker or dealer. The collection of information that is submitted to FINRA for review and approval is currently not available to the public from FINRA.

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 St. NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted within 30 days of this notice.

Dates: June 6, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13701 Filed 6–11–14; 8:45 am]

BILLING CODE 8011–01–P

[1] *See* Appendix C, SIFMA Office Salaries Data—Sept. 2012 for General Clerk national hourly rate.

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:

Electronic Data Collection System, SEC File No. 270–621, OMB Control No. 3235–0672.

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 extension for a current collection of information to the Office of Management and Budget for approval. The Securities and Exchange Commission has implemented an Electronic Data Collection System database (the Database) and invites comment on the Database that supports information provided by the general public that would like to file a tip or complaint with the Commission. The Database is a web based e-filed dynamic report based on technology that pre-populates and establishes a series of questions based on the data that the individual enters. The individual then completes specific information on the subject(s) and nature of the suspicious activity, using the data elements appropriate to the type of complaint or subject. There are no costs associated with this collection. The public interface to the Database is available using the Tips, Complaints and Referrals Portal. Information is provided voluntarily.

Estimated number of annual responses = 13,120.

Estimated annual reporting burden = 6,560 hours (30 minutes per submission).

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.

Background documentation for this information collection may be viewed at the following Web site, *www.reginfo.gov.* Please direct general comments to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or send an email to Shagufta Ahmed at *Shagufta_Ahmed@omb.eop.gov;* Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F St. NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted within 30 days of this notice.

Dated: June 6, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13702 Filed 6–11–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72343; File No. SR–NYSEMKT–2014–50]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Amex Options Fee Schedule

June 6, 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 June 2, 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 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 the NYSE Amex Options Fee Schedule (''Fee Schedule''). The proposed changes will be operative on June 2, 2014. 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 the Fee Schedule as described below. The proposed changes will be operative on June 2, 2014.

The Exchange proposes to modify the existing tier, specifically Tier 1B, where Order Flow Providers (''OFPs'') can qualify to earn a rebate under the OFP Electronic ADV Tiers. The Exchange is reducing the volume requirement under existing Tier 1B from .75% of Total Industry Customer equity and ETF option ADV to .45% of Total Industry Customer equity and ETF option ADV. No other changes are being proposed by the Exchange at this time.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b) [4] of the Act, in general, and Section 6(b)(4) and (5) [5] of the Act, in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers, or dealers.

The Exchange believes that the proposal to modify the existing criteria used by OFPs to qualify and earn a rebate under Tier 1B of the OFP Customer Electronic ADV is reasonable, equitable and not unfairly discriminatory for the following reasons.

First, the Exchange is making it easier for all OFPs to potentially earn a rebate on certain of their electronic volumes under the newly proposed criteria under Tier 1B by reducing the percentage of Total Industry Customer equity and ETF options ADV from .75% to .45%. By making the threshold lower, it should be easier for more OFPs to qualify for the rebate and in doing so will lower their overall cost of doing business on the Exchange, which may, in turn, lead to cost reductions for the clients of OFPs. The Exchange believes that offering OFPs a $0.06 per contract rebate under the terms and conditions proposed in Tier 1B is also reasonable as the rebate is designed to attract additional Customer volumes along with Non-NYSE Amex Options Market Maker, Firm, Professional Customer and Broker Dealer volumes to the Exchange, which benefits all other participants by increasing the opportunities to trade, enhancing transparency and price discovery. Requiring a certain level and type of activity before qualifying for a rebate on a different type of activity is also not new or novel. Specifically, two other exchanges currently require participants to commit to a certain level and type of activity before qualifying for a rebate on other activity.[6] The Exchange also believes that excluding certain volumes from being eligible for the rebate, specifically QCC volumes, electronic Customer Complex volumes, Strategy Executions and orders routed away in conjunction with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 991NY, is also reasonable as these volumes are already eligible for either reduced rates, rebates or capped fees and offering additional discounts on these volumes is not desirable as to do so may lead to increased costs for other participants. Further, the Exchange notes that excluding such volumes is consistent with the existing fee schedule.[7] As the proposed revision to the qualifying threshold under Tier 1B of the OFP Electronic ADV Tiers and the associated rebates will be available to all participants who route electronic Customer business, the Exchange believes the proposal is also equitable and not unfairly discriminatory.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] 15 U.S.C. 78f(b).

[5] 15 U.S.C. 78f(b)(4) and (5).

[6] *See* Chicago Board Options Exchange, Inc. (''CBOE'') Fee Schedule, *available here, http://www.cboe.com/publish/feeschedule/CBOEFeeSchedule.pdf* and the CBOE Proprietary Products Sliding Scale which offers Clearing Trading Permit Holders reduced rates in CBOE Proprietary Products (SPX, VIX, etc.) if the Clearing Trading Permit Holder achieves certain ADV thresholds in multiply-listed options. *See also* NASDAQ OMX PHLX Fee Schedule, *available here, http://www.nasdaqtrader.com/Micro.aspx?id=PHLXPricing* and the ''Customer Rebate Program'' and Tier 3 where, ''The Exchange will pay a $0.02 per contract rebate in addition to the applicable Tier 2 and 3 rebate to a Specialist or Market Maker or its member or member organization affiliate under Common Ownership provided the Specialist or Market Maker has reached the Monthly Market Maker Cap, as defined in Section II.''

[7] *See* Securities and Exchange Commission Release No. 68036 (October 12, 2012) [sic], 77 FR 63900 (October 17, 2012) (SR–NYSEMKT–2012–50) (establishing OFP Rebates with exclusions for volume attributable to QCC orders, electronic Customer Complex volumes, Strategy Executions and orders routed away in conjunction with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 991NY).

changes will enhance the competiveness of the Exchange relative to other exchanges. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

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

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [8] of the Act and subparagraph (f)(2) of Rule 19b–4 [9] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such 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 under Section 19(b)(2)(B) [10] of the Act 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–NYSEMKT–2014–50 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEMKT–2014–50. 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–NYSEMKT–2014–50, and should be submitted on or before July 3, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13694 Filed 6–11–14; 8:45 am]

BILLING CODE 8011–01–P

[8] 15 U.S.C. 78s(b)(3)(A).

[9] 17 CFR 240.19b–4(f)(2).

[10] 15 U.S.C. 78s(b)(2)(B).

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72342; File No. SR–NYSEArca–2014–61]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Arca Options Fee Schedule Relating to Floor Booth Fees

June 6, 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 June 2, 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 the Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE Arca Options Fee Schedule (''Fee Schedule'') relating to Floor Booth Fees. The Exchange proposes to implement the fee change effective June 2, 2014. 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Exchange's fees so as to temporarily reduce the cap on Floor Booth Fees to encourage larger Floor Broker operations on the Trading Floor.

Currently, Floor Booths are assessed $350 per month per booth, capped at $3,500 per month per OTP Firm.[4] The Exchange is proposing to reduce the cap to $2,450 per month, from June 1, 2014 to December 31, 2014, to encourage OTP Firms to expand their operations. Going forward, OTP Firms will pay a maximum monthly booth fee of $2,450 regardless of how many booths they are authorized to use.

NYSE Arca is not proposing any additional changes to Floor and Equipment Fees at this time.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,[6] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed cap on Floor Booth Fees is reasonable and will equally benefit Floor Brokers as it will reduce the overhead costs of Floor Broker Firms.

The Exchange also believes it is not unfairly discriminatory to reduce the cap on Floor Booth Fees because any type of OTP Firm that uses Floor Booths may take advantage of the cap to expand their operations supporting business on the Floor.

Finally, the Exchange believes that the fee change is reasonable in light of the significant competitive forces facing the Exchange, as described below in the Exchange's statement regarding the burden on competition.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[7] the Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed fee change reduces the burden on competition because it takes into account the value that business generated from Floor Booths add to the marketplace, as discussed above.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues, and providing a cap on Floor Booth fees allows OTP firms to both expand operations supporting customers and to reduce overhead, which in turn encourages Floor OTP firms to compete for business. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

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

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)[8] of the Act and subparagraph (f)(2) of Rule 19b–4[9] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such 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 under Section 19(b)(2)(B)[10] of the Act 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–NYSEArca–2014–61 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEArca–2014–61. 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–NYSEArca–2014–61, and should be submitted on or before July 3, 2014.

[4] *See* Securities and Exchange Act Release No. 55906 (June 13, 2007), 72 FR 35290 (June 27, 2007) (NYSEArca–2007–46).

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(4) and (5).

[7] 15 U.S.C. 78f(b)(8).

[8] 15 U.S.C. 78s(b)(3)(A).

[9] 17 CFR 240.19b–4(f)(2).

[10] 15 U.S.C. 78s(b)(2)(B).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13693 Filed 6–11–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72344; File No. SR–NSCC–2014–07]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing of Proposed Rule Change To Implement a New Scorecard Feature to the Mutual Fund Profile Service

June 6, 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 May 30, 2014, National Securities Clearing Corporation (''NSCC'') 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 clearing agency. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of amendments to the Rules & Procedures (''Rules'') of NSCC to implement a new scorecard feature to its Mutual Fund Profile Service, as more fully described below.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NSCC 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. NSCC has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In 1996, NSCC launched its Mutual Fund Profile Service (''MFPS''),[3] providing participating members with an automated method of transmitting and receiving information pertaining to funds and other pooled investment vehicles through a centralized and standard facility. Such funds and other pooled investment vehicles are collectively referred to herein as ''Funds''.

In 1998, NSCC implemented three new databases as part of MFPS, (i) the participant profile database, (ii) the security issue profile database and (iii) the distribution declaration information profile database.[4] Through these three databases, MFPS offers the Funds industry a centralized repository for prospectus and operational information relating to Fund securities, Fund distributions and Fund processing capabilities.

The ''security issue profile database'' contains Fund information, including, but not limited to, security ID number, security name, fee structure, investment objectives, breakpoint schedule data and blue sky eligibility (collectively, ''Security Issue Data'').[5] Participating members using the security issue profile database are either data providers or data receivers. Data providers populate the security issue profile database with their applicable Security Issue Data and are generally the Funds themselves, their principal underwriters or, otherwise, entities authorized to process transactions on behalf of the Funds (collectively, ''Data Providers''). Data receivers retrieve such populated Security Issue Data for use and are generally the distribution partners to the Funds (collectively, ''Data Receivers'').

Over the last several months, some Data Receivers have noted that Security Issue Data, on occasion, does not match the associated information set forth in the applicable Data Provider's public filings. Such variances and other noted potential discrepancies (collectively, ''Discrepancies'') have caused certain Data Receivers to express concerns about Security Issue Data reliability. As a result, Data Receivers have requested NSCC's assistance in creating a mechanism for encouraging more reliable Security Issue Data within the security issue profile database.

To address these concerns, NSCC proposes to amend Rule 52.D of its Rules & Procedures to implement a new feature in the security issue profile database—a scorecard—that would be distributed to MFPS members on a regularly scheduled basis, as determined by the Corporation. The scorecards will set forth (i) the numerical score issued to each applicable Data Provider and (ii) the combined average numerical score of all Data Providers. The various types of Discrepancy categories and number of identified Discrepancies within each category will form the basis from which the individual Data Provider's score and the combined average scores of all Data Providers will be calculated.

Each Data Provider's scorecard will contain (i) the individual, numerical score issued to it, (ii) the number of identified Discrepancies within each category attributable to such Data Provider and (iii) the combined average numerical score of all Data Providers. Data Providers will not see the individual, numerical scores issued to other Data Providers nor the identified Discrepancies of other Data Providers. A Data Provider that has no identified Discrepancies with respect to its Security Issue Data, or that otherwise addresses all of its identified Discrepancies, will be issued a perfect score as reflected on its scorecard, while a Data Provider that fails to take action with respect to its identified Discrepancies will have its individual score reduced. As new Discrepancies are identified to the Data Provider or the Data Provider reviews and addresses identified Discrepancies, its individual score will be recalculated on a regularly scheduled basis. The industry average score will recalculate according to the same schedule as well.

Scorecards distributed to Data Receivers will contain (i) the individual, numerical score issued to each Data Provider participant, (ii) the number of identified Discrepancies within each category attributable to each such Data Provider and (iii) the combined average numerical score of all Data Providers. The Data Receivers' scorecards will recalculate according to the same schedule as the Data Providers' scorecards.

Because the scores are based solely on action or inaction of Data Providers, the rule, as amended, will provide that the Corporation makes no representation or warranty with respect to the value or usefulness of any score or scorecard, nor will the Corporation be subject to any

[11] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] See, Release No. 34–37171 (May 8, 1996), 61 FR 24343 (May 14, 1996) (SR–NSCC–1996–04).

[4] See, Release No. 34–40614 (October 28, 1998), 63 FR 59615 (November 4, 1998) (SR–NSCC–1998–09).

[5] See, Release No. 34–59321 (January 30, 2009), 74 FR 6933 (February 11. 2009) (SR–NSCC–2008–08).

damages or liabilities whatsoever with respect to any person's use of or reliance upon any score or scorecard. In addition, because the scorecards are intended solely for members' use and are not intended to be made public, the rule, as amended, will state that all information contained in the scorecards is copyrighted and any form of copying, other than for each NSCC member's personal reference, without the express written permission of the Corporation, is prohibited, and further distribution or redistribution of the scorecard or any information contained therein by any means or in any manner is strictly prohibited.

2. Statutory Basis

NSCC believes that the proposed rule change is consistent with the requirements of the Securities Exchange Act of 1934, as amended (the ''Act''), specifically Section 17A(b)(3)(F),[6] and the rules and regulations thereunder applicable to NSCC. The proposed new feature encourages accuracy and consistency of communications with respect to information about securities. Accordingly, NSCC believes that the proposed rule change fosters cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

(B) Clearing Agency's Statement on Burden on Competition

NSCC does not believe that the proposed rule change will have any impact, or impose any burden, on competition. As stated above, the proposed change adds a scorecard feature to facilitate accurate securities information exchange, which will benefit all participating members equally and should have no effect on competition within or without NSCC.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments relating to the proposed rule change have not yet been solicited or received. NSCC will notify the Commission of any written comments received by NSCC.

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 up to 90 days (i) as the Commission may designate 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 such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NSCC–2014–07 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NSCC–2014–07. 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 NSCC and on NSCC's Web site (*http://www.dtcc.com*). 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–NSCC–2014–07 and should be submitted on or before July 3, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13695 Filed 6–11–14; 8:45 am]

BILLING CODE 8011–01–P

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14015 and #14016; Pennsylvania Disaster #PA–00067]

Administrative Declaration of a Disaster for the State of Pennsylvania

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Pennsylvania.

Dated: 06/05/2014.

Incident: Severe Storms and Flooding.

Incident Period: 05/21/2014 through 05/22/2014.

DATES: *Effective:* 06/05/2014.

Physical Loan Application Deadline Date: 08/04/2014.

Economic Injury (EIDL) Loan Application Deadline Date: 03/05/2015.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Elk.

Contiguous Counties:

Pennsylvania: Cameron, Clearfield, Forest, Jefferson, Mckean, Warren.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	4.375
Homeowners Without Credit Available Elsewhere	2.188

	Percent
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14015 6 and for economic injury is 14016 0.

The States which received an EIDL Declaration # are Pennsylvania.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: June 5, 2014.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2014–13716 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14017 and #14018]

Ohio Disaster #OH–00041

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Ohio dated 06/05/2014.

Incident: Heavy Rainfall, Strong Winds and Flooding.

Incident Period: 05/12/2014 through 05/13/2014.

DATES: *Effective Date:* 06/05/2014.

Physical Loan Application Deadline Date: 08/04/2014.

Economic Injury (EIDL) Loan Application Deadline Date: 03/05/2015.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Lorain.

Contiguous Counties:

Ohio: Ashland, Cuyahoga, Erie, Huron, Medina.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	4.375
Homeowners Without Credit Available Elsewhere	2.188
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14017 6 and for economic injury is 14018 0.

The State which received an EIDL Declaration # is Ohio.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: June 5, 2014.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2014–13712 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14019 and #14020]

Ohio Disaster #OH–00042

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Ohio dated 06/05/2014.

Incident: Heavy Rainfall, Strong Winds and Flooding.

Incident Period: 05/21/2014 through 05/22/2014.

Effective Date: 06/05/2014.

Physical Loan Application Deadline Date: 08/04/2014.

Economic Injury (EIDL) Loan Application Deadline Date: 03/05/2015.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Clark.

Contiguous Counties:

Ohio: Champaign, Greene, Madison, Miami, Montgomery.

The Interest Rates are:

	Percent
For Physical Damage:	
Credit Available Elsewhere	4.375
Homeowners Without Credit Available Elsewhere	2.188
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14019 6 and for economic injury is 14020 0.

The State which received an EIDL Declaration # is Ohio.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: June 5, 2014.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2014–13714 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #13983 and #13984]

Alabama Disaster Number AL–00055

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Alabama (FEMA–4176–DR), dated 05/12/2014.

Incident: Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

Incident Period: 04/28/2014 through 05/05/2014.

DATES: *Effective Date:* 06/02/2014.

Physical Loan Application Deadline Date: 07/11/2014.

Economic Injury (EIDL) Loan Application Deadline Date: 02/12/2015.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Alabama, dated 05/12/2014, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Houston, Washington.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2014–13713 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #13780]

California Disaster #CA–00213 Declaration of Economic Injury

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Economic Injury Disaster Loan (EIDL) declaration for the State of California, dated 09/26/2013.

Incident: Rim Fire.

Incident Period: 08/17/2013 and continuing through 10/24/2013.

DATES: *Effective Date:* 06/05/2014.

EIDL Loan Application Deadline Date: 06/26/2014.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: The notice of the Economic Injury Disaster declaration for the State of California, dated 09/26/2013 is hereby amended to establish the incident period for this disaster as beginning 08/17/2013 and continuing through 10/24/2013.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59002)

Dated: June 5, 2014.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2014–13715 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #13983 and #13984]

Alabama Disaster Number AL–00055

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 2.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Alabama (FEMA–4176–DR), dated 05/12/2014.

Incident: Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

Incident Period: 04/28/2014 through 05/05/2014.

DATES: *Effective Date:* 06/05/2014.

Physical Loan Application Deadline Date: 07/11/2014.

Economic Injury (EIDL) Loan Application Deadline Date: 02/12/2015.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Alabama, dated 05/12/2014, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Bullock.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2014–13748 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14021 and #14022]

California Disaster #CA–00221

AGENCY: U.S. Small Business Administration.

ACTION: Notice

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of California dated 06/06/2014.

Incident: San Diego County Wildfires.

Incident Period: 05/13/2014 through 05/17/2014.

DATES: *Effective Date:* 06/06/2014.

Physical Loan Application Deadline Date: 08/05/2014.

Economic Injury (EIDL) Loan Application Deadline Date: 03/06/2015.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: San Diego.

Contiguous Counties:

California: Imperial, Orange, Riverside.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	4.375
Homeowners Without Credit Available Elsewhere	2.188
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000

	Percent
Non-Profit Organizations With Credit Available Elsewhere ...	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14021 5 and for economic injury is 14022 0.

The States which received an EIDL Declaration # are California.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: June 6, 2014.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2014–13749 Filed 6–11–14; 8:45 am]

BILLING CODE 8025–01–P

TENNESSEE VALLEY AUTHORITY

Meeting of the Regional Energy Resource Council

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Notice of meeting.

SUMMARY: The TVA Regional Energy Resource Council (RERC) will hold a webinar meeting on Wednesday, July 16, 2014, to discuss TVA's options for future operation of the Allen Fossil Plant.

The RERC was established to advise TVA on its energy resource activities and the priorities among competing objectives and values. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

The meeting agenda includes the following:

1. Welcome and Introductions
2. Update on the Allen Fossil Plant Draft Environmental Assessment
3. Council discussion

The Webinar is open to the public, through registration via: *www.tva.com/rerc.* No oral comments from the public will be accepted during the webinar session. The public may provide written comments during the meeting through the webinar interface. The public also may provide written comments to the RERC at any time through links on TVA's Web site at *www.tva.com/rerc* or by mailing written comments to the Regional Energy Resource Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT–11 B, Knoxville, Tennessee 37902.

DATES: The Webinar meeting will be held on Wednesday, July 16, from 10:00 a.m. to 11:30 a.m. EDT.

Location: The meeting will be conducted by webinar only. To request accommodation for a disability, please contact Beth Keel (contact information below) at least a week in advance of the webinar.

FOR FURTHER INFORMATION CONTACT: Beth Keel, 400 West Summit Hill Drive, WT–11 B, Knoxville, Tennessee 37902, (865) 632–6113.

Dated: June 5, 2014.

Joseph J. Hoagland,

Vice President, Stakeholder Relations, Tennessee Valley Authority.

[FR Doc. 2014–13706 Filed 6–11–14; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Agricultural Aircraft Operator Certificate Application

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. Standards have been established for the certification of agricultural aircraft. The information collected shows applicant compliance and eligibility for certification by FAA.

DATES: Written comments should be submitted by August 11, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0049.

Title: Agricultural Aircraft Operator Certificate Application.

Form Numbers: FAA Form 8710–3.

Type of Review: Renewal of an information collection.

Background: 14 CFR part 137 prescribes requirements for issuing agricultural aircraft operator certificates and for appropriate operating rules. The information on FAA Form 8710–3, Agricultural Aircraft Operator Certificate Application, is required from applicants who wish to be issued a commercial or private agricultural aircraft operator certificate. Aviation Safety Inspectors in FAA Flight Standards District Offices (FSDO) review the submitted information to determine certificate eligibility.

Respondents: Approximately 2,950 applicants.

Frequency: Information is collected on occasion.

*Estimated Average Burden per Respon*se: 1.3 hours.

Estimated Total Annual Burden: 10,275 hours.

ADDRESSES: Send comments to the FAA at the following address: Ms. Kathy DePaepe, Room 126B, Federal Aviation Administration, ASP–110, 6500 S. MacArthur Blvd., Oklahoma City, OK 73169.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 5, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–13689 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Neighborhood Environmental Survey

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to undertake an information collection. The purpose of this research

is to conduct a nation-wide survey to update the scientific evidence of the relationship between aircraft noise exposure and its effects on communities around airports.

DATES: Written comments should be submitted by August 11, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov*.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–XXXX (to be determined).

Title: Neighborhood Environmental Survey.

Form Numbers: There are no FAA forms associated with this collection of information.

Type of Review: Clearance of a new information collection.

Background: This Neighborhood Environmental Survey is necessary to update the relationship between aircraft noise exposure and its effect on communities around United States airports. This survey will collect data on annoyance from a representative sample of households surrounding airports chosen from a representative sample, and relate the annoyance level to the noise exposure for that address. The FAA will use the information from this collection to derive the empirical data to support potential updates to or validation of the national aviation noise policy.

Respondents: 12,147 respondents affected by airport noise.

Frequency: One time per respondent.

Estimated Average Burden per Response: Five minutes for a mail survey, twenty minutes for a telephone survey for selected respondents.

Estimated Total Annual Burden: 1,544 hours.

ADDRESSES: Send comments to the FAA at the following address: Ms. Kathy DePaepe, Room 126B, Federal Aviation Administration, ASP–110, 6500 S. MacArthur Blvd., Oklahoma City, OK 73169.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 5, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–13686 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: FAA Entry Point Filing Form—International Registry

AGENCY: Federal Aviation Administration (FAA), DoT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The respondents supply information through the AC 8050–135 to the FAA Civil Aviation Registry's Aircraft Registration Branch in order to obtain an authorization code for access to the International Registry.

DATES: Written comments should be submitted by August 11, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0697.

Title: FAA Entry Point Filing Form—International Registry.

Form Numbers: FAA Form 8050–135.

Type of Review: Renewal of an information collection.

Background: The information collected is necessary to obtain an authorization code for transmission of information to the International Registry. To transmit certain types of interests or prospective interests to the International Registry, interested parties must file a completed FAA Entry Point Filing Form—International Registry, AC Form 8050–135, with the FAA Civil Aviation Registry. Upon receipt of the completed form, the FAA Civil Aviation Registry will issue the unique authorization code.

Respondents: Approximately 8,750 applicants.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: 30 minutes.

Estimated Total Annual Burden: 4,375 hours.

ADDRESSES: Send comments to the FAA at the following address: Ms. Kathy DePaepe, Room 126B, Federal Aviation Administration, ASP–110, 6500 S. MacArthur Blvd., Oklahoma City, OK 73169.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 5, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–13688 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

FAA Approval of Noise Compatibility Program; Seattle-Tacoma International Airport, Seattle, Washington

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Seattle-Tacoma International Airport under the provisions of the Aviation Safety and Noise Abatement Act, hereinafter referred to as ''the Act'' and FAA regulations. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96–52 (1980). On December 13, 2013, the FAA determined that the noise exposure maps submitted by the Seattle-Tacoma International Airport were in compliance with applicable requirements. On May 29, 2014, the FAA approved the Seattle-Tacoma International Airport noise compatibility program. Nineteen of the Twenty-two recommendations of the program were approved. One recommendation was disapproved, one withdrawn and one approved in part and disapproved in part.

DATES: The effective date of the FAA's approval of the Seattle-Tacoma International Airport noise compatibility program is May 29, 2014.

FOR FURTHER INFORMATION CONTACT: Cayla Morgan, Federal Aviation Administration, Seattle Airports District Office, 1601 Lind Ave. SW., Renton, WA 98057–3356, telephone 425 227 2653. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for Seattle-Tacoma International Airport, effective May 29, 2014.

Under section 47504 of the Act, an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel. Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) Part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Act and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR Part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR Part 150, section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the FAA Seattle Airports District Office in Seattle, Washington.

Seattle-Tacoma International Airport submitted to the FAA on October 24, 2013, the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from 2009 through 2013. The Seattle-Tacoma International Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on December 13, 2014. Notice of this determination was published in the **Federal Register** on December 23, 2013 (78 FR 77548–77549).

The Seattle-Tacoma International Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 47504 of the Act. The FAA began its review of the program on December 13, 2014, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed to be an approval of such program.

The submitted program contained 9 noise abatement measures, 10 noise mitigation/land use compatibility measures, and 3 administrative recommendations. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program therefore, was approved by the FAA on May 29, 2014.

Approval was granted for 19 measures. One measure was withdrawn so no action was required. Measure A–10 to address maintenance run-ups was previously disapproved in the 2002 NCP and continues to be disapproved. Measure M–2B for sound insulation of schools was approved as a continuation of a previously approved program but the sound insulation of the Highline Community College was disapproved for Airport Improvement Program funding as it is outside the newly revised noise remedy boundary.

These determinations are set forth in detail in a Record of Approval signed by the Airports Division Manager, Northwest Mountain Region on May 29, 2014. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal are available for review at the FAA office listed above and at the Airport Noise Office of the Seattle-Tacoma International Airport. The Record of Approval also will be available on-line at *http://www.faa.gov/airports/environmental/airport_noise/part_150/states/*.

Issued in Renton, Washington, on June 3, 2014.

Sarah P. Dalton,

Manager, Airports Division, Northwest Mountain Region.

[FR Doc. 2014–13684 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2014–0062]

ICD–10–CM/AIS Mapping Software

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Request for information.

SUMMARY: This notice announces NHTSA's Request for Information (RFI) and comment on the potential development of a mapping software to translate the International Statistical Classification of Diseases and Related Health Problems, 10th Revision, Clinical Modification (ICD–10–CM) discharge diagnoses into Abbreviated Injury Scale

(AIS) pre-dot codes, injury descriptors, and severity scores. NHTSA is issuing this RFI in collaboration with, and on behalf of, its member agencies within the DOT Traffic Records Coordinating Committee (DOT/TRCC), specifically the Federal Highway Administration (FHWA), the Federal Motor Carrier Safety Administration (FMCSA), and the Bureau of Transportation Statistics (BTS). Feedback and comments on any aspect of the RFI are welcome from all interested public, private, and academic entities. While all feedback is welcome, DOT is particularly interested in feedback on the questions provided in the last section of this RFI.

DATES: Comments must be received no later than August 11, 2014.

ADDRESSES:

Comments: You may submit comments [identified by Docket Number NHTSA–2014–0062] by any of the following methods:

- Internet: To submit comments electronically, go to the U.S. Government regulations Web site at *http://www.regulations.gov*. Follow the online instructions for submitting comments.
- Fax: Written comments may be faxed to 202–493–2251.
- Mail: Send comments to Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.
- Hand Delivery: If you plan to submit written comments by hand or courier, please do so at 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except federal holidays
- You may call Docket Management at 1–800–647–5527.

Instructions: For detailed instructions on submitting comments and additional information see the Comments heading of the Supplementary Information section of this document. 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 in the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: For questions about the program discussed herein, contact John Kindelberger, Mathematical Statistician, Office of Data Acquisition, Room W53–446, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202–366–4696. Email: *john.kindelberger@dot.gov*.

SUPPLEMENTARY INFORMATION: On January 16, 2009, the U.S. Department of Health and Human Services (HHS) published a final rule adopting ICD–10–CM to replace ICD–9–CM in transactions covered by the Health Insurance Portability Accountability Act (HIPAA). The deadline for adopting ICD–10–CM has been postponed several times but is currently scheduled to take place at some point after October 1, 2015 (*http://www.cms.gov/Medicare/Coding/ICD10/index.html?redirect=/icd10*).

The ''Moving Ahead for Progress in the 21st Century'' Act (MAP–21), signed into law on July 6, 2012, requires the FHWA to establish measures for State departments of transportation to assess and report numbers and rates per vehicle mile traveled of roadway fatalities and serious injuries. [§ 1203; 23 USC 150(c)]. In Notice of Proposed Rulemaking 79 FR 13845 (Mar. 11, 2014), which can be found at *http://www.regulation.gov*, the FHWA recommends that States prepare themselves so that no later than January 1, 2020, all States use a medical record injury outcome reporting system that links injury outcomes from medical records to crash reports.

The DOT seeks comments and information from the public sector, private sector, and academic communities concerning the potential development of ICD–10–CM/AIS mapping software that would address the issues described in this RFI. While comments are welcome on any area of the RFI, the DOT is particularly interested in responses to the questions listed below. Responders are reminded that feedback or comments on any aspect of this notice are welcome from all interested public, private, and academic entities. While all feedback is welcome, the DOT is particularly interested in feedback on the following questions. Respondents may respond, to some, all, or none of these specific questions:

1. Is there a need for a mapping tool that translates ICD–10–CM codes to the AIS standard?
2. Is there a need for an updated mapping tool that translates ICD–9–CM codes to the AIS standard?
3. Are any steps currently being taken to develop a mapping tool?
4. What capabilities should such a mapping tool possess?
5. What platforms should the mapping tool run on?
6. Should the mapping tool be non-proprietary?

Injury data enables epidemiologists, researchers, and policymakers to better identify the severity of injuries in addition to where, when, and why they occur. This data is, however, frequently spread among discrete databases that are difficult to link to each other or to injury causation data. The ability to link these datasets together is thus critical to efforts to understand injury trends, set injury prevention priorities, identify high risk populations and geographic areas, and develop targeted injury prevention strategies. The DOT, however, is particularly interested in forging and maintaining links among vehicle crash and injury datasets as such links can provide more complete information and better understanding of crash outcomes.

State trauma registry and hospital discharge databases are two of the more significant sources of injury data. Trauma registries are designed to collect large amounts of information about the most seriously injured patients and are not typically used for injury surveillance purposes on their own. Hospital discharge datasets are designed primarily to monitor hospital census, utilization, and financial information but record enough information—like diagnosis codes and external cause/E-codes—to make them useful injury surveillance tools. In addition, the pre-hospital emergency medical services (EMS) patient care reports, compliant with the National EMS Information System (NEMSIS) Standard, may be helpful, as they can serve as good link between the crash data and hospital data. NEMSIS data is submitted to the state level by local EMS agencies, and the collective statewide data is submitted to the National EMS Database. The most effective linkage point at this time is at the State level.

These datasets are generally coded using different methodologies. Trauma registries use the Abbreviated Injury Scale while hospitals and emergency departments use the International Statistical Classification of Diseases and Related Health Problems for diagnosis, reporting, and billing.

The Abbreviated Injury Scale (AIS), developed by the Association for the Advancement of Automotive Medicine (AAAM), is an anatomically based, consensus derived, global severity scoring system that classifies each injury by body region according to its relative importance on a 6-point ordinal scale (1 = minor and 6 = maximal). The AIS is the basis for the Injury Severity Score (ISS) calculation of the multiply injured patient. The AIS is protected by copyright, and both individual use and site licenses can be purchased from AAAM (*http://www.aaam.org/about-ais.html*).

The maximum AIS (MAIS) severity level is a recognized person-level injury severity indicator. For example, the Organization for Economic Co-Operation and Development's International Traffic Safety Data and Analysis Group (IRTAD) has recommended that MAIS of level three or higher be used as the standard for a seriously injured person in a motor vehicle crash (*http://www.internationaltransportforum.org/irtadpublic/pdf/Road-Casualties-Web.pdf*).

Maintained by the World Health Organization (WHO), the International Statistical Classification of Diseases and Related Health Problems (ICD) is the international standard diagnostic tool for epidemiology, health management, and clinical purposes. While a version of the ninth revision, ICD–9–CM, is currently still widely used in the US, a replacement based on the tenth revision, ICD–10–CM, has been developed by a National Center for Health Statistics (NCHS) Technical Advisory Panel following extensive consultation with physician groups, clinical coders, and others to assure clinical accuracy and utility (*http://www.cdc.gov/nchs/icd/icd10cm.htm*).

In the early 90's researchers at Johns Hopkins University developed a software tool (ICDMAP) that allowed analysts to generate a Maximum AIS (MAIS) or an Injury Severity Score (ISS) for each injured patient in the hospital discharge database using the ICD–9–CM diagnosis codes of each patient's record. The ICDMAP enabled statewide performance measurement by MAIS and allowed analysts to associate the severity outcomes to with crash, vehicle, and roadway circumstances for planning and/or evaluation of countermeasures.

While the ICDMAP-generated results are not as precise as those derived by clinicians in trauma registries, this approach has been validated and yields good sensitivity in estimating severity for studying the larger universe of injury hospitalizations. Translating ICD codes to AIS allows all crash-involved injuries to be compiled and analyzed in terms of AIS and MAIS severity. When linked to causal information—State crash databases, for example—ICD codes can be used to improve measurement of crash-related injury severity.

There is not, however, currently any known software or service capable of translating between ICD–10–CM and AIS. Once hospitals transition to the ICD–10–CM, combining these two sets of injury data will no longer be possible, and analyses will be less complete and less useful. Significant effort is needed to develop a mapping tool that will enable mapping of ICD–10–CM diagnosis codes with the corresponding AIS severity codes.

RFI Guidelines

Responses to this notice are not offers and cannot be accepted by the Government to form a binding contract or issue a grant. Information obtained as a result of this RFI may be used by the Government for program planning on a non-attribution basis. This RFI notice is NOT a solicitation for proposals, applications, proposal abstracts, or quotations. This RFI notice is not to be construed as a commitment on the part of the Government to award a contract or grant, nor does the Government intend to directly pay for any information or responses submitted as a result of this RFI notice.

Comments

How do I prepare and submit comments?

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the Docket number of this document (NHTSA–2014–0062) in your comments.

Your primary comments must not be more than 15 pages long (49 CFR 553.21). However, you may attach additional documents to your primary comments. There is no limit on the length of the attachments.

Please submit one copy of your comments, including the attachments, to Docket Management at the address given above under **ADDRESSES**.

Please note that pursuant to the Data Quality Act, in order for substantive data to be relied upon and used by the agency, it must meet the information quality standards set forth in the OMB and DOT Data Quality Act guidelines. Accordingly, we encourage you to consult the guidelines in preparing your comments. OMB's guidelines may be accessed at *http://www.whitehouse.gov/omb/fedreg_reproducible*. DOT's guidelines may be accessed at *http://www.rita.dot.gov/bts/sites/rita.dot.gov.bts/files/subject_areas/statistical_policy_and_research/data_quality_guidelines/index.html*.

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) or you may visit *http://www.regulations.gov*.

How can I be sure that my comments were received?

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail. You may also periodically access *http://www.regulations.gov* and enter the number for this docket (NHTSA–2014–0062) to see if your comments are on line.

How do I submit confidential business information?

If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590. In addition, you should submit a copy, from which you have deleted the claimed confidential business information, to Docket Management at the address given above under **ADDRESSES**. When you send a comment containing information claimed to be confidential business information, you should include a cover letter setting forth the information specified in our confidential business information regulation (49 CFR Part 512.)

Will the agency consider late comments?

In our response, we will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

How can I read the comments submitted by other people?

You may read the comments received by Docket Management at the address given above under **ADDRESSES**. The hours of the Docket are indicated above in the same location.

You may also see the comments on the Internet. To read the comments on the Internet, take the following steps:

(1) Go to the Federal Docket Management System (FDMS) at *http://www.regulations.gov*.

(2) FDMS provides two basic methods of searching to retrieve dockets and docket materials that are available in the

system: (a) ''Quick Search'' to search using a full-text search engine, or (b) ''Advanced Search,'' which displays various indexed fields such as the docket name, docket identification number, phase of the action, initiating office, date of issuance, document title, document identification number, type of document, **Federal Register** reference, CFR citation, etc. Each data field in the advanced search may be searched independently or in combination with other fields, as desired. Each search yields a simultaneous display of all available information found in FDMS that is relevant to the requested subject or topic.

(3) You may download the comments. However, since the comments are imaged documents, instead of word processing documents, the ''pdf'' versions of the documents are word searchable.

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 check the Docket for new material.

Authority: 49 U.S.C. 30111, 30181–83 delegation of authority at 49 CFR 1.95 and 501.8.

Terry Shelton,

Associate Administrator for the National Center for Statistics and Analysis.

[FR Doc. 2014–13727 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2014–0085; Notice 14–9]

Hazardous Materials: Notice of Availability of Draft Environmental Assessment and Request for Public Comment for a Special Permit Relating to the Transport of Precursor Chemicals From Syria in Port Arthur, Texas

AGENCY: Pipeline and Hazardous Materials Safety Administration, DOT.

ACTION: Notice of Availability and Request for Public Comment.

SUMMARY: This notice informs the public of the availability of a draft environmental assessment in support of a special permit application that would allow offloading and the transport by highway of hazardous materials in non-DOT Specification Packaging in Port Arthur, Texas. PHMSA requests public comment on the draft environmental assessment.

DATES: PHMSA will accept comments on the draft environmental assessment until close of business June 23, 2014.

ADDRESSES: Comments may be submitted in the following ways:

Federal eRulemaking Portal: www.regulations.gov. Follow instructions for submitting comments.

Mail: Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard.

Hand Delivery: Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Fax: Docket Management System: U.S. Department of Transportation, Docket Operations, 202–493–2251.

Instructions: Include the agency name and docket number PHMSA–2014–0085 (Notice 14–9) at the beginning of your comment. Please note that all comments received will be posted without change to *www.regulations.gov*, including any personal information provided.

Privacy Act: 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 document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register**, 65 FR 19477, April 11, 2000, or you may visit *www.regulations.gov*.

Docket: For access to the docket to read the draft environmental assessment or comments received, go to *www.regulations.gov* or DOT's Docket Operations Office (see hand delivery address above).

FOR FURTHER INFORMATION CONTACT: Alice Koethe, Attorney, Pipeline and Hazardous Materials Safety Administration, Office of the Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; 202–366–7207; *alice.koethe@dot.gov.*

SUPPLEMENTARY INFORMATION: In accordance with the National Environmental Policy Act (NEPA), 42 U.S.C. 4321–4347, the Council on Environmental Quality (CEQ) NEPA implementing regulations, 40 CFR parts 1500–1508, and DOT Order 5610.1C, Procedures for Considering Environmental Impacts, the Pipeline and Hazardous Materials Safety Administration (PHMSA) has prepared a draft environmental assessment (Draft EA) for an application for a Special Permit/Requested Relief of Certain Packaging Requirements for Highway Motor Vehicles relating to the transport of precursor chemicals from Syria in Port Arthur, Texas. PHMSA serves as the lead agency for the Draft EA, and the U.S. Coast Guard, U.S. Department of Commerce, and the U.S. Department of the Treasury serve as cooperating agencies.

The Organisation for the Prohibition of Chemical Weapons (OPCW) and the Department of State have informed PHMSA that an operation is underway to eliminate Syria's chemical weapons program, including the removal of 19 different chemicals from Syria used as precursors to chemical weapons. Five of these chemicals are bound for Port Arthur, Texas, where they will be destroyed and disposed (the ''operation''). These five chemicals have been/are to be transferred to a Norwegian sovereign immune cargo vessel, which is ultimately bound for Port Arthur, Texas. There are no explosives or munitions associated with the chemicals, and these chemicals have not been assembled into weapons or mixed for weapons purposes. OPCW informed PHMSA that these five chemicals are being shipped in 16 20-ft ISO maritime shipping containers in various packagings. However, due to incomplete information from international officials and questions about loading, PHMSA cannot confirm that the UN packagings containing the chemicals are compliant with the Hazardous Materials Regulations, 49 CFR Parts 171–180 (HMR).

Veolia is the private company that the OPCW selected for the destruction and disposal of the chemicals. Upon arrival at the Port of Port Arthur, Veolia's subcontractor, Bed Rock Inc, d/b/a/Tri State Motor Transit Company (Tri State), will transport the chemicals 15 miles overland from the Port of Port Arthur to Veolia's approved disposal site in Port Arthur, Texas. Due to the lack of compliance assurance with the HMR, Veolia has requested a special permit (SP) from PHMSA.

PHMSA has prepared the Draft EA analyzing the environmental impacts of four alternatives: (1) The no action alternative, where PHMSA does not issue a SP because the chemicals do not

enter and are not destroyed in the United States; (2) PHMSA does not issue a SP and exercises agency discretion to forgo enforcement of the HMR for the 15-mile overland transport; (3) PHMSA issues a SP, inspects the drums for HMR compliance prior to the arrival in Port Arthur, and requires any non-compliant or unsafe drums to be placed into salvage drums; and (4) PHMSA issues a SP for relief from the HMR.

The Draft EA is available online at *www.regulations.gov* under docket number PHMSA–2014–0085. The Draft EA is also available on PHMSA's Web site at *http://phmsa.dot.gov/hazmat/port-arthur.* The Draft EA is also available for inspection locally at the following public library: Port Arthur Public Library, 4615 9th Avenue (at Highway 73), Port Arthur, TX 77642, 409–985–8838. The anticipated delivery date to Port Arthur necessitates an abbreviated comment period of 10 days.

Issued in Washington, DC, on June 6, 2014.

Magdy El-Sibaie,

Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

[FR Doc. 2014–13685 Filed 6–11–14; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35829]

Patrick D. Broe and Sand Springs Holdings, LLC—Acquisition of Control Exemption—Sand Springs Railway Company

Patrick D. Broe (Broe) and Sand Springs Holdings, LLC (Holdings) (collectively, Applicants), both noncarriers, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire control of Sand Springs Railway Company (Sand Springs), a Class III railroad.

Applicants state that Broe directly controls Holdings, OmniTRAX, Inc. (OmniTRAX), a noncarrier company that controls 12 Class III railroads,[1] and BNS Holding, Inc. (BNS), a noncarrier that indirectly controls three Class III railroads.[2] Applicants also state that Sheffield Steel Corporation (Sheffield), a noncarrier, currently controls Sand Springs. According to Applicants, Holdings and Sheffield have entered into an agreement[3] dated May 23, 2014, by which Holdings will acquire all of the stock of Sand Springs. Once that transaction is consummated, Broe and Holdings will control Sand Springs.

Applicants intend to consummate this transaction on or shortly after June 26, 2014 (the effective date of the exemption, 30 days after the notice of exemption was filed).

Applicants state that: (1) The rail lines operated by OmniTRAX's and BNS's railroads do not connect with the rail lines operated by Sand Springs; (2) this transaction is not part of a series of anticipated transactions that would connect the rail lines operated by Sand Springs with any railroad in the OmniTRAX or BNS corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval acquirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than June 19, 2014 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35829, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, a copy must be served on Karl Morell, Ball Janik LLP, 655 Fifteenth Street NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at *WWW.STB.DOT.GOV.*

Decided: June 9, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Raina S. White,

Clearance Clerk.

[FR Doc. 2014–13775 Filed 6–11–14; 8:45 am]

BILLING CODE 4915–01–P

[1] Those 12 railroads are: Chicago Rail Link, LLC; Georgia Woodlands Railroad, LLC; Great Western Railway of Colorado, LLC; Manufacturers' Junction Railway, LLC; Newburgh & South Shore Railroad, LLC; Northern Ohio & Western Railway, LLC; Panhandle Northern Railroad, LLC; Alliance Terminal Railroad, LLC; Fulton County Railway, LLC; Alabama & Tennessee River Railway, LLC; Kettle Falls International Railway, LLC; and Stockton Terminal and Eastern Railroad.

[2] Those three railroads are: Nebraska, Kansas and Colorado Railway, LLC; Illinois Railway, LLC; and Georgia & Florida Railway, LLC.

[3] A redacted version of the agreement between Holdings and Sheffield was filed with the notice of exemption. An unredacted version was filed concurrently under seal, along with a motion for protective order pursuant to 49 CFR 1104.14(b). That motion will be addressed in a separate decision.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35831]

Grainbelt Corporation—Trackage Rights Exemption—BNSF Railway Company and Stillwater Central Railroad, LLC

BNSF Railway Company (BNSF) and Stillwater Central Railroad, LLC f/k/a Stillwater Central Railroad, Inc. (SLWC), pursuant to written trackage rights agreements dated April 1, 2014, and May 21, 2014, respectively, have each agreed to amend their trackage rights agreements with Grainbelt Corporation (GNBC),[1] which together will allow GNBC to provide local service to a grain shuttle facility in Eldorado, Okla. (between Altus and Quanah). Specifically, BNSF is amending its trackage rights with GNBC regarding service over the connecting line between the connection with SLWC east of Long (milepost 668.73) and Quanah (milepost 723.30), and SLWC is amending its trackage rights with GNBC regarding service between Snyder Yard (milepost 664.00) and its connection with BNSF east of Long (milepost 668.73).[2]

[1] GNBC already held overhead trackage rights granted by the predecessor of BNSF between Snyder Yard, Okla. (milepost 664.00) and Quanah, Tex. (milepost 723.30), under which GNBC has the right to interchange at Quanah with BNSF and Union Pacific Railroad Company. BNSF subsequently sold a portion of the subject trackage to SLWC. The original trackage rights were supplemented in 2009 to allow GNBC to operate between Snyder and Altus, Okla., with the right to perform limited local service at Long, Okla. *See Grainbelt Corp.—Trackage Rights Exemption—BNSF Ry. & Stillwater Cent. R.R.,* FD 35332 (STB served Dec. 17, 2009). The trackage rights were further amended in 2013 to allow GNBC to provide local grain service to a shuttle facility at Headrick, Okla. *See Grainbelt Corp.—Trackage Rights Exemption—BNSF Ry. & Stillwater Cent. R.R.,* FD 35719 (STB served Mar. 15, 2013). The original and supplemental trackage rights would not be affected by the amended trackage rights that are the subject of this proceeding.

[2] Redacted versions of the trackage rights agreements between GNBC/BNSF and GNBC/SLWC

Continued

The transaction may be consummated on or after June 26, 2014, the effective date of the exemption (30 days after the verified notice was filed).

The purpose of this transaction is to allow GNBC to provide local, single system service between the grain shippers located on GNBC, including GNBC's affiliate, Farmrail Corporation, and the grain shuttle facility located at Eldorado. The parties' agreements provide that the trackage rights will automatically expire on February 1, 2023.[3]

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.,* 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad,* 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Stay petitions must be filed by June 19, 2014 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35831, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Clark Hill, PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

Board decisions and notices are available on our Web site at *www.stb.dot.gov.*

Decided: June 9, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Derrick A. Gardner,

Clearance Clerk.

[FR Doc. 2014–13768 Filed 6–11–14; 8:45 am]

BILLING CODE 4915–01–P

were filed with the notice of exemption. The full versions of the agreements, as required by 49 CFR 1180.6(a)(7)(ii), were concurrently filed under seal along with a motion for protective order. That motion will be addressed in a separate decision.

[3] GNBC states that this filing is related to a simultaneously filed petition in *Grainbelt Corporation—Trackage Rights Exemption—BNSF Railway & Stillwater Central Railroad,* Docket No. 35831 (Sub-No. 1), for partial revocation of the exemption to permit the amended trackage rights to expire upon the expiration date of the previous amendment to the trackage rights, February 1, 2023. The Board will address that petition in a subsequent decision.

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0379]

Agency Information Collection (Time Record (Work-Study Program)) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0379'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0379.''

SUPPLEMENTARY INFORMATION:

Title: Time Record (Work-Study Program), VA Form 22–8690.

OMB Control Number: 2900–0379.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 22–8690 is a time sheet report used by a supervisor and an eligible individual to record and report the number of hours completed by the trainee. The form should be submitted after the trainee completes at least 50 hours of work. VA uses the data collected to ensure that the amount of benefits payable to a claimant who is pursuing work-study is correct.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on February 28, 2014, at pages 11512–11513.

Affected Public: State, Local or Tribal Governments.

Estimated Annual Burden: 5,705 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 68,460.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13751 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0107]

Proposed Information Collection (Certificate as to Assets) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection and allow 60 days for public comment in response to this notice. This notice solicits comments on the information needed to audit accountings of fiduciaries.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0107'' in any correspondence. During the comment

period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Certificate as to Assets, VA Form 21–4709.

OMB Control Number: 2900–0107.

Type of Review: Revision of a currently approved collection.

Abstract: Fiduciaries are required to complete VA Form 21–4709 to report investment in savings, bonds and other securities that he or she received on behalf of beneficiaries who are incompetent or under legal disability. Estate analysts employed by VA use the data collected to verify the fiduciaries' accounting of a beneficiary's estate.

Affected Public: Individuals or households.

Estimated Annual Burden: 863 hours.

Estimated Average Burden per Respondent: 12 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 4,316.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13746 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0405]

Proposed Information Collection (REPS Annual Eligibility Report) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to confirm a claimant's continued entitlement to Restored Entitlement Program for Survivors (REPS) benefits.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0405'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: REPS Annual Eligibility Report, (Under the Provisions of Section 156, Public Law 97–377), VA Form 21–8941.

OMB Control Number: 2900–0405.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–8941 is completed annually by claimants who have earned income that is at or near the limit of earned income. The REPS program pays benefits to certain surviving spouses and children of Veterans who died in service prior to August 13, 1981, or who died as a result of a service-connected disability incurred or aggravated prior to August 13, 1981. VA uses the information collected to determine a claimant's continued entitlement to REPS benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 300 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 1,200.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13737 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0067]

Proposed Information Collection (Application for Automobile or Other Conveyance and Adaptive Equipment) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of

1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on the information needed to determine claimants' eligibility for automobile adaptation equipment or other conveyance allowance.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0067'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application for Automobile or other Conveyance and Adaptive Equipment (under 38 U.S.C. 3901–3904), VA Form 21–4502.

OMB Control Number: 2900–0067.

Type of Review: Revision of a currently approved collection.

Abstract: Veterans, servicepersons and their survivors complete VA Form 21–4502 to apply for automobile or other conveyance allowance, and reimbursement for the cost and installation of adaptive equipment. VA uses the information to determine the claimant's eligibility for such benefits.

Affected Public: Individuals and households.

Estimated Annual Burden: 388.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 1,552.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2014–13773 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0463]

Proposed Information Collection (Notice of Waiver of VA Compensation or Pension To Receive Military Pay and Allowances) Activity; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to waive disability benefits.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0463'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Notice of Waiver of VA Compensation or Pension to Receive Military Pay and Allowances, VA Form 21–8951 and VA Form 21–8951–2.

OMB Control Number: 2900–0463.

Type of Review: Revision of a currently approved collection.

Abstract: Claimants who wish to waive VA disability benefits in order to receive active or inactive duty training pay are require to complete VA Forms 21–8951 and 21–8951–2. Active and inactive duty training pay cannot be paid concurrently with VA disability compensation or pension benefits. Claimants who elect to keep training pay must waive VA benefits for the number of days equal to the number of days in which they received training pay.

Affected Public: Individuals or households.

Estimated Annual Burden: 3,500 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: Annually

Estimated Number of Respondents: 21,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13744 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0399]

Proposed Information Collection (Student Beneficiary Report—REPS (Restored Entitlement Program for Survivors) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection and allow 60 days for public comment in response to this notice. This notice solicits comments on the information needed to confirm a student's continued entitlement to Restored Entitlement Program for Survivors.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0399'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Student Beneficiary Report—REPS (Restored Entitlement Program for Survivors), VA Forms 21–8938 and 21–8938–1.

OMB Control Number: 2900–0399.

Type of Review: Revision of a previously approved collection.

Abstract: Students between the ages of 18–23 who are receiving Restored Entitlement Program for Survivors (REPS) benefits based on schoolchild status complete VA Forms 21–8938 and 21–8938–1 to certify that he or she is enroll full-time in an approved school. REPS benefit is.paid to children of Veterans who died in service or who died as a result of service-connected disability incurred or aggravated prior to August 13, 1981. VA uses the data collected to determine the student's eligibility for continued REPS benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 1,767.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 5,300.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13743 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0119]

Proposed Information Collection (Report of Treatment in Hospital); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to this notice. This notice solicits comments on information needed to determine a claimant's eligibility for disability insurance benefits.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov*; or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov*. Please refer to ''OMB Control No. 2900–0119'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Report of Treatment in Hospital, VA FL 29–551.

OMB Control Number: 2900–0119.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form Letter 29–551 is used collect information from hospitals were a claimant's was treated. VA uses the data to determine the insured's eligibility for disability insurance benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 4,055 hours.

Estimated Average Burden per Respondent: 12 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 20,277.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13736 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0501]

Agency Information Collection (Veterans Mortgage Life Insurance Inquiry) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0501'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0501.''

SUPPLEMENTARY INFORMATION:

Title: Veterans Mortgage Life Insurance Inquiry, VA Form 29–0543.

OMB Control Number: 2900–0501.

Type of Review: Revision of a currently approved collection.

Abstract: Veterans whose mortgage is insured under Veterans Mortgage Life Insurance (VMLI) completes VA Form 29–0543 to report any recent changes in the status of their mortgage. VMLI coverage is automatically terminated when the mortgage is paid in full or when the title to the property secured by the mortgage is no longer in the veteran's name.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 15, 2014, at pages 2755–2756.

Affected Public: Individuals or households.

Estimated Annual Burden: 45 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 540.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13761 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0009]

Agency Information Collection (Disabled Veterans Application for Vocational Rehabilitation) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0009'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0009.''

SUPPLEMENTARY INFORMATION:

Title: Disabled Veterans Application for Vocational Rehabilitation (Chapter 31, Title 38 U.S.C.), VA Form 28–1900.

OMB Control Number: 2900–0009.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 28–1900 is completed by Veterans with a combined service–connected disability rating of ten percent or more and awaiting discharge for such disability to apply for vocational rehabilitation benefits. VA provides service and assistance to Veterans with disabilities, who have an entitlement determination, to gain and keep suitable employment. Vocational rehabilitation also provides service to support Veterans with disabilities to achieve maximum independence in their daily living activities if employment is not reasonably feasible. VA use the information collected to determine the claimant's eligibility for vocational rehabilitation benefits.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 16, 2014, at pages 2944–2945.

Affected Public: Individuals or households.

Estimated Annual Burden: 16,961 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 67,844.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13752 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0629]

Proposed Information Collection: Application for Extended Care Services, VA Form 10–10EC Activity: Comment Request

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Health Administration (VHA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revised collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to obtain an accurate and comprehensive assessment of satisfaction of patients who receive mental health care services and on outcomes for Veterans who seek mental health treatment from VHA. Data will allow the program office to ensure that the target audience is being reached, effective treatments are being offered, and tangible, quantitative results are being measured and tracked for continual program improvement.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through the Federal Docket Management System (FDMS) at *www.Regulations.gov*; or to Audrey Revere, Office of Regulatory and Administrative Affairs, Veterans Health Administration (10B4), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email: *Audrey.revere@va.gov*. Please refer to ''OMB Control No. 2900–0629, Application for Extended Care Services, VA Form 10–10EC'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Audrey Revere at (202) 461–5694.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application for Extended Care Services, VA Form 10–10EC.

OMB Control Number: 2900–0629.

Type of Review: Revision of a previously approved collection.

Abstract: Title 38 U.S.C. Chapter 17 authorizes VA to provide hospital care, medical services, domiciliary care and nursing home care to eligible Veterans. Title 38 U.S.C. § 1705 requires VA to design, establish and operate a system of annual patient enrollment in accordance with a series of stipulated priorities. A consequence of this is that many groups of Veterans who are in a lower priority group may request that they be allowed to be income tested in order to gain a higher priority. Title 38 U.S.C. 1722 establishes eligibility assessment procedures for cost-free VA medical care, based on income levels, which will determine whether nonservice-connected and 0% service-connected noncompensable Veterans are able to defray the necessary expenses of care for nonservice-connected conditions. Title 38 U.S.C. 1722A establishes the eligibility assessment procedures, based on income levels, for determining Veterans' eligibility for cost-free medications and Title 38 U.S.C. 1710B defines the procedures for establishing eligibility for cost-free Extended Care benefits. Title 38 U.S.C 1729 authorizes VA to recover from Veterans' health insurance carriers the cost of care furnished for their nonservice-connected conditions

VA Form 10–10EC, Application for Extended Care Services, is used to collect financial information necessary to determine a Veteran's copayment obligation for extended care services, also known as long term care (LTC). VA Form 10–10EC, Application for Extended Care Services, collects information to establish eligibility for extended care benefits, establishes financial liability Veteran to pay if accepted for placement in Extended Care Services, and establishes veteran has agreed to make any applicable copayment.

Affected Public: Individuals or Households

Estimated Total Annual Burden: 3,000 hours.

Estimated Average Burden per Respondent: 90 minutes

Frequency of Response: Yearly

Estimated Number of Respondents: 2,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2014–13728 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0390]

Proposed Information Collection (Restored Entitlement Program for Survivors); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to determine a surviving spouse or child's eligibility to REPS (Restored Entitlement Program for Survivors) benefits.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0215'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application of Surviving Spouse or Child for REPS Benefits (Restored Entitlement Program for Survivors), VA Form 21–8924.

OMB Control Number: 2900–0390.

Type of Review: Revision of a currently approved collection.

Abstract: Survivors of deceased Veteran's complete VA Form 21–8924 to apply for Restored Entitlement Program for Survivors (REPS) benefits. REPS benefits is payable to certain surviving spouses and children of Veterans who died in service prior to August 13, 1981, or who died as of a result of a service-connected disability incurred or aggravated prior to August 13, 1981.

Affected Public: Individuals or households.

Estimated Annual Burden: 600 hours.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 1,800.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13770 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0492]

Agency Information Collection (VA MATIC Authorization) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0492'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0492.''

SUPPLEMENTARY INFORMATION:

Title: VA MATIC Authorization, VA Form 29–0532–1.

OMB Control Number: 2900–0492.

Type of Review: Revision of a currently approved collection.

Abstract: Veteran policyholders complete VA Form 29–0532–1 to authorize deduction of Government Life Insurance premiums from their bank account.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on December 30, 2013, at page 79563–79564.

Affected Public: Individuals or households.

Estimated Annual Burden: 1,500 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 3,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13771 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0154]

Agency Information Collection (Application for VA Education Benefits) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB

Control No. 2900–0154'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0154.''

SUPPLEMENTARY INFORMATION:

Titles:

a. Application for VA Education Benefits, VA Form 22–1990.

b. Application for Family Member to Use Transferred Benefits, VA Form 22–1990E.

c. Application for VA Education Benefits Under the National Call to Service (NCS) Program, VA Form 22–1990N.

d. ''Application for Veterans Retraining Assistance Program'', VA Form 22–1990R

OMB Control Number: 2900–0154.

Type of Review: Revision of a currently approved collection.

Abstract:

a. Claimants complete VA Form 22–1990 to apply for education assistance allowance.

b. Claimants who signed an enlistment contract with the Department of Defense for the National Call to Service program and elected one of the two education incentives complete VA Form 22–1990E.

c. VA Form 22–1990N is completed by claimants who wish to transfer his or her Montgomery GI Bill entitlement their dependents.

d. Claimants complete the VA Form 22–1990R to request assistance in retraining to enter the workforce.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 16, 2014, at pages 2943–2944.

Affected Public: Individuals or households.

Estimated Annual Burden: 273,098 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 855,652.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13753 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0086]

Agency Information Collection (Request for a Certificate of Eligibility) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0086'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0086.''

SUPPLEMENTARY INFORMATION:

Title: Request for a Certificate of Eligibility, VA Form 26–1880.

OMB Control Number: 2900–0086.

Type of Review: Revision of a currently approved collection.

Abstract: The data collected on VA Form 26–1880 is used to determine a claimant's eligibility for home loan guaranty benefits. Claimants also use VA Form 26–1880 to request restoration of entitlement previously used, or a duplicate Certificate of Eligibility due to the original being lost or stolen.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 16, 2014, at pages 2940.

Affected Public: Individuals or households.

Estimated Annual Burden: 80,250 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One Time.

Estimated Number of Respondents: 321,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13772 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0618]

Proposed Information Collection (Application by Insured Terminally Ill Person for Accelerated Benefit; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to this notice. This notice solicits comments on the information needed to process accelerated death benefit payment.

DATES: Written comments and recommendations on the proposed collection of information should be received on or August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov*; or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0618'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application by Insured Terminally Ill Person for Accelerated Benefit (38 CFR 9.14(e)).

OMB Control Number: 2900–0618.

Type of Review: Revision of a currently approved collection.

Abstract: An insured person who is terminally ill may request a portion of the face value of his or her Servicemembers' Group Life Insurance (SGLI) or Veterans' Group Life Insurance (VGLI) prior to death. If the insured would like to receive a portion of the SGLI or VGLI he or she must submit a Servicemembers' and Veterans' Group Life Insurance Accelerated Benefits Option application. The application must include a medical prognosis by a physician stating the life expectancy of the insured person and a statement by the insured on the amount of accelerated benefit he or she choose to receive. The application is obtainable by writing to the Office of Servicemembers' Group Life Insurance ABO Claim Processing, 290 West Mt. Pleasant Avenue, Livingston, NJ 07039, or calling 1800–419–1473 or downloading the application via the internet at *www.insurance.va.gov*.

Affected Public: Individuals or households.

Estimated Annual Burden: 40 hours.

Estimated Average Burden per Respondent: 12 minutes.

Frequency of Response: On Occasion.

Estimated Number of Respondents: 200.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13745 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0458]

Agency Information Collection (Certification of School Attendance or Termination) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0458'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0458.''

SUPPLEMENTARY INFORMATION:

Title: Certification of School Attendance or Termination, VA Forms 21–8960 and 21–8960–1.

OMB Control Number: 2900–0458.

Type of Review: Revision of a currently approved collection.

Abstract: Claimants complete VA Form 21–8960 and VA Form 21–8960–1 to certify that a child between the ages of 18 and 23 years old is attending school. VA uses the information collected to determine the child's continued entitlement to benefits. Benefits are discontinued if the child marries, or no longer attending school.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 16, 2014, at page 2941.

Affected Public: Individuals or households.

Estimated Annual Burden: 11,667 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 70,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13759 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0094]

Proposed Information Collection (Supplement to VA Forms 21–526, 21–534, and 21–535 (for Philippine Claims)); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs

ACTION: Notice

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to determine whether a claimant served in the Commonwealth Army of the Philippines or in recognized guerrilla organizations.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0094'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Supplement to VA Forms 21–526, 21–534, and 21–535 (For Philippine Claims), VA Form 21–4169.

OMB Control Number: 2900–0094.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–4169 is used to collect certain applicants' service information, place of residence, proof of service, and whether the applicant was a member of pro-Japanese, pro-German, or anti-American Filipino organizations. VA uses the information collected to determine the applicant's eligibility for benefits based on Commonwealth Army of the Philippines or recognized guerrilla services.

Affected Public: Individuals or households.

Estimated Annual Burden: 250 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 1,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13735 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0469]

Agency Information Collection (Certificate Showing Residence and Heirs of Deceased Veteran or Beneficiary) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0469'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0469.''

SUPPLEMENTARY INFORMATION: *Title:* Certificate Showing Residence and Heirs of Deceased Veteran or Beneficiary, VA Form 29–541.

OMB Control Number: 2900–0469.

Type of Review: Revision of a currently approved collection.

Abstract: VA uses the information collected on VA Form 29–541 to establish a claimant's entitlement to Government Life Insurance proceeds in estate cases when formal administration of the estate is not required.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 16, 2014, at page 2944.

Affected Public: Individuals or households.

Estimated Annual Burden: 1,039 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 2,078.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13760 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0079]

Proposed Information Collection (Employment Questionnaire) Activity; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine continued entitlement to benefits based on unemployment.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System

(FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0079'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Employment Questionnaire, VA Forms 21–4140 and 21–4140–1.

OMB Control Number: 2900–0079.

Type of Review: Revision of a currently approved collection.

Abstract: Claimants who are under the age of 60 and receiving individual unemployability compensation at 100 percent rate are required to complete VA Forms 21–4140 and 21–4140–1 certifying that they are still unable to secure or follow a substantially gainful occupation because of a service connected-disability. VA will use the information collected to determine the claimant's continued entitlement to individual unemployability benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 10,833 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 130,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13742 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0666]

Agency Information Collection (Information Regarding Apportionment of Beneficiary's Award) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0666'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0666.''

SUPPLEMENTARY INFORMATION:

Title: Information Regarding Apportionment of Beneficiary's Award, VA Form 21–0788.

OMB Control Number: 2900–0666.

Type of Review: Revision of a currently approved collection.

Abstract: Veterans and claimants complete VA Form 21–0788 to report their income information that is necessary for VA to determine whether their compensation and pension benefits can be apportioned to his or her dependents.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 16, 2014, at page 2939.

Affected Public: Individuals or households.

Estimated Annual Burden: 12,500 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 25,000.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13763 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0503]

Agency Information Collection (Veterans Mortgage Life Insurance—Change of Address Statement) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB

Control No. 2900–0503'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0503.''

SUPPLEMENTARY INFORMATION:

Title: Veterans Mortgage Life Insurance—Change of Address Statement, VA Form 29–0563.

OMB Control Number: 2900–0503.

Type of Review: Revision of a currently approved collection.

Abstract: The data collected on VA Form 29–0563 will be used to inquire about a veteran's continued ownership of property issued under Veterans Mortgage Life Insurance when an address change for the veteran is received. VA uses the data collected to determine whether continued Veterans Mortgage Life Insurance coverage is applicable since the law granting this insurance provides that coverage terminates if the veteran no longer owns the property.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 15, 2014, at pages 2753–2754.

Affected Public: Individuals or households.

Estimated Annual Burden: 20 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 240.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13762 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0215]

Agency Information Collection (Request for Information To Make Direct Payment to Child Reaching Majority) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0215'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0215.''

SUPPLEMENTARY INFORMATION:

Title: Request for Information to Make Direct Payment to Child Reaching Majority, VA Form Letter 21–863.

OMB Control Number: 2900–0215.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form Letter 21–863 is used to determine a schoolchild's continued eligibility to death benefits and eligibility to receive direct payment at the age of majority. Death pension or dependency and indemnity compensation is paid to an eligible veteran's child when there is not an eligible surviving spouse and the child is between the ages of 18 and 23 is attending school. Until the child reaches the age of majority, payment is made to a custodian or fiduciary on behalf of the child. An unmarried schoolchild, who is not incompetent, is entitled to begin receiving direct payment on the age of majority.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on January 3, 2014, at pages 425–426.

Affected Public: Individuals or households.

Estimated Annual Burden: 3 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 20.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13776 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0545]

Proposed Information Collection (Report of Medical, Legal, and Other Expenses Incident to Recovery for Injury or Death) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection and allow 60 days for public comment in response to this notice. This notice solicits comments for information needed to determine a claimant's entitlement to income based benefits and the amount payable.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 11, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email to *nancy.kessinger@va.gov*. Please refer to ''OMB Control No. 2900–0545'' in any correspondence. During the comment period, comments may be viewed online

through the Federal Docket Management System (FDMS) at *www.Regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or FAX (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Report of Medical, Legal, and Other Expenses Incident to Recovery for Injury or Death, VA Form 21–8416b.

OMB Control Number: 2900–0545.

Type of Review: Revision of a currently approved collection.

Abstract: Claimants complete VA Form 21–8416b to report compensation awarded by another entity or government agency for personal injury or death. Such award is considered as countable income; however, medical, legal or other expenses incident to the injury or death, or incident to the collection or recovery of the compensation may be deducted from the amount awarded or settled. The information collected is use to determine the claimant's eligibility for income based benefits and the rate payable.

Affected Public: Individuals or households.

Estimated Annual Burden: 1,125 hours.

Estimated Average Burden per Respondent: 45 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 1,500.

Dated: June 9, 2014.

By direction of the Secretary:

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13734 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0262]

Agency Information Collection (Designation of Certifying Official(s)) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 14, 2014.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0262'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0262.''

SUPPLEMENTARY INFORMATION:

Title: Designation of Certifying Official(s), 22–8794.

OMB Control Number: 2900–0262.

Type of Review: Revision of a currently approved collection.

Abstract: Educational institutions and job training establishments complete VA Form 22–8794 to provide the name of individuals authorized to certify reports on students enrollment and hours worked on behalf of the school or training facility. VA will use the data collected to ensure that education benefits are not awarded based on reports from someone other than the designated certifying official.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on November 20, 2013, at page 69747.

Estimated Annual Burden: 150 Hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 900.

Dated: June 9, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13764 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Homeless Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 38 U.S.C. App. 2 that a meeting of the Advisory Committee on Homeless Veterans will be held July 1 and 2, 2014. On July 1, the Committee will meet at the Department of Veterans Affairs, 1100 1st Street NE., Room 400, Washington, DC, from 8 a.m. to 4 p.m. On July 2, the Committee will meet at the Department of Veterans Affairs, 1100 1st Street NE., Room 400, Washington, DC, from 8 a.m. to 12 p.m. The meeting will be open to the public.

The purpose of the Committee is to provide the Secretary of Veterans Affairs with an on-going assessment of the effectiveness of the policies, organizational structures, and services of VA in assisting homeless Veterans. The Committee shall assemble and review information related to the needs of homeless Veterans and provide advice on the most appropriate means of providing assistance to that subset of the Veteran population. The Committee will make recommendations to the Secretary regarding such activities.

On July 1, the agenda will include briefings from officials from VA and other agencies regarding services for homeless Veterans. The Committee will also receive a briefing on the annual report that was developed after the last

meeting of the Advisory Committee on Homeless Veterans.

On July 2, officials from VA and other agencies will provide additional briefings regarding services for homeless Veterans. The Committee will then discuss topics for its upcoming annual report and recommendations to the Secretary of Veterans Affairs.

No time will be allocated at this meeting for receiving oral presentations from the public. Interested parties should provide written comments on issues affecting homeless Veterans for review by the Committee to Ms. Lisa Pape, Designated Federal Officer, VHA Homeless Programs Office (10NC1), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, or email to *Lisa.Pape2@va.gov.*

Members of the public who wish to attend should contact Robert Figueroa of the VA Office of Public and Intergovernmental Affairs by no later than June 18, 2014, at *Robert.Figueroa@va.gov* or (202) 632–8589 and provide their name, professional affiliation, address, and phone number. Advanced notification and a valid photo ID are required for admission to the meeting. Attendees who require reasonable accommodation should submit their requests by June 13, 2014.

Dated: June 9, 2014.

Jelessa Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2014–13789 Filed 6–11–14; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

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Part II

Postal Regulatory Commission

39 CFR Part 3010

Price Cap Rules for Market Dominant Price Adjustments; Final Rule

POSTAL REGULATORY COMMISSION

39 CFR Part 3010

[Docket No. RM2014–3; Order No. 2086]

Price Cap Rules for Market Dominant Price Adjustments

AGENCY: Postal Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is issuing a set of final rules addressing the price cap for market dominant price adjustments. This action follows a review of comments on proposed rules. The changes, which concern rate decreases, rate incentives, and *de minimis* rate increases, update and clarify the rules.

DATES: *Effective* July 14, 2014.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Regulatory History

72 FR 5230, February 5, 2007
72 FR 29284, May 25, 2007
72 FR 33261, June 15, 2007
72 FR 63622, November 9, 2007
73 FR 22490, April 16, 2013
78 FR 52694, August 26, 2013
78 FR 67951, November 8, 2013
79 FR 5355, January 31, 2014

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I. Introduction

On November 18, 2013, the Commission issued a notice of proposed rulemaking to continue its review of the rules in 39 CFR part 3010.[1] The notice requested comments regarding the treatment of rate decreases, rate incentives, and *de minimis* rate increases under part 3010. See Order No. 1879 at 1.

The Commission received comments and reply comments from the Postal Service, the Association for Postal Commerce (PostCom), and Pitney Bowes Inc. (Pitney Bowes).[2] The National Association of Presort Mailers, the Major Mailers Association, and the Association for Mail Electronic Enhancement (collectively, Joint Commenters) and the National Postal Policy Council (NPPC) submitted initial comments only.[3] The Public Representative, Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. (collectively, Valpak), and the Association of Magazine Media (MPA) submitted reply comments only.[4]

This Order begins with a discussion of procedural issues raised by the comments. Then, it addresses the substantive comments on each of the following aspects of the proposed rules: Type 1–C rate adjustments; rates of general applicability; adjustments for the deletion of rate cells when no alternate rate cell is available; and *de minimis* rate increases. Next, this Order discusses miscellaneous issues raised by the commenters. Finally, the Commission adopts the proposed rules, modified as described below.

II. Procedural Issues

The comments filed in this docket raise two procedural issues: (1) The time for filing comments; and (2) the effect of an appeal pending before the United States Court of Appeals for the District of Columbia District (D.C. Circuit) on the implementation of proposed § 3010.23(d)(4).

A. Time for Filing Comments

Initial comments in this docket were due March 17, 2014. 79 FR 5355. Reply comments were due April 16, 2014. *Id.* Because the federal government was closed due to severe weather on March 17, 2014, comments filed on March 18, 2014, are deemed timely filed. See 39 CFR 3001.15 (providing that in computing a period of time under a Commission notice, the last day of the period is to be included unless it is a Saturday, Sunday, or federal holiday). The Postal Service Reply Comments were accompanied by a motion for late acceptance, citing the press of business and the unavailability of a critical employee.[5] Three other commenters filed reply comments on April 17, 2014, without motions for late acceptance. PR Reply Comments at 1; Pitney Bowes Reply Comments at 1; MPA Reply Comments at 1. Because the period between the date initial comments were filed and the date reply comments were due was shortened by one day, the Commission grants the Postal Service's motion and will consider the comments filed on April 17, 2014, timely filed.

B. Delaying Implementation of Proposed § 3010.23(d)(4)

The Postal Service requests that the Commission delay the implementation of proposed § 3010.23(d)(4) until the D.C. Circuit issues a decision on the pending appeal of the Commission's decision in Docket No. R2013–10.[6] The Postal Service contends that it is not clear whether the proposed rule would have applied to the Full Service Intelligent Mail Barcode (Full Service IMb) change discussed in Order No. 1890 because ''even the Commission itself could not conclusively determine whether a rate cell has been deleted, or simply been redefined, by implementing the Full-Service IMb requirement.'' Postal Service Comments at 7 (footnote omitted).

The Public Representative, PostCom, Pitney Bowes, and MPA oppose delaying the implementation of the proposed rule. The Public Representative maintains that the application of the proposed rule to a certain rate cell depends on the particular case before the Commission, rendering the outcome of the appeal

[1] Notice of Proposed Rulemaking on the Treatment of Rate Incentives and *De Minimis* Rate Increases for Price Cap Purposes, November 18, 2013 (Order No. 1879); see also 79 FR 5355 (January 31, 2014).

[2] Initial Comments of the United States Postal Service, March 18, 2014 (Postal Service Comments); Reply Comments of the United States Postal Service, April 17, 2014 (Postal Service Reply Comments); Comments of the Association for Postal Commerce, March 18, 2014 (PostCom Comments); Reply Comments of the Association for Postal Commerce, April 16, 2014 (PostCom Reply Comments); Comments of Pitney Bowes Inc., March 18, 2014 (Pitney Bowes Comments); and Reply Comments of Pitney Bowes Inc., April 17, 2014 (Pitney Bowes Reply Comments). On April 18, 2014, the Postal Service filed a supplement to its reply comments. Supplement to Reply Comments of the United States Postal Service, April 18, 2014. The filing does not supplement the substance of the Postal Service's reply comments. Rather, it asserts that ''the Postal Service is delaying some rate and classification proposals, pending the completion of this proceeding'' and requests that the Commission expedite the issuance of a final order in this docket. *Id.* at 1. Neither the Notice nor the Commission's rules provide for the supplementation of comments after the date those comments are due.

[3] Joint Comments of the National Association of Presort Mailers, the Major Mailers Association and the Association for Mail Electronic Enhancement, March 18, 2014 (Joint Commenters Comments); Comments of the National Postal Policy Council, March 18, 2014 (NPPC Comments).

[4] Public Representative Reply Comments, April 17, 2014 (PR Reply Comments); Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Reply Comments on Notice of Proposed Rulemaking, April 16, 2014 (Valpak Reply Comments); and Reply Comments of MPA—The Association of Magazine Media, April 17, 2014 (MPA Reply Comments).

[5] Motion for Late Acceptance of the Reply Comments of the United States Postal Service, April 17, 2014.

[6] Postal Service Comments at 8. See also Docket No. R2013–10, Order on Price Adjustments for Market Dominant Products and Related Mail Classification Changes, November 21, 2013 (Order No. 1890); *U.S. Postal Serv.* v. *Postal Regulatory Comm'n,* No. 13–1308 (D.C. Cir. filed Dec. 20, 2013).

irrelevant to the application of the proposed rule to future cases. PR Reply Comments at 7. He adds that delaying implementation would not help ''in finalizing several instances where products have been transferred recently to the competitive product list.'' *Id.* PostCom argues that the court's decision in the appeal will have no bearing on the implementation of proposed § 3010.23(d)(4) because the proposed rule would not have applied to the rate cells at issue in Docket No. R2013–10 given that alternate rate cells were available. PostCom Reply Comments at 4–5. As discussed further below, Pitney Bowes urges the Commission to modify proposed § 3010.23(d)(4) to specify that it applies only to transfers of products to the competitive product list and contends that there would be no need for delay if its approach is adopted. Pitney Bowes Reply Comments at 2. MPA supports Pitney Bowes' contention. MPA Reply Comments at 2.

The Commission will not delay the implementation of proposed § 3010.23(d)(4) pending the outcome of the appeal. As discussed in section V, below, the court's decision is unlikely to affect how proposed § 3010.23(d)(4) is implemented.

III. Type 1–C Rate Adjustments

As set out in the Commission's notice of proposed rulemaking, a Type 1–C rate adjustment is an adjustment to a rate of general applicability that contains only a rate decrease.[7] The Postal Service is not required to calculate an annual limitation for purposes of a Type 1–C rate adjustment. Proposed § 3010.20(e). The Postal Service may choose whether or not to generate unused rate adjustment authority as a result of a Type 1–C rate adjustment. Proposed § 3010.6(b). If it chooses to generate unused rate adjustment authority, it is required to do so in accordance with proposed §§ 3010.23(b)(2) and 3010.27.

Commenters raised two issues relating to Type 1–C rate adjustments. First, commenters expressed views on whether the Postal Service should be required to elect whether it will generate unused rate adjustment authority at the time it files a notice of Type 1–C rate adjustment. Second, two commenters suggested that the proposed rules be modified to specify how unused rate adjustment authority is generated when a Type 1–C rate adjustment follows a Type 3 rate adjustment.

A. The Postal Service Is Required To Elect Whether To Generate Unused Rate Adjustment Authority at the Time of Filing a Notice of Type 1–C Rate Adjustment

Several commenters requested that the Commission clarify whether the Postal Service is required to choose whether a Type 1–C rate adjustment will generate unused rate adjustment authority at the time it files a notice of Type 1–C rate adjustment. Joint Commenters Comments at 3; NPPC Comments at 5. The Joint Commenters and NPPC are concerned that a deferred election would reduce rate predictability and stability. *Id.* In the alternative, the Joint Commenters propose that a rule allowing for deferred election be applied prospectively. Joint Commenters Comments at 3.

The Public Representative does not believe allowing a deferred election would be overly complicated. PR Reply Comments at 7. He opines that a deferred election would provide the Postal Service ''flexibility consistent with administrative convenience.'' *Id.* at 8. The Postal Service asserts that requiring it to choose whether or not to generate unused rate adjustment authority at the time it files a notice of Type 1–C rate adjustment ''would unreasonably restrict the Postal Service's pricing flexibility and needlessly encumber its business planning activities.'' Postal Service Reply Comments at 2. It states that it has not observed any link between the behavior of mailers and its decision to seek additional unused rate adjustment authority as a result of rate incentives. *Id.* at 3. It states that because it is required to use historical billing determinants to calculate the percentage change in rates, it may not have the necessary information to make an election at the time it files its notice of a Type 1–C rate adjustment. *Id.* It cautions that requiring an election at the time of filing would ''provide a perverse incentive for the Postal Service to always request price cap authority for newly introduced rate incentives, since it would not be able to do so later.'' *Id.*

The Commission finds that no change to the proposed rules is necessary. Although the commenters cite proposed §§ 3010.23(a)(1)(iii), 3010.23(e), and 3010.6(b), they do not discuss proposed § 3010.12(b)(10). That proposed section requires that the notice for a Type 1–C rate adjustment specify whether the Postal Service elects to generate unused rate adjustment authority. Requiring the Postal Service to choose whether it will generate unused rate adjustment authority at the time it files its notice of a Type 1–C rate adjustment is an important part of the proposed rules for Type 1–C rate adjustments. It provides predictability for mailers by alerting them to circumstances when unused rate adjustment authority will be generated and allows them the opportunity to comment on the effects of the proposed rate adjustments. It also provides information the Commission requires to accurately calculate the percentage change in rates, reducing the need for information requests to ascertain the Postal Service's intent (which is particularly important in a time-limited rate case).

It is important to note that electing not to generate unused rate adjustment authority in a Type 1–C rate adjustment does not prevent the Postal Service from electing to include the effects of a rate decrease in a future Type 1–A or Type 1–B rate adjustment.[8] Proposed § 3010.23(a)(1)(iii) allows the Postal Service to include in the calculation of the percentage change in rates for a Type 1–A or Type 1–B rate adjustment a rate incentive that was excluded from the calculation of the percentage change in rates for a previous rate adjustment. In that situation, the effects of the rate decrease are included in the percentage change in rates calculation for the current Type 1–A or Type 1–B rate adjustment. As a result, the Postal Service would have the option to increase other rates within the class during that Type 1–A or Type 1–B rate adjustment or to generate unused rate adjustment authority in that Type 1–A or Type 1–B rate adjustment.

In Order No. 1879, the Commission provided the following example of how unused rate adjustment authority would be calculated in a Type 1–C rate adjustment where the Postal Service elects to generate unused rate adjustment authority:

Example A:

Docket No. R201X–1: Type 1–A Rate Adjustment

Date of Notice of Rate Adjustment: January 1, 201X

Annual Limitation: 3.000 percent

Percentage Change in Rates for the Class: 2.500 percent

Generated Unused Rate Adjustment Authority: 0.500 percent

[7] Proposed § 3010.6(a). The use of the singular ''decrease'' in this rule does not prevent the Postal Service from including multiple rate decreases in a single Type 1–C rate adjustment.

[8] See Docket No. C2009–1R, Order on Reconsideration and Clarification, August 13, 2013, at 10 (Order No. 1807) (''If the Postal Service chooses to extend a price decrease into a future year, it may opt to incorporate the reduced price into the calculation of the percentage change in rates at that time.''); Docket No. R2013–6, Order Approving Technology Credit Promotion, June 10, 2013, at 16–17 (Order No. 1743); Docket No. R2013–1, Order on Price Adjustments for Market Dominant Products and Related Mail Classification Changes, November 16, 2012, at 17 (Order No. 1541).

Docket No. R201X–2: Type 1–C Rate Adjustment
Date of Notice of Rate Adjustment: July 1, 201X
Annual Limitation: N/A
Amended Percentage Change in Rates for the Class: 2.250 percent
Additional Generated Unused Rate Adjustment Authority: 0.250 percent
Amended Unused Rate Adjustment Authority Generated in Docket No. R201X–1: 0.750 percent

Order No. 1879 at 5. If the Postal Service elected not to generate unused rate adjustment authority in Docket No. R201X–2 but then determined to include the effects of the rate decrease in a Type 1–A rate adjustment filed the following fiscal year (Docket No. R201Y–1), the example would change as follows:

Example B:
Docket No. R201X–1: Type 1–A Rate Adjustment
Date of Notice of Rate Adjustment: January 1, 201X
Annual Limitation: 3.000 percent
Percentage Change in Rates for the Class: 2.500 percent
Generated Unused Rate Adjustment Authority: 0.500 percent
Docket No. R201X–2: Type 1–C Rate Adjustment
Date of Notice of Rate Adjustment: July 1, 201X
Annual Limitation: N/A
Percentage Change in Rates for the Class: N/A
Additional Generated Unused Rate Adjustment Authority: N/A
Unused Rate Adjustment Authority Generated in Docket No. R201X–1: 0.500 percent
Unused Rate Adjustment Authority Generated in Docket No. R201X–2: N/A
Docket No. R201Y–1: Type 1–A Rate Adjustment
Date of Notice of Rate Adjustment: January 30, 201Y
Annual Limitation: 2.400 percent
Percentage Change in Rates for the Class: 2.250 percent
Unused Rate Adjustment Authority Generated in Docket No. R201X–1: 0.500 percent
Unused Rate Adjustment Authority Generated in Docket No. R201X–2: N/A
Unused Rate Adjustment Authority Generated in Docket No. R201Y–1: 0.150 percent

In Example B, the amount of unused rate adjustment authority generated in Docket No. R201X–1 does not change. Instead, the Postal Service generates unused rate adjustment authority in Docket No. R201Y–1 by including the undiscounted rate as the current rate and the discounted rate as the proposed rate in the calculation of the percentage change in rates. Historical billing determinants, adjusted in accordance with proposed § 3010.23(d)(2), are used. Proposed § 3010.23(d)(3). In other words, if the Postal Service elects to generate unused rate adjustment authority in Docket No. R201X–2, the discounted rate is included in the calculation of the percentage change in rates for Docket No. R201X–1 as if it had been proposed in Docket No. R201X–1. This results in additional unused rate adjustment authority being ascribed to Docket No. R201X–1. In subsequent notices of rate adjustment, the current rate will be the discounted rate approved in Docket No. R201X–2.

In contrast, if the Postal Service elects not to generate unused rate adjustment authority in Docket No. R201X–2, there is no effect on the percentage change in rates for, or amount of unused rate adjustment authority generated in, Docket No. R201X–1. If the Postal Service chooses to begin including the discount in the calculation of the percentage change in rates in Docket No. R201Y–1, the discount is treated as if it had first been proposed in Docket No. R201Y–1 (rather than in Docket No. R201X–2).

A. The Postal Service May Not Choose To Generate Unused Rate Adjustment Authority in a Notice of Type 1–C Rate Adjustment Filed Immediately After a Type 3 Rate Adjustment

The Postal Service requests that the Commission modify proposed § 3010.27(a) to allow the Postal Service to add unused rate adjustment authority generated by a Type 1–C rate adjustment to ''the most recent calculation of its total unused rate authority, regardless of whether that calculation resulted from a Type 1–A, Type 1–B, or Exigent rate case.'' Postal Service Comments at 2–3. It points out that if the Postal Service filed a notice of Type 1–C rate adjustment after a Type 3 rate adjustment (but before another Type 1–A or 1–B rate adjustment), ''the new Type 1–C rate authority would not be applied to the most recent calculation of the unused rate authority.'' *Id.* at 2. The Public Representative supports the Postal Service's request. PR Reply Comments at 10.

The Commission declines to modify its proposed rules for Type 1–C rate adjustments as requested by the Postal Service. Generating unused rate adjustment authority in a Type 1–C rate adjustment by referring to the most recent Type 1–A or Type 1–B rate adjustment is consistent with the Postal Service's authority to change rates within a given class in that Type 1–A or Type 1–B rate adjustment, so long as the adjustments do not exceed the maximum rate adjustment calculated under 39 CFR 3010.20.[9] If the Postal Service makes rate adjustments for a class that add up to less than the annual limitation on the percentage change in rates, 39 U.S.C. 3622(d)(2)(C) allows it generate unused rate adjustment authority equal to the difference between the annual limitation and the actual rate adjustments.

In a Type 3 rate adjustment, by contrast, the Postal Service does not change rates within the confines of the maximum rate adjustment. Rather, it increases rates to a level that exceeds the maximum rate adjustment. Because there is no maximum rate adjustment in a Type 3 rate adjustment, it is not possible to generate unused rate adjustment authority. In fact, the Commission requires that the Postal Service exhaust all available unused rate adjustment authority before imposing a rate increase in a Type 3 rate adjustment. 39 CFR 3010.63(c).

Because it is not consistent with 39 U.S.C. 3622(d)(2)(C) to generate unused rate adjustment authority as a result of a Type 3 rate adjustment, the Commission will not modify its proposed Type 1–C rules to allow the Postal Service to do so. The Postal Service is free to file a Type 1–C rate adjustment immediately after a Type 3 rate adjustment. However, that Type 1–C rate adjustment may not generate unused rate adjustment authority. If the Postal Service wishes to generate unused rate adjustment authority in a rate adjustment filed immediately after a Type 3 rate adjustment, it must file a notice of Type 1–A rate adjustment and calculate the annual limitation on the percentage change in rates.[10]

Although proposed § 3010.27, as contained in the notice of proposed rulemaking, does not allow the Postal Service to calculate unused rate adjustment authority in a Type 1–C rate adjustment filed immediately after a Type 3 rate adjustment (that is, with no intervening Type 1–A or Type 1–B rate adjustment), the Commission finds it prudent to include additional clarification in proposed § 3010.6. Therefore, it modifies proposed § 3010.6 to specify that a Type 1–C rate

[9] As the Commission explained in its notice of proposed rulemaking, a Type 1–C rate adjustment is designed to take into consideration a proposed rate reduction that would be in effect during the same period as the rates proposed in the most recent Type 1–A or Type 1–B rate adjustment. Order No. 1879 at 4–5.

[10] A Type 1–B rate adjustment uses unused rate adjustment authority. See proposed § 3010.5. Because a Type 3 rate adjustment exhausts all unused rate adjustment authority, it would be impossible for the Postal Service to file a successful notice of Type 1–B rate adjustment immediately after a Type 3 rate adjustment.

adjustment filed immediately after a Type 3 rate adjustment does not generate unused rate adjustment authority.

IV. Rates of General Applicability

Several commenters request clarification of the definition of the term ''rate of general applicability'' set out in proposed § 3010.1(g). See PostCom Comments at 3–6; Joint Commenters Comments at 4; Valpak Reply Comments at 1; NPPC Comments at 3–4; PR Reply Comments at 4–5; Postal Service Comments at 3–6. Two commenters assert that the definition is not clear and needs improvement, without pointing to specific areas in need of clarification or improvement. Joint Commenters Comments at 4; Valpak Reply Comments at 1. Other commenters request clarification in the final order about how the definition would be applied to particular promotions or rates. NPPC Comments at 3–4; PR Reply Comments at 4–5; PostCom Comments at 3–6; Postal Service Comments at 3–6. No commenter proposed language to modify the definition.

Below, the Commission provides a more detailed discussion of the application of the proposed definition to the promotions and types of mail identified by the commenters, including international mail, volume-based incentives, niche classifications, rates that require ''ministerial approval'' by the Postal Service, and particular rates identified by the parties. However, except as noted in section A below, it concludes that no changes to the proposed definition are necessary at this time. Although the Commission understands and appreciates the concerns of the commenters, it finds that the proposed rule accurately summarizes the Commission's treatment of the thousands of rates previously proposed by the Postal Service without limiting its flexibility to give individualized consideration to the wide variety of rates that could be proposed in the future.

B. Modification of the Definition of Rate of General Applicability To Include International Mail Rates

The Postal Service requests that the Commission clarify how international rates will be treated under the definition of the term ''rate of general applicability.'' Postal Service Comments at 3. It notes that the proposed section omits ''rates published in the International Mail Manual (IMM), as well as inbound international rates,'' raising questions about how international rates will be treated in the calculation of the annual limitation on the percentage change in rates. *Id.*

In previous rate cases, the Commission has treated rates applicable to all mail meeting standards established by the IMM as rates of general applicability. See, *e.g.,* Order No. 1890 at 61–62. It has treated rates that are only available upon the written agreement of the Postal Service and a foreign postal operator as rates that are not rates of general applicability.[11] Rates for inbound international mailpieces that are subject to the provisions of the Universal Postal Convention of the Universal Postal Union (UPU) are rates of general applicability that are included in the calculation of the annual limitation on the percentage change in rates. For instance, the terminal dues rates for inbound Letterpost described in section 1130.6 of the Mail Classification Schedule (MCS) are set by the UPU. They are considered rates of general applicability within the meaning of § 3010.1(g) because they are available to all mail meeting the standards established by section 1130 of the MCS. Similarly, rates for outbound international mail and special services that apply to all mailpieces and service transactions meeting standards established by the IMM are rates of general applicability.[12] Currently, rates for inbound special services are not included in the calculation of the percentage change in rates, so the Commission need not determine whether individual rates for inbound special services are rates of general applicability. *Id.*

In contrast, the Commission treats rates established by written agreements with foreign postal operators in the same manner as negotiated service agreements (that is, not as rates of general applicability). For example, rates established pursuant to the Inbound Market Dominant Multi-Service Agreements with Foreign Postal Operators 1 agreement with the Australian Postal Corporation are not considered rates of general applicability.[13] Although the agreement is listed at section 1602.3.5 of the MCS, the rates are only available upon the written agreement of the Postal Service and a foreign postal operator (in this case, the Australian Postal Corporation). Similarly, rates established under the Inbound Market Dominant Exprès Service Agreement approved in Docket No. R2011–6 are not rates of general applicability because they are only available upon the written agreement of the Postal Service and approximately two dozen signatories of the Exprès Service Agreement.[14] Although the Universal Postal Convention is itself a multilateral agreement, the Commission has consistently treated rates established pursuant to that convention as rates of general applicability.[15] However, multilateral agreements that do not include all members of the UPU (such as the Exprès Service Agreement) have consistently been treated like negotiated service agreements.[16]

In order to clarify the application of the definition of the term ''rate of general applicability'' to international mail, the Commission will modify proposed § 3010.1(g) to include references to the IMM and foreign postal operators.

C. Volume-Based Incentives Can Be Rates of General Applicability

PostCom requests that the Commission clarify whether the volume sent by a mailer would be considered a characteristic of the mail to which a rate applies. PostCom Comments at 4. It suggests that excluding rates that are ''dependent on factors other than the characteristics of the mail to which the rate applies'' might mean that volume incentive rates can never be considered rates of general applicability. *Id.* The Public Representative argues that because volume discounts vary in purpose and effect, a rule to cover all volume discounts would not be practical. PR Reply Comments at 5.

It is not the Commission's intent to suggest that volume incentives can never be considered rates of general applicability. The volume of mail sent by a mailer under an incentive program is a characteristic of the mail to which the rates under the incentive program apply. Thus, a promotional rate that provides a 5 percent rebate on a mailing that includes 1,000 or more pieces could

[11] See, *e.g.,* Docket No. R2014–3, Order Approving an Additional Inbound Market Dominant Multi-Service Agreement with Foreign Postal Operators 1 Negotiated Service Agreement (with Canada Post Corporation), December 31, 2013 (Order No. 1940).

[12] See, *e.g.,* Docket No. R2013–10, Library Reference PRC–LR–2013–10/5, November 21, 2013.

[13] Docket No. R2014–2, Order Approving an Additional Inbound Market Dominant Multi-Service Agreement with Foreign Postal Operators 1 Negotiated Service Agreement (with Australian Postal Corporation), December 30, 2013 (Order No. 1931).

[14] See Docket No. R2011–6, Order Adding Inbound Market Dominant Exprès Service Agreement 1 to the Market Dominant Product List, September 26, 2011 (Order No. 876).

[15] See, *e.g.,* Order No. 1890 at 64 (using UPU terminal dues rates in the calculation of the percentage change in rates for Inbound Letter Post).

[16] See Docket No. R2011–6, Notice of United States Postal Service of Type 2 Rate Adjustment, and Notice of Filing Functionally Equivalent Agreement, August 12, 2011 (filing Exprès Service Agreement as a Type 2 rate adjustment).

be a rate of general applicability (assuming all other factors are met). The promotional rate applies to pieces included within the mailing meeting the volume threshold. Similarly, a promotion that provided a 1-cent per piece discount for Standard Mail once a mailer sends 100,000 pieces could be a rate of general applicability, if the promotional rate applies to Standard Mail pieces sent during the promotional period.

In contrast, volume sent by a mailer in a previous year is not a characteristic of the mail to which rates under the incentive program apply. For instance, a promotional rate that provided a 2-cent discount for First-Class letters weighing more than 2 ounces to any mailer that in the previous year sent more than 100,000 First-Class letters weighing more than 2 ounces would not be a rate of general applicability. In that case, eligibility for the discount hinges on the volume of mail sent by the mailer before the incentive program begins. Because historic volumes are not characteristics of the mail to which the discount applies, the discount would not be considered a rate of general applicability.

The Technology Credit Promotion proposed in Docket No. R2013–6 was not a rate of general applicability because eligibility for the discount hinged on the past behavior of mailers rather than the characteristics of mail sent under the promotion. Order No. 1743 at 15. The fact that the Technology Credit Promotion was a volume-based promotion was not what prevented the Commission from treating it as a rate of general applicability. Rather, it was the fact that certain mailers would not be able to qualify for the promotion, no matter how much or what kind of mail they sent going forward. *Id.* The universe of mailers that could qualify for the promotion was determined in advance. No matter what they did, no matter how they altered their business model or mailings to respond to the Postal Service's incentives, some mailers would not be able to participate in the Technology Credit Promotion.

D. Niche Classifications Can Be Rates of General Applicability

NPPC requests that the Commission clarify whether a niche classification designed to be available in practice to ''only a very small number of mailers'' and for which no contract is available would be considered a rate of general applicability. NPPC Comments at 4. A niche classification with rates that are only available to a small number of mailers can be a rate of general applicability.

For instance, the Commission recently provided clarification on the price cap treatment of the rates for the round-trip DVD mailer product. Order No. 1807 at 7–10. Only a few mailers qualify for the round-trip DVD mailer rates.[17] Nevertheless, the Commission explained that if the Postal Service had chosen to increase rates for letter-shaped round-trip DVD mail within that product, the increase ''would have required the filing of a notice of price adjustment that triggered a recalculation of available CPI pricing authority. . . .'' Order No. 1807 at 9. There would have been little sense in requiring a recalculation of the annual limitation on the percentage change in rates if the Commission intended to exclude the hypothetical rate increase for letter-shaped round-trip DVD mail from the calculation of the percentage change in rates.

There is some evidence that mailers also view niche classifications as being more generally applicable than negotiated service agreements.[18] In Docket No. RM2013–2, Valpak requested that the Commission include an explanation in each notice of Type 2 rate adjustment of why the Postal Service was entering into a negotiated service agreement rather than establishing a niche classification.[19] It based this request on former 39 CFR 3001.195(a)(1), which required the Postal Service to provide a written justification for entering into a negotiated service agreement ''as opposed to a more generally applicable form of classification.'' *Id.*

E. Rates That Require Mailers To Obtain ''Ministerial Approval'' From the Postal Service Can Be Rates of General Applicability

NPPC also requests that the Commission clarify whether a rate that depends on ''at least a ministerial approval by that Postal Service'' that is ''discretionary to some degree'' could be considered a rate of general applicability. NPPC Comments at 4. It cites non-profit and Periodicals mail rates as examples of rates that require the Postal Service to exercise this kind of discretion.

The opportunity for the Postal Service to exercise discretion in determining which mail is eligible for a rate does not, without more, prevent the rate from being considered a rate of general applicability. Postal Service employees routinely make determinations about mailability, machinability, and eligibility for rates of general applicability. In each of these circumstances, the Postal Service exercises its discretion within statutory and regulatory boundaries described in the MCS, the Domestic Mail Manual (DMM), or the IMM. For instance, letters and cards must meet the dimensional, weight, and automation compatible standards in DMM section 201 in order to be eligible for the machinable rate. Some of these standards are objective (such as weight). Others require the exercise of discretion. See, *e.g.,* DMM section 201.3.10 (permitting ''reasonably flexible items'' to be deemed automation compatible). If mailpieces are deemed nonmachinable, a nonmachinable surcharge is imposed. That discretion does not prevent changes in the amount of the nonmachinable surcharge from being included in the calculation of the percentage change in rates.[20] Similarly, the Postal Service has the discretion to determine whether a mailpiece is a periodical publication as described in 39 U.S.C. 3626(b). That discretion does not prevent rates for periodicals from being included in the calculation of the percentage change in rates.[21]

Rates for which mailers are eligible only when Postal Service employees exercise discretion outside the boundaries of the MCS, the DMM, or the IMM are less likely to be considered rates of general applicability. For example, in Docket No. R2013–10, the Postal Service proposed a coupon program that would give $50 or $100 coupons to new Every Door Direct Mail (EDDM) customers. Order No. 1890 at 75–76. Postal Service sales representatives would determine the amount of the coupon ''based on an understanding of customer needs.'' *Id.* at 75. The sales representatives would determine which customers received a coupon, but not every customer eligible for a coupon would receive one. *Id.* The Postal Service elected not to include the EDDM coupon program in its calculation of the percentage change in rates, so the Commission did not reach

[17] See Docket Nos. MC2013–57 and CP2013–75, Response of the United States Postal Service to Chairman's Information Request No. 1, January 17, 2014, question 1 (asserting that two mailers represent the overwhelming majority of round-trip DVD mail).

[18] See Docket No. RM2013–2, Order Adopting Final Rules for Determining and Applying the Maximum Amount of Rate Adjustments, July 23, 2013, at 27–28 (Order No. 1786).

[19] Docket No. RM2013–2, Valpak Direct Marketing Systems, Inc. and Valpak Dealers' Association, Inc. Comments on Notice of Proposed Rulemaking, May 16, 2013, at 13.

[20] See Docket No. R2008–1, Library Reference PRC–R2008–1–LR1, March 17, 2008, FCM_cap_calculations, lines 13–15.

[21] See, *e.g.,* Docket No. R2013–10, Library Reference USPS–LR–R2013–10/3, September 26, 2013.

the question of whether the program constituted a rate of general applicability. However, as proposed by the Postal Service,[22] the program would appear not to be a rate of general applicability because it was not available to all mail meeting standards established in the MCS, the DMM, or the IMM. It was available only to mail meeting standards established in the MCS, the DMM, or the IMM that was sent by a select number of mailers chosen by Postal Service representatives.

F. Applying the Proposed Definition to Previously-Approved Rates

Several commenters requested that the Commission discuss whether certain previously-approved rates would be considered rates of general applicability. PostCom Comments at 3–6; Postal Service Comments at 3–5; Valpak Reply Comments at 2.

At the outset, it is important to emphasize that not every rate incentive that meets the definition of ''rate of general applicability'' will be included in the calculation of the percentage change in rates. As discussed in proposed § 3010.23(e)(2), in order to be included in the calculation of the percentage change in rates, a rate incentive must meet three tests. First, it must be in the form of a discount or easily translated into a discount. Proposed § 3010.23(e)(2)(i). Second, there must be sufficient billing determinants available. Proposed § 3010.23(e)(2)(ii). Finally, the rate incentive must be a rate of general applicability. Proposed § 3010.23(e)(2)(iii). If a rate incentive is not in the form of a discount (or easily translated to a discount), it will not be included in the percentage change in rates. Likewise, if sufficient billing determinants are not available, the rate incentive will not be included in the percentage change in rates.

Additionally, not every promotion listed below was included in the calculation of the percentage change in rates. In some instances, the Postal Service chose not to include a rate incentive that is a rate of general applicability in the calculation of the percentage change in rates. This choice is consistent with proposed § 3010.23(e)(1).

A discussion of each rate identified by the commenters is provided below. For each rate, the Commission provides a brief description of the rate and a short discussion of whether the rate would be considered a rate of general applicability, as that term is defined in proposed § 3010.1(g). For each rate, the Commission also explains any adjustments to billing determinants and indicates whether the Postal Service chose to include the effects of the rate in the calculation of the percentage change in rates.

Summer sales. Mailers who participated in the summer sales approved in Docket Nos. R2009–3 and R2010–3 received a 30-percent rebate based on mail volume that exceeded predetermined thresholds.[23] Eligibility for these incentives was based on the volume of mail sent by a mailer in the previous year. *Id.* As discussed in section B above, the volume sent by a mailer in a previous year is not a characteristic of the mail to which the rate applies. Therefore, the summer sales would not be considered rates of general applicability and would be subject to proposed § 3010.24. The Postal Service chose not to include the summer sales in the calculation of the percentage change in rates. Order No. 219 at 9; Order No. 439 at 12.

Standard Mail High Density Flats. In Docket No. R2009–4, the Postal Service requested a rate decrease for all Standard Mail High Density Flats in order to address mailer concerns about detrimental impacts on businesses.[24] Because the rate decrease applied to all mailpieces, the rate would be considered a rate of general applicability.[25] The Postal Service chose not to include the rate decrease in the calculation of the percentage change in rates. *Id.* at 6.

First-Class Mail Incentive Program. Under the First-Class Mail Incentive Program, mailers received a 20-percent rebate for mailpieces sent over a predetermined threshold.[26] Eligibility for the incentive was based on the volume of mail sent by a mailer in the previous year. *Id.* As discussed in section B above, the volume sent by a mailer in a previous year is not a characteristic of the mail to which the rate applies. The First-Class Mail Incentive Program would not be considered a rate of general applicability. Thus, it would have been subject to proposed § 3010.24. The Postal Service chose not to include the First-Class Mail Incentive Program in the calculation of the percentage change in rates. *Id.* at 9.

Reply Rides Free Promotion and Saturation and High Density Incentive. The Reply Rides Free Promotion allowed eligible mailers to send a mailpiece that included a reply card or envelope at the 1-ounce rate as long as the mailpiece's weight did not exceed 1.2 ounces.[27] Only customers who mailed First-Class Mail Presort and Automation Letters in the previous two fiscal years qualified for the promotion. *Id.* The Saturation and High Density Incentive provided a rebate to mailers who increased current mail volumes over a predetermined threshold. *Id.* at 24. Only customers with at least six mailings in the previous fiscal year were eligible for the incentive. *Id.* Eligibility for both promotions was based on the volume of mail sent by a mailer in the previous year. *Id.* at 22, 24. As discussed in section B above, the volume sent by a mailer in a previous year is not a characteristic of the mail to which the rate applies. Therefore, neither rate would be considered a rate of general applicability and both rates would have been subject to proposed § 3010.24.

This outcome is consistent with the Commission's actual treatment of these two promotions. The Postal Service requested that the Reply Rides Free Promotion and Saturation and High Density Incentive Program be included in the calculation of the percentage change in rates. *Id.* at 17–18. The Commission rejected the Postal Service's proposal to include the Promotion and Incentive in the price cap calculation, finding that ''[m]ailers that are not eligible to participate should not have negative consequences resulting from the incentive.'' *Id.* at 19.

2011 Mobile Barcode Promotion. The 2011 Mobile Barcode Promotions offered a 3-percent discount for mailpieces that included a mobile

[22] This paragraph discusses the EDDM coupon as proposed by the Postal Service. Section E below, discusses the application of proposed § 3010.1(g) to the rate as approved by the Commission.

[23] Docket No. R2009–3, Order Approving Standard Mail Volume Incentive Pricing Program, June 4, 2009, at 2–3 (Order No. 219); Docket No. R2010–3, Order Approving Standard Mail Volume Incentive Pricing Program, April 7, 2010, at 7 (Order No. 439).

[24] Docket No. R2009–4, Order Approving Price Adjustment for Standard Mail High Density Flats, July 1, 2009, at 2–3 (Order No. 236).

[25] PostCom points out that footnote 14 of Order No. 1879 (incorrectly) implies that the Standard Mail High Density Flats rates and the Mobile Barcode promotions were not rates of general applicability. PostCom Comments at 4. This was an error on the Commission's part. The dockets listed in footnote 14 involved rates that were not included in the calculation of the percentage change in rates. The footnote should have distinguished between rates that were excluded because they were not rates of general applicability and rates that the Postal Service chose not to include in the calculation of the percentage change in rates.

[26] Docket No. R2009–5, Order Approving First-Class Mail Incentive Pricing Program, September 16, 2009, at 5 (Order No. 299).

[27] Docket No. R2011–1, Order Approving Market Dominant Classification and Price Changes, and Applying Price Cap Rules, December 10, 2010, at 22 (Order No. 606).

barcode.[28] The presence of a mobile barcode is a characteristic of the mail to which the discounted rate applied. Thus, the rate would be considered a rate of general applicability. The Postal Service did not include the 2011 Mobile Barcode Promotion in the calculation of the percentage change in rates and the Commission found such treatment reasonable given the uncertainty over the number of mailers that would use the discount. *Id.* at 9. However, the Commission noted in that docket that the 2011 Mobile Barcode Promotion was generally applicable. *Id.*

2012 Mobile Barcode Promotion and Mobile Shopping Promotion. The 2012 Mobile Barcode Promotion in Docket No. R2012–6 and the Mobile Shopping Promotion in Docket No. R2012–9 offered a 2-percent discount to any mailpieces that included a mobile barcode.[29] The mobile barcode was required to direct the recipient to a Web site that would allow the recipient to purchase a product. *Id.* The presence of a mobile barcode is a characteristic of the mail to which the rate applies. Thus, these rates would be considered rates of general applicability. The Postal Service did not include either of these promotions in the calculation of the percentage change in rates and the Commission found such treatment reasonable given the uncertainty over the number of mailers that would use the discount. Order No. 1296 at 6–7; Order No. 1424 at 7. However, the Commission noted that both rates were generally applicable. *Id.*

Mail to Mobile Promotions. In Docket No. R2013–1, the Postal Service combined the Mobile-Coupon/Click-to-Call Promotion, Emerging Technology Promotion, and Mobile Buy-It-Now Promotion into a category called Mail to Mobile Promotions.[30] The Mail to Mobile Promotions sought to enhance the long term value of mail through barcodes and other innovative technologies that foster Web site interactions. *Id.* Mailpieces that included a specified type of barcode or technology received a 2-percent discount. *Id.* The presence of mobile barcodes and other technologies are characteristics of the mail to which the rate applies. Thus, these promotions would be considered rates of general applicability. In Order No. 1541, the Commission approved the Postal Service's request to include these promotions in the calculation of the percentage change in rates. *Id.* at 17. Billing determinants from the 2011 Barcode Promotion were used as a proxy for the Mail to Mobile category when calculating price cap adjustments. *Id.*

Picture Permit Promotion and Product Samples Promotion. The Picture Permit Promotion temporarily eliminated the Picture Permit charge for registered mailers that included a logo, trademark, or brand in the indicia of a mailpiece.[31] Any mailer could register for the promotion and participants were encouraged to register in advance. *Id.* The Product Samples Promotion provided a 5-percent discount for any package that included product samples. *Id.* at 12. Both promotions offered a discount to any mailer that mailed pieces with the appropriate characteristics. Thus, the rates would be considered rates of general applicability. The requirement to register in advance would not prevent these promotions from being considered rates of general applicability. Registration was not limited to particular mailers; it was merely an administrative requirement. The Postal Service chose not to include these promotions in the calculation of the percentage change in rates.

Branded Color Mobile Technology Promotion and Mail and Digital Personalization Promotion. The Branded Color Mobile Technology Promotion and Mail and Digital Personalization Promotion were categorized as continuations of previous technology promotions (Continuing Promotions). Order No. 1890 at 58. The Branded Color Mobile Technology Promotion provides a 2-percent discount for any mailpiece that includes a multi-color mobile barcode inside or on the mailpiece. *Id.* at 53. The Mail and Digital Personalization Promotion provides a 2-percent discount for any mailpiece that includes a personalized or customized Web page link and uses a mailpiece customized to the recipient. *Id.* at 54. Both promotions offer a discount for any mail with the appropriate mailpiece characteristics. Thus, the promotional rates would be considered rates of general applicability. The Commission stated that these promotions are not limited-availability promotions. *Id.* at 59. The combined billing determinants from the Direct Mail Mobile Coupon and Click-to-Call Promotion, the Emerging Technology Promotion, and the Mobile Buy-It-Now Promotion in Docket No. R2013–1 are used as a proxy for these Continuing Promotions. *Id.* at 60. The Commission further explained that the promotions were included in the calculation of the percentage change in rates in order to ensure ''that the Postal Service will be accountable for the price cap effects of terminating these promotions in the future.'' *Id.* at 59.

Earned Value Reply Mail Promotion. The Earned Value Reply Promotion provides any mailer sending First-Class Mail Business Reply and Courtesy Reply Mail enclosures a 2-cent credit for each mailpiece returned during the promotion period. *Id.* at 55. The promotions are available uniformly to any mailer sending a First-Class Mail Business Reply or Courtesy Reply Mail enclosure. Thus, this aspect of the promotion would be considered a rate of general applicability.

However, the Postal Service also offered a 3-cent discount to mailers that participated in the 2013 Earned Value Reply Mail Promotion and had higher total return counts in 2014 compared to 2013. *Id.* The 3-cent discount depends on volume in a previous year, which is not a characteristic of the mail to which the rate applies. Thus, the 3-cent discount portion of the promotion would not qualify as a rate of general applicability. Billing determinants from the 2013 Earned Value Reply Mail promotion were used as a proxy for this promotion. *Id.* at 55–56. The Postal Service calculated an average of the 2-cent and 3-cent discounts for the promotional rate, but was directed by the Commission to use only the 2-cent rate in order to avoid speculation about participation in the program. *Id.* at 61.

Emerging Technology Featuring Near Field Communication (NFC) Promotion and Mail Drives Mobile Commerce Promotion. The Emerging Technology Featuring NFC Promotion and Mail Drives Mobile Commerce Promotion (Continuing Promotions) are continuations of similar promotions that encourage the use of technology and barcodes to enhance the value of mail. *Id.* at 76. The Emerging Technology Featuring NFC Promotion provides a 2-percent discount on mailpieces that incorporate a near field communication or similar technology.[32] The Mail Drives Mobile Commerce Promotion provides a

[28] Docket No. R2011–5, Order Approving Market Dominant Price Adjustment, May 17, 2011, at 3 (Order No. 731).

[29] Docket No. R2012–6, Order Approving Market Dominant Price Adjustment, March 26, 2012, at 3 (Order No. 1296); Docket No. R2012–9, Order Approving Market Dominant Price Adjustment, August 7, 2012, at 3 (Order No. 1424).

[30] Docket No. R2013–1, Order on Price Adjustments for Market Dominant Products and Related Mail Classification Changes, November 16, 2012, at 14 (Order No 1541).

[31] Docket No. R2013–1, United States Postal Service Notice of Market-Dominant Price Adjustment, October 11, 2012, Attachment D at 10 (Docket No. R2013–1 Notice).

[32] Docket No. R2013–10, United States Postal Service Notice of Market-Dominant Price Adjustment, September 26, 2013, Attachment D at 7.

2-percent discount to any mailpiece that includes a mobile barcode that directs a recipient to a shopping Web site accompanied by instructions. *Id.* at 8. Both promotions offered a discount to any mail meeting the appropriate mailpiece characteristics. Thus, the rates would be considered rates of general applicability. The Postal Service used the Holiday Mobile Shopping Promotion, the 2013 Emerging Technology Promotion, and the Mobile Coupon Click to Call Promotion as proxies for these Continuing Promotions. Order No. 1890 at 76. The Commission allowed the Continuing Promotions to be included in the calculation of the percentage change in rates after correcting for the termination of the Emerging Technology Promotion for First-Class Mail. *Id.* at 61.

EDDM Coupon Program. The EDDM Coupon Program provides new EDDM customers with a coupon. *Id.* at 75. The program is limited by a redemption cap set at $3 million. *Id.* at 75–76. Eligibility for the program is restricted to new customers who receive the coupon on a first-come, first-served basis. Existing customers would not be eligible for the coupon. Like the Technology Credit Promotion, eligibility for the coupon is based on the mailer's behavior during the period before the promotion begins, which is not a characteristic of the mail to which the rate applies. Thus, the rate would not be considered a rate of general applicability. The Postal Service did not include the program in the price cap calculation. *Id.* at 76.

Premium Advertising Promotion and High Density and Saturation Incentive. The Premium Advertising Promotion provided a 15-percent discount to eligible mailers for mailing pure marketing and advertising content. *Id.* at 55. Eligibility was restricted to mailers who generated a certain amount of revenue in the previous year. *Id.* The High Density and Saturation Incentive provided mailers with a rebate if they increased mail volume over a customer-specific threshold. *Id.* at 75. Both promotions are based on previous mailings and volumes and thus would not be considered rates of general applicability.

Color Print in First-Class Mail Transactions Promotion. The Color Print in First-Class Mail Transactions Promotion provides a 2-percent discount to any mailpiece that includes dynamic variable color messaging on financial bills and statements and complies with the Full Service IMb requirements. *Id.* at 54. The color messaging and Full Service IMb compliance are characteristics of the mail to which the rate applies. Thus, the rates would be considered rates of general applicability. The Postal Service chose not to include the promotion in the calculation of the percentage change in rates. *Id.*

F. Incentives and Discounts That Are Not Rates of General Applicability Will Be Treated Like Negotiated Service Agreements

The Postal Service objects to proposed § 3010.24, which would require that discounts and incentives that are not rates of general applicability be treated like negotiated service agreements for purposes of calculating the percentage change in rates. Postal Service Comments at 5–6. It argues that the proposed section would limit ''how the Postal Service could use price cap authority generated by reducing rates for the many mailers who would be eligible to participate in rate incentives not of general applicability.'' *Id.* at 6. It asserts that the proposed section would prevent the Postal Service from using all of its pricing authority and discourage it from ''developing targeted rate incentives that could more effectively drive beneficial mailer behaviors.'' *Id.*

PostCom, Pitney Bowes, the Joint Commenters, NPPC, the Public Representative, and Valpak support proposed § 3010.24. PostCom believes that the proposed section appropriately prevents price cap authority from being created when an incentive rate is available only to a subset of mailers. PostCom Comments at 3. Pitney Bowes asserts that the proposed section addresses its concern that it would be inequitable or unjust to allow non-participating mailers to pay higher rates as a result of a temporary promotion. Pitney Bowes Comments at 4. The Joint Commenters characterize the proposed rule as reasonable and equitable. Joint Commenters Comments at 2. NPPC finds the proposed section proper because a rate that is not a rate of general applicability allows the Postal Service ''to discriminate in favor of a limited number of mailers by offering to them a reduced rate, and to control the access to that rate.'' NPPC Comments at 2. The Public Representative also posits a ''discriminatory impact of increasing price cap authority for mailers ineligible for incentive or promotional rates.'' PR Reply Comments at 2. Valpak argues that the Postal Service's opposition to the proposed section disregards 39 U.S.C. 101(d), which requires that postal rates apportion costs of postal operations to all users of the mail on a fair and equitable basis. Valpak Reply Comments at 3.

Pitney Bowes and the Joint Commenters point out the similarities between negotiated service agreements and incentives and discounts that are not rates of general applicability, including the limited number of participants and the shared purpose of increasing revenue and contribution. Pitney Bowes Comments at 3; Joint Commenters Comments at 2.

The Commission declines to modify proposed § 3010.24. Subjecting mailers to the risk that the Postal Service may increase rates as a result of additional cap room created by a promotion or incentive that is not generally applicable is inappropriate. In its annual price adjustment filings, the Postal Service is free, within the confines of the price cap, to change rates of general applicability as it sees fit. To that end, the Postal Service routinely offers discounts and incentives that are targeted at a certain type of mail but available to all mailers.[33] While it may be true that, in practice, some mailers will not choose to take advantage of such targeted discounts or incentives, the decision lies solely with the mailer.

In contrast, a discount or incentive that is not a rate of general applicability precludes certain mailers from participating, whether they want to or not. The Commission does not wish to prevent discounts or incentives that target certain types of mail from being included in the calculation of the percentage change in rates. It does, however, wish to prevent discounts or incentives that are limited to certain mailers from being included in the calculation of the percentage change in rates. For instance, the Postal Service chose to target First-Class Mail Business Reply and Courtesy Reply Mail in its Earned Value Reply Mail Promotion. Order No. 1890 at 55. Those promotional rates were included in the calculation of the percentage change in rates. *Id.* at 61. The Technology Credit Promotion, on the other hand, was limited to mailers who had sent a certain volume from the previous fiscal year. Order No. 1743 at 15. The Commission excluded the Technology Credit Promotion from the calculation of the percentage change in rates. *Id.* at 17.

V. Adjustment for the Deletion of Rate Cells When No Alternate Rate Cell Is Available

Under the Commission's existing rules, when the Postal Service proposes a classification change that introduces, deletes, or redefines a rate cell, it must make reasonable adjustments to its

[33] See, *e.g.*, Order No. 1424 at 3–4 (Mobile Shopping Promotion); Docket No. R2013–1 Notice, Attachment D at 12 (Product Samples Promotion); Order No. 1890 at 54 (Color Print in First-Class Mail Transactions Promotion).

billing determinants. 39 CFR 3010.23(d). Proposed § 3010.23(d)(4) specifies that, in the case of a classification change that deletes a rate cell for which no alternate rate cell is available, the billing determinants should be adjusted to zero. If the Postal Service does not adjust the billing determinants to zero in this circumstance, it must explain how it proposes to treat the rate cell.

Pitney Bowes asserts that proposed § 3010.23(d)(4) is ''intended to address adjustments for deleted rate cells that result from the transfer of a product to the competitive products category.'' Pitney Bowes Comments at 2. It suggests that the Commission modify the proposed rule to explicitly refer to product transfers, ''to ensure it is applied only in the intended circumstance. . . .'' *Id.* It proposes language to accomplish this goal. *Id.* at 3. The Joint Commenters also request that the Commission modify the proposed section to ''make clear that this rule *only* applies to situations in which a rate cell is deleted because of a product transfer, but for no other reason.'' Joint Commenters Comments at 2–3 (emphasis in original). MPA supports the approach proposed by Pitney Bowes and the Joint Commenters. MPA Reply Comments at 2.

The Public Representative argues that proposed § 3010.23(d)(4) should not be limited to product transfers. PR Reply Comments at 6. He points out that a rate cell can be deleted ''for any one of several reasons apart from product transfers.'' *Id.*

NPPC and PostCom do not express an opinion on whether the Commission should limit the application of proposed § 3010.23(d)(4) to product transfers. NPPC Comments at 6; PostCom Reply Comments at 4–5. Rather, they ask the Commission to state that proposed § 3010.23(d)(4) would not apply to the Full Service IMb change described in Order No. 1890. *Id.* In that docket, the Postal Service proposed a classification change that resulted in the modification or deletion of a rate cell. Order No. 1890 at 15. However, NPPC and PostCom point out that the Commission did not require the Postal Service to adjust the billing determinants to zero because alternate rate cells were available. NPPC Comments at 6; PostCom Reply Comments at 4–5.

Pitney Bowes and MPA also seek reassurance that proposed § 3010.23(d)(4) would not have applied in Docket No. R2013–10, although they do so on the basis of their understanding that proposed § 3010.23(d)(4) applies only to product transfers. See Pitney Bowes Reply Comments at 2; MPA Reply Comments at 2. The Public Representative believes that Docket No. R2013–10 presented an unusual situation and that the question of how to adjust billing determinants is best handled on a case-by-case basis. PR Reply Comments at 6–7.

Although it supports proposed § 3010.23(d)(4) in the context of the Parcel Post example given in Order No. 1786, the Postal Service ''is concerned about what the Commission means by 'deletion of a rate cell.' '' Postal Service Comments at 7. It believes that in circumstances like those in Docket No. R2013–10, it would not be clear when the proposed section would apply because it was not clear whether a rate cell was redefined or deleted. *Id.* at 7–8. It asserts that a case on appeal to the D.C. Circuit ''includes the issue of whether a mail preparation requirement can result in the deletion of a rate cell'' and requests that the Commission delay the implementation of proposed § 3010.23(d)(4) until the D.C. Circuit issues a decision in that case. *Id.* at 8. PostCom, Pitney Bowes, the Public Representative, and MPA do not support delaying the implementation of the proposed rules. PostCom Reply Comments at 5; Pitney Bowes Reply Comments at 2; PR Reply Comments at 7; MPA Reply Comments at 2.

The Commission declines to limit the application of proposed § 3010.23(d)(4) to deletions resulting from transfers of products to the competitive product list. The Parcel Post case cited in the notice of proposed rulemaking was an example of the Commission requiring the Postal Service to adjust billing determinants to zero as a result of a classification change that led to the deletion of a rate cell. However, transfers of products from the market dominant product list to the competitive product list are not the only classification changes that could result in the deletion of a rate cell. For example, the Postal Service could remove a product from the market dominant product list without moving it to the competitive product list. See 39 CFR 3020.30. The Postal Service could also update size or weight limitations in a manner that resulted in the deletion of a rate cell (for example, by reducing the maximum weight of Bound Printed Matter Parcels from 15 pounds to 10 pounds). See 39 CFR 3020.111.

In addition, the Commission does not intend to require the Postal Service to adjust billing determinants to zero whenever it transfers a product from the market dominant product list to the competitive product list, as described in the language proposed by Pitney Bowes. If alternate rate cells are available for a rate cell deleted due to the transfer of a product to the competitive product list, the Commission expects the Postal Service to use those alternate rate cells to make reasonable adjustments to its billing determinants instead of adjusting the billing determinants to zero. See proposed § 3010.23(d)(2).

In order for proposed § 3010.23(d)(4) to apply to a classification change, the classification change must meet two criteria. First, it must result in the deletion of a rate cell. Second, there must be no alternate rate cells available. In the case of the Full Service IMb change described in Order No. 1890, alternate rate cells were available and the Postal Service could make reasonable adjustments to the billing determinants to take into account the effects of the classification change. Because alternate rate cells were available, proposed § 3010.23(d)(4) would not have applied. This is true regardless of whether the Full Service IMb change is characterized as resulting in the redefinition of rate cells or the deletion of rate cells. Consequently, the Commission declines to delay the implementation of proposed § 3010.23(d)(4) pending the appeal of Order No. 1890.

Given the issues raised by commenters, the Commission finds it would be useful to modify the heading of proposed § 3010.23(d)(4) to specify that it describes how adjustments to billing determinants are to be made in the case of the deletion of a rate cell when an alternate rate cell is not available. It makes no other modifications to proposed § 3010.23(d)(4).

VI. *De Minimis* Rate Increases

The Postal Service requests that the Commission raise the proposed threshold for *de minimis* rate increases under proposed § 3010.30 from 0.001 percent to ''at least 0.05 percent.'' Postal Service Comments at 8–9, n.18. It argues that the 0.001 percent threshold is too low to afford it meaningful pricing flexibility. *Id.* at 9. It asserts that a threshold of 0.001 percent would not be sufficient to correct the nonprofit passthrough for Standard Mail 5-Digit Automation Flats, as directed by the Commission in Order No. 1890, or to correct errors discovered after the close of a rate case. *Id.* The Public Representative and Pitney Bowes support raising the *de minimis* threshold. PR Reply Comments at 10; Pitney Bowes Reply Comments at 3. The Public Representative supports raising the threshold to an amount ''as large as practical.'' PR Reply Comments at 10. He supports a limit of 0.05 percent ''if the rate adjustment is for the correction

of calculation errors or pursuant to Commission directive.'' *Id.* Pitney Bowes supports a ''modest increase'' in the threshold. Pitney Bowes Reply Comments at 3. PostCom opposes the Postal Service's proposal, asserting that the 0.001 percent limitation is necessary to ensure that the Postal Service does not circumvent the annual limitation. PostCom Reply Comments at 5.

Congress directed the Commission to establish a system for regulating rates and classes for market dominant products that includes an annual limitation on the percentage change in rates equal to the change in the Consumer Price Index for All Urban Consumers [CPI–U] unadjusted for seasonal variation over the most recent available 12-month period. . . . 39 U.S.C. 3622(d)(1)(A). The Bureau of Labor Statistics (BLS) reports the CPI–U index to three digits.[34] Because Congress linked the calculation of the annual limitation to the change in the CPI–U, and the CPI–U is calculated to three digits, it is reasonable to conclude that Congress did not intend to limit the Postal Service's ability to make rate increases of less than 0.001 percent.

Although the Postal Service and the Public Representative describe circumstances when a higher *de minimis* threshold may have some appeal, they have not articulated a compelling basis for establishing the threshold at a level that is greater than the smallest change in CPI–U that can be calculated using BLS data. Consequently, the Commission makes no change to the *de minimis* threshold under proposed § 3010.30.

VII. Miscellaneous Issues

A. Seasonal and Temporary Rates Will Continue To Be Identified and Treated as Rate Cells Separate and Distinct From Permanent Rates When Calculating the Percentage Change in Rates

NPPC requests that the Commission confirm its understanding that seasonal and temporary rates will continue to be identified and treated as rate cells separate and distinct from permanent rates when calculating the percentage change in rates. NPPC Comments at 7. NPPC's understanding is correct. Proposed § 3010.23(a)(2) continues the Commission's practice of assigning seasonal and temporary rates to separate rate cells. Under the proposed rules, the ''current rate'' for a seasonal or temporary rate would be the most recent rate in effect for the rate cell, regardless of whether the seasonal or temporary rate is available at the time the Postal Service files the notice of rate adjustment. Proposed § 3010.23(a)(1)(ii). For a seasonal or temporary promotion, the most recent rate in effect for the rate cell is the rate under the seasonal or temporary promotion. For example, if the Postal Service offers a 2-cent Mother's Day discount for 1-ounce stamped mail sent during the month of May 2014, there will be two separate rate cells for 1-ounce stamped mail: One rate cell for volume sent at the normal, undiscounted rate and a separate rate cell for volume sent at the Mother's Day rate. If the Postal Service files a notice of Type 1–A rate adjustment in October 2014, the rate for the undiscounted rate cell will be 49 cents (the undiscounted rate in effect in October 2014) and the rate for the Mother's Day rate cell will be 47 cents (the most recent rate in effect for the Mother's Day rate cell).

B. Unused Rate Adjustment Authority Generated By a Mid-Year Promotion or Incentive Program May Be Applied to Any Rate in the Same Class

PostCom argues that any additional unused rate adjustment authority generated by a mid-year promotion or rate incentive program should be applied only to the products that were eligible for the promotion or incentive, to ensure that promotional and incentive pricing is non-discriminatory. PostCom Comments at 7; PostCom Reply Comments at 4. It asserts that the Commission recognized the principle that rate adjustment authority should be tied to individual products in Order No. 1541, which it contends allowed the Postal Service ''to account for revenue forgone from promotions only 'so long as volumes are properly ascribed to the appropriate products.''' PostCom Comments at 7; PostCom Reply Comments at 4 (both citing Order No. 1541 at 18).

The Postal Service opposes this proposal. Postal Service Reply Comments at 4. It argues that 39 U.S.C. 3622(d)(2)(A) makes clear that the annual limitation on the percentage change in rates is calculated at the class level, not the product level. *Id.* It cites two dockets where the Commission allowed unused rate adjustment authority to be generated for the whole Special Services class as a result of rate reductions applicable only to specific products. *Id.* at 5 (citing Order No. 1756 at 3, 8; Order No. 987 at 44–47). It asserts that the language from Order No. 1541 cited by PostCom relates to how volumes should be treated for purposes of calculating the percentage change in rates, not how the Postal Service can apply unused rate adjustment authority.

The Postal Service is correct. Section 3622(d)(2)(A) of title 39, United States Code, expressly applies the annual limitation on the percentage change in rates at the class level. Section 3622(d)(2)(C) limits the maximum amount of unused rate adjustment authority the Postal Service can exercise in any one year ''for any class or service.'' Furthermore, 39 CFR 3010.28 limits the maximum amount of unused rate adjustment authority that may be used to make a Type 1–B rate adjustment ''for any class.'' In Order No. 1786, the Commission declined to apply the annual limitation ''at anything other than the class level, consistent with the clear language of 39 U.S.C. 3622(d)(2)(A).'' Order No. 1786 at 8. In that same order, the Commission specified that unused rate adjustment authority is also calculated ''for each class.'' *Id.* at 20.

The language from Order No. 1541 cited by PostCom relates to how the Postal Service accounted for volumes relating to First-Class Mail promotions. There, the Commission determined that the Postal Service could account for the promotions by applying a separate adjustment when calculating the percentage change in rates. It did not speak to the appropriate use of unused rate adjustment authority in subsequent rate cases. The Commission declines to make the change proposed by PostCom.

C. The Postal Service Will Not Be Required To Reconcile Volume Sent at Promotional Rates With Unused Rate Adjustment Authority Claimed in Its Next Scheduled Rate Adjustment

PostCom requests that the Commission require the Postal Service to reconcile volume sent at promotional rates with pricing authority claimed on its next scheduled rate adjustment. PostCom Comments at 7–9. It refers to its proposal as a ''true-up'' requirement. *Id.* PostCom reasons that the Postal Service ''should only be permitted to account for revenue foregone from promotional prices if it in fact foregoes that revenue.'' *Id.* at 8. It again cites Order No. 1541, this time for the proposition that if volumes for promotional rates are overstated, the rate authority created by the promotion would be overstated as well. *Id.* (citing Order No. 1541 at 17). It asserts that its proposal would ensure the accuracy of the amount of any unused rate adjustment authority created by promotions. *Id.* at 8–9. The Public Representative supports this proposal,

[34] Order No. 1879 at 13; Docket No. RM2009–8, Notice of Proposed Rulemaking to Amend the Cap Calculation in the System of Ratemaking, July 10, 2009, at 2 (Order No. 246); Docket No. RM2009–8, Order Amending the Cap Calculation in the System of Ratemaking, September 22, 2009, at 1 (Order No. 303).

opining that it would be ''useful and not an onerous requirement for the Postal Service.'' PR Reply Comments at 8. He notes that the proposal could require revisions to proposed § 3010.23(d) but does not specify what those revisions would be. *Id.*

The Postal Service objects to the proposal. Postal Service Reply Comments at 6–8. It views the proposal as an attempt to treat unused rate adjustment authority generated as a result of a rate incentive ''differently from any other pricing authority available to the Postal Service.'' *Id.* at 7. It argues that if it is required to reconcile volumes sent at promotional rates, it should also be permitted to reconcile volumes sent at non-promotional rates, for which it was required to use historical billing determinants that may have underestimated volumes actually sent in subsequent years. *Id.*

The Commission will not require the Postal Service to reconcile volumes sent at promotional rates as proposed by PostCom. As the Commission explained at length in Order No. 1786, the percentage change in rates is calculated by using a fixed set of historical billing determinants to weight current rates and proposed rates. Order No. 1786 at 14–20. The true-up requirement proposed by PostCom is inconsistent with the current backward-weighted index used to calculate price changes. In Docket No. RM2013–2, the Commission rejected requests to allow the Postal Service to use anticipated changes in mailer behavior to weight proposed rates, on the basis that they were inconsistent with the use of a fixed rate index of prices, where the prior year's billing determinants serve as the weight for each rate cell.

The Commission finds no rational basis for requiring the Postal Service to reconcile volumes sent at promotional rates without also allowing it to reconcile volumes sent at non-promotional rates. If the Postal Service would be at risk of a reduction in unused rate adjustment authority if volumes sent at promotional rates in a particular year are lower than those sent at promotional rates during the previous year, it should also be eligible for an increase in unused rate adjustment authority if volumes sent at non-promotional rates during a particular year exceed the volumes sent at non-promotional rates during the previous year.

However, such an approach runs the risk of creating substantial uncertainty about the amount of unused rate adjustment authority available to the Postal Service. This level of uncertainty is inconsistent with 39 U.S.C. 3622(b)(2), which requires that the system for regulating rates for market dominant classes of mail be designed to, among other things, ''create predictability and stability in rates.'' Additionally, the Commission does not have sufficient data at this time to determine that a true-up requirement would result in a more accurate calculation of the percentage change in rates. Each year in its Annual Compliance Determination (ACD), the Commission undertakes an empirical analysis of the price cap. This review is designed to monitor the effectiveness of the price cap rules, particularly with respect to whether a backward-weighted index accurately reflects the actual change in rates. In carrying out its review, the Commission compares the percentage change in rates for each class of mail when calculated using a backward-weighted (Laspeyres) index with the percentage change in rates calculated using a forward-weighted (Paasche) index. In the two most recent ACDs, for FY 2012 and FY 2013, the Commission noted the difficulty of using a forward-weighted index to take into account major classification changes, rates that are in effect for only part of a year, and rate increases that are more than 12 months apart.[35]

The Commission declines to adopt PostCom's proposal.

D. The Commission Will Not Require the Postal Service To Show Good Cause for Including Temporary and Promotional Rates in the Calculation of the Percentage Change in Rates

PostCom requests that the Commission ''establish a default rule requiring the Postal Service to exclude temporary promotional rates and incentive programs from its percentage change in rates calculations unless it demonstrates good cause to account for promotional and incentive programs in another manner.'' PostCom Comments at 9. It argues that such a rule is necessary because additional rate adjustment authority resulting from a promotion or incentive becomes a permanent part of the Commission's future calculations of the percentage change in rates. *Id.* at 8–9.

The Public Representative opposes this proposal, arguing that it would create controversy about the adequacy of the Postal Service's showing of good cause and inappropriately place the burden of justification on the Postal Service. PR Reply Comments at 9.

PostCom's proposal is inconsistent with past Commission treatment of promotional rates and incentive programs. The Commission has repeatedly allowed the Postal Service to include temporary promotional rates and incentive programs in its calculation of the percentage change in rates, so long as the rates were in the form of a discount (or could easily be translated into a discount), had sufficient billing determinants available, and were rates of general applicability. As the Commission explained in the notice of proposed rulemaking, this approach ensures that non-participating mailers are not harmed by promotions and incentives that are not rates of general applicability while preserving the Postal Service's pricing flexibility. Order No. 1879 at 10–12. For instance, in Docket No. R2013–10, the Commission included rates for the Branded Color Mobile Technology Promotion, the Mail and Digital Personalization Promotion, and the Earned Value Reply Mail Promotion in its calculation of the percentage change in rates. Order No. 1890 at 41. In Docket No. R2013–1, the Commission also allowed promotional rates for First-Class Mail to be included in the calculation of the percentage change in rates, provided that volumes associated with the promotion were ascribed to the correct rate cells (*i.e.,* the separate rate cells for the promotional rates). Order No. 1541 at 17–18.

E. Technical Amendment to Proposed § 3010.30

The Public Representative suggests that proposed § 3010.30 be modified to include a provision for *de minimis* rate adjustments that follow Type 3 rate adjustments. PR Reply Comments at 10. The Commission agrees that it would be reasonable to modify paragraphs (a)(2) and (e) of proposed § 3010.30 to ensure that, for an affected class, the sum of all rate increases included in *de minimis* rate adjustments since the most recent Type 1–A, Type 1–B, or Type 3 rate adjustment that was not a *de minimis* rate increase does not exceed 0.001 percent. This modification will ensure that the Postal Service accurately accounts for *de minimis* rate adjustments that occur in between omnibus rate cases. Because the Commission's rules do not require that the annual limitation on the percentage change in rates or the percentage change in rates be calculated in connection with a Type 3 rate adjustment, there is no need to modify proposed § 3010.30(d).

[35] Docket No. ACR2012, Fiscal Year 2012 Annual Compliance Determination Report, March 28, 2013 (revised May 7, 2013), at 181; Docket No. ACR2013, Fiscal Year 2013 Annual Compliance Determination Report, March 27, 2014, at 133–34.

VIII. Explanation of Final Rules

Following is a section-by-section analysis of the final rules.

Section 3010.1 adds a definition of the term ''rate of general applicability.'' It also includes definitions and amendments to existing definitions relating to Type 1–C rate adjustments and *de minimis* rate adjustments. Finally, it specifies that the definitions apply to the entire part, not just subpart A.

Section 3010.2 is revised to correct a typographical error.

Section 3010.3(a) specifies that Type 1–C rate adjustments are consistent with 39 U.S.C. 3622.

Section 3010.3(b)(2) specifies that a Type 1–C rate adjustment may not be combined with any other type of rate adjustment.

Section 3010.4(a) eliminates a superfluous word.

Section 3010.5 specifies that a Type 1–B rate adjustment is based on both the annual limitation and unused rate adjustment authority.

Previous §§ 3010.6, 3010.7, and 3010.8 are redesignated as §§ 3010.7, 3010.8, and 3010.9, respectively.

Section 3010.6, as so redesignated, contains a general description of a Type 1–C rate adjustment.

Section 3010.10(a) includes a conforming change.

Section 3010.11 contains conforming changes in the heading and in paragraphs (a), (b)(2), (d), and (k).

Section 3010.12(a) contains a conforming change.

Section 3010.12(b) specifies the contents of notices that include rate incentives and of Type 1–C notices of rate adjustments.

Section 3010.12(e) contains a conforming change.

Section 3010.20 contains conforming changes in paragraphs (b) and (d).

Section 3010.20(e) specifies that there is no limit on the amount of a rate decrease under a Type 1–C rate adjustment.

Section 3010.21 contains conforming changes in the heading and in paragraph (b).

Section 3010.22 contains conforming changes in the heading and in paragraphs (a) and (b).

Section 3010.23(a) includes definitions of the terms ''current rate,'' ''rate cell,'' and ''rate incentive.''

Section 3010.23(b)(1) contains a conforming change.

Section 3010.23(b)(2) provides for the calculation of the percentage changes in rates for Type 1–C rate adjustments.

Section 3010.23(c) contains conforming changes.

Section 3010.23(d) changes the format, but not the content, of existing § 3010.23(d) and adds a provision specifying the treatment of deleted rate cells when no alternate rate cells are available.

Section 3010.23(e) provides for the treatment of rate incentives.

Section 3010.24 specifies that rate incentives that are not rates of general applicability will be treated in the same manner as negotiated service agreements.

Section 3010.26 contains conforming changes.

Sections 3010.27 and 3010.28 are redesignated as §§ 3010.28 and 3010.29, respectively.

New § 3010.27 describes how unused rate adjustment authority is calculated for Type 1–C rate adjustments.

Section 3010.30 contains the requirements for *de minimis* rate increases.

VII. Ordering Paragraphs

It is ordered:

1. Part 3010 of title 39, Code of Federal Regulations, is amended as set forth below the signature of this Order, effective 30 days after publication in the **Federal Register**.

2. The Secretary shall arrange for publication of this order in the **Federal Register**.

List of Subjects in 39 CFR Part 3010

Administrative practice and procedure; Postal Service.

For the reasons discussed in the preamble, the Commission amends chapter III of title 39 of the Code of Federal Regulations as follows:

PART 3010—REGULATION OF RATES FOR MARKET DOMINANT PRODUCTS

■ 1. The authority citation for part 3010 continues to read as follows:

Authority: 39 U.S.C. 503; 3622.

■ 2. Revise § 3010.1 to read as follows:

§ 3010.1 Definitions.

(a) The definitions in paragraphs (b) through (m) of this section apply in this part.

(b) *Annual limitation* means:

(1) In the case of a notice of a Type 1–A or Type 1–B rate adjustment filed 12 or more months after the last Type 1–A or Type 1–B notice of rate adjustment, the full year limitation on the size of rate adjustments calculated pursuant to § 3010.21;

(2) In the case of a notice of a Type 1–A or Type 1–B rate adjustment filed less than 12 months after the last Type 1–A or Type 1–B notice of rate adjustment, the partial year limitation on the size of rate adjustments calculated pursuant to § 3010.22; and

(3) In the case of a notice of a Type 1–C rate adjustment, the annual limitation calculated pursuant to § 3010.21 or § 3010.22, as applicable, for the most recent notice of a Type 1–A or Type 1–B rate adjustment.

(c) *Class* means a class of market dominant postal products.

(d) *De minimis rate increase* means a rate adjustment described in § 3010.30.

(e) *Maximum rate adjustment* means the maximum rate adjustment that the Postal Service may make for a class pursuant to a notice of Type1–A or Type 1–B rate adjustment. The maximum rate adjustment is calculated in accordance with § 3010.20.

(f) *Most recent Type 1–A or Type 1–B notice of rate adjustment,* when used in reference to a notice of rate adjustment for a class, means the most recent Type 1–A or Type 1–B notice of rate adjustment for that class.

(g) *Rate of general applicability* means a rate applicable to all mail meeting standards established by the Mail Classification Schedule, the Domestic Mail Manual, and the International Mail Manual. A rate is not a rate of general applicability if eligibility for the rate is dependent on factors other than the characteristics of the mail to which the rate applies. A rate is not a rate of general applicability if it benefits a single mailer. A rate that is only available upon the written agreement of both the Postal Service and a mailer, a group of mailers, or a foreign postal operator is not a rate of general applicability.

(h) *Type 1–A rate adjustment* means a rate adjustment described in § 3010.4.

(i) *Type 1–B rate adjustment* means a rate adjustment described in § 3010.5.

(j) *Type 1–C rate adjustment* means a rate adjustment described in § 3010.6.

(k) *Type 2 rate adjustment* means a rate adjustment described in § 3010.7.

(l) *Type 3 rate adjustment* means a rate adjustment described in § 3010.8.

(m) *Unused rate adjustment authority* means:

(1) In the case of a Type 1–A or Type 1–B rate adjustment, the percentage calculated pursuant to § 3010.26; and

(2) In the case of a Type 1–C rate adjustment, the percentage calculated pursuant to § 3010.27.

■ 3. In § 3010.2, revise the first sentence to read as follows:

§ 3010.2 Applicability.

The rules in this part implement provisions in 39 U.S.C. chapter 36, subchapter I, establishing rate setting policies and procedures for market dominant products. * * *

■ 4. Revise § 3010.3 to read as follows:

§ 3010.3 Types of rate adjustments for market dominant products.

(a) There are five types of rate adjustments for market dominant products. A Type 1–A rate adjustment is authorized under 39 U.S.C. 3622(d)(1)(D). A Type 1–B rate adjustment is authorized under 39 U.S.C. 3622(d)(2)(C). A Type 1–C rate adjustment is authorized under 39 U.S.C. 3622. A Type 2 rate adjustment is authorized under 39 U.S.C. 3622(c)(10). A Type 3 rate adjustment is authorized under 39 U.S.C. 3622(d)(1)(E).

(b)(1) The Postal Service may combine Type 1–A, Type 1–B, and Type 2 rate adjustments for purposes of filing with the Commission.

(2) The Postal Service may not combine a Type 1–C rate adjustment with any other type of rate adjustment. The Postal Service may file a Type 1–C rate adjustment and a *de minimis* rate increase contemporaneously, but the Type 1–C rate adjustment and the *de minimis* rate increase must be contained in separate notices of rate adjustment.

■ 5. In § 3010.4, revise paragraph (a) to read as follows:

§ 3010.4 Type 1–A rate adjustment—in general.

(a) A Type 1–A rate adjustment is an adjustment based on the annual limitation.

* * * * *

■ 6. Revise § 3010.5 to reads as follows:

§ 3010.5 Type 1–B rate adjustment—in general.

A Type 1–B rate adjustment is an adjustment that is based on the annual limitation and that uses unused rate adjustment authority in whole or in part.

§§ 3010.6, 3010.7, and 3010.8 [Redesignated as §§ 3010.7, 3010.8, and 3010.9]

■ 7. Redesignate §§ 3010.6, 3010.7 and 3010.8 as §§ 3010.7, 3010.8 and 3010.9, respectively.

■ 8. Add new § 3010.6 to read as follows:

§ 3010.6 Type 1–C rate adjustment—in general.

(a) A Type 1–C rate adjustment is an adjustment to a rate of general applicability that contains only a decrease. A rate adjustment that includes both an increase and a decrease in rates of general applicability is a Type 1–A or Type 1–B rate adjustment; it is not a Type 1–C rate adjustment.

(b)(1) Except as provided in paragraph (b)(2) of this section, a Type 1–C rate adjustment may generate unused rate adjustment authority, as described in § 3010.27.

(2) A Type 1–C rate adjustment filed immediately after a Type 3 rate adjustment (that is, with no intervening Type 1–A or Type 1–B rate adjustment) may not generate unused rate adjustment authority.

(3) The Postal Service may elect not to generate unused rate adjustment authority in a Type 1–C rate adjustment.

■ 9. In § 3010.10, revise paragraph (a) to read as follows:

§ 3010.10 Notice.

(a) The Postal Service, in every instance in which it determines to exercise its statutory authority to make a Type 1–A, Type 1–B, or Type 1–C rate adjustment for a class shall:

(1) Provide public notice in a manner reasonably designed to inform the mailing community and the general public that it intends to adjust rates no later than 45 days prior to the intended implementation date of the rate adjustment; and

(2) Transmit a notice of rate adjustment to the Commission no later than 45 days prior to the intended implementation date of the rate adjustment.

* * * * *

■ 10. In § 3010.11, revise the section heading and paragraphs (a) introductory text, (b)(2), (d), and (k) to read as follows:

§ 3010.11 Proceedings for Type 1–A, Type 1–B, and Type 1–C rate adjustment filings.

(a) The Commission will establish a docket for each notice of Type 1–A, Type 1–B, or Type 1–C rate adjustment filing, promptly publish notice of the filing in the **Federal Register**, and post the filing on its Web site. The notice shall include:

* * * * *

(b) * * *

(2) Whether the planned rate adjustments measured using the formula established in § 3010.23(c) are at or below the limitation established in § 3010.29.

* * * * *

(d) Within 14 days of the conclusion of the public comment period the Commission will determine, at a minimum, whether the planned rate adjustments are consistent with the annual limitation calculated under § 3010.21 or § 3010.22, as applicable, the limitation set forth in § 3010.29, and 39 U.S.C. 3626, 3627, and 3629 and issue an order announcing its findings.

* * * * *

(k) A Commission finding that a planned Type 1–A, Type 1–B, or Type 1–C rate adjustment is in compliance with the annual limitation calculated under § 3010.21 or § 3010.22, as applicable; the limitation set forth in § 3010.29; and 39 U.S.C. 3626, 3627, and 3629 is decided on the merits. A Commission finding that a planned Type 1–A, Type 1–B, or Type 1–C rate adjustment does not contravene other policies of 39 U.S.C. chapter 36, subchapter I is provisional and subject to subsequent review.

■ 11. In § 3010.12, revise paragraphs (a) introductory text, (b)(4), and (e), redesignate paragraphs (b)(9) and (10) as (b)(11) and (12), respectively, and add new paragraphs (b)(9) and (10) to read as follows:

§ 3010.12 Contents of notice of rate adjustment.

(a) A Type 1–A, Type 1–B, or Type 1–C notice of rate adjustment must include the following information:

* * * * *

(b) * * *

(4) The amount of new unused rate adjustment authority, if any, that will be generated by the rate adjustment calculated as required by § 3010.26 or § 3010.27, as applicable. All calculations are to be shown with citations to the original sources. If new unused rate adjustment authority will be generated for a class of mail that is not expected to cover its attributable costs, the Postal Service must provide the rationale underlying this rate adjustment.

* * * * *

(9) For a notice that includes a rate incentive:

(i) If the rate incentive is a rate of general applicability, sufficient information to demonstrate that the rate incentive is a rate of general applicability; and

(ii) Whether the Postal Service has excluded the rate incentive from the calculation of the percentage change in rates under § 3010.23(e) or § 3010.24.

(10) For a Type 1–C rate adjustment, whether the Postal Service elects to generate unused rate adjustment authority.

* * * * *

(e) The notice of rate adjustment shall identify for each affected class how much existing unused rate adjustment authority is used in the planned rates calculated as required by § 3010.28. All

calculations are to be shown, including citations to the original sources.

* * * * *

■ 12. In § 3010.20, revise paragraphs (b) and (d) and add paragraph (e) to read as follows:

§ 3010.20 Calculation of maximum rate adjustment.

* * * * *

(b) Type 1–A and Type 1–B rate adjustments are subject to an inflation-based annual limitation computed using CPI–U values as detailed in §§ 3010.21(a) and 3010.22(a).

* * * * *

(d) In any 12-month period the maximum rate adjustment applicable to a class is:

(1) For a Type1–A notice of rate adjustment, the annual limitation for the class; and

(2) For a Type 1–B notice of rate adjustment, the annual limitation for the class plus the unused rate adjustment authority for the class that the Postal Service elects to use, subject to the limitation under § 3010.29.

(e) There is no limitation on the amount of a rate decrease contained in a notice of Type 1–C rate adjustment.

■ 13. In § 3010.21, revise the section heading and paragraph (b) to read as follows:

§ 3010.21 Calculation of annual limitation when Type 1–A or Type 1–B notices of rate adjustment are 12 or more months apart.

* * * * *

(b) If a notice of a Type 1–A or Type 1–B rate adjustment is filed 12 or more months after the most recent Type 1–A or Type 1–B notice of rate adjustment, then the calculation of an annual limitation for the class (referred to as the *full year limitation*) involves three steps. First, a simple average CPI–U index is calculated by summing the most recently available 12 monthly CPI–U values from the date the Postal Service files its notice of rate adjustment and dividing the sum by 12 (Recent Average). Then, a second simple average CPI–U index is similarly calculated by summing the 12 monthly CPI–U values immediately preceding the Recent Average and dividing the sum by 12 (Base Average). Finally, the full year limitation is calculated by dividing the Recent Average by the Base Average and subtracting 1 from the quotient. The result is expressed as a percentage, rounded to three decimal places.

* * * * *

■ 14. In § 3010.22, revise the section heading and paragraphs (a) and (b) to read as follows:

§ 3010.22 Calculation of annual limitation when Type 1–A or Type 1–B notices of rate adjustment are less than 12 months apart.

(a) The monthly CPI–U values needed for the calculation of the partial year limitation under this section shall be obtained from the Bureau of Labor Statistics (BLS) Consumer Price Index—All Urban Consumers, U.S. All Items, Not Seasonally Adjusted, Base Period 1982 − 84 = 100. The current Series ID for the index is ''CUUR0000SA0.''

(b) If a notice of a Type 1–A or Type 1–B rate adjustment is filed less than 12 months after the most recent Type 1–A or Type 1–B notice of rate adjustment, then the annual limitation for the class (referred to as the *partial year limitation*) will recognize the rate increases that have occurred during the preceding 12 months. When the effects of those increases are removed, the remaining partial year limitation is the applicable restriction on rate increases.

* * * * *

■ 15. Revise § 3010.23 to read as follows:

§ 3010.23 Calculation of percentage change in rates.

(a) *Definitions.* In this section:

(1) *Current rate*—(i) *In general.* Except as provided in paragraphs (a)(1)(ii) and (iii) of this section, the term *current rate* means the rate in effect when the Postal Service files the notice of rate adjustment.

(ii) *Seasonal and temporary rates.* When used with respect to a seasonal or temporary rate, as described in paragraph (a)(2) of this section, the term *current rate* means the most recent rate in effect for the rate cell, regardless of whether the seasonal or temporary rate is available at the time the Postal Service files the notice of rate adjustment.

(iii) *Exception.* When used with respect to a rate cell that corresponds to a rate incentive that was previously excluded from the calculation of the percentage change in rates under paragraph (e)(1) of this section, the term *current rate* means the full undiscounted rate in effect for the rate cell at the time of the filing of the notice of rate adjustment, not the discounted rate in effect for the rate cell at such time. For example, if a rate incentive provides a 5-cent discount on a 25-cent rate and the Postal Service previously elected to exclude the rate incentive from the calculation of the percentage change in rates, the Postal Service may choose to begin including the discounted rate in its calculation of the percentage change in rates. If the Postal Service makes that choice, the current rate for the discounted rate cell will be 25 cents (the full undiscounted rate).

(2) *Rate cell.* The term *rate cell* means each and every separate rate identified in any applicable notice of rate adjustment for rates of general applicability. A seasonal or temporary rate shall be identified and treated as a rate cell separate and distinct from the corresponding non-seasonal or permanent rate.

(3) *Rate incentive* means a discount that is not a workshare discount and that is designed to increase or retain volume, improve the value of mail for mailers, or improve the operations of the Postal Service.

(b) *Calculation*—(1) *Type 1–A and Type 1–B rate adjustments.* For a Type 1–A or Type 1–B rate adjustment, for each class of mail and product within the class, the percentage change in rates is calculated in three steps. First, the volume of each rate cell in the class is multiplied by the planned rate for the respective cell and the resulting products are summed. Then, the same set of rate cell volumes are multiplied by the corresponding current rate for each cell and the resulting products are summed. Finally, the percentage change in rates is calculated by dividing the results of the first step by the results of the second step and subtracting 1 from the quotient. The result is expressed as a percentage.

(2) *Type 1–C rate adjustments.* For a Type 1–C rate adjustment, for each class of mail and product within the class, the percentage change in rates is calculated by amending the workpapers attached to the Commission's order relating to the most recent Type 1–A or Type 1–B notice of rate adjustment to replace the planned rates under the most recent Type 1–A or Type 1–B notice of rate adjustment with the corresponding planned rates applicable to the class from the Type 1–C notice of rate adjustment.

(c) *Formula.* The formula for calculating the percentage change in rates for a class described in paragraph (b) of this section is as follows:

Percentage change in rates =

$$\left(\frac{\sum_{i=1}^{N}(R_{i,n})(V_i)}{\sum_{i=1}^{N}(R_{i,c})(V_i)}\right) - 1$$

Where,

N = number of rate cells in the class

i = denotes a rate cell (i = 1, 2, . . . , N)

Ri,n = planned rate of rate cell i

Ri,c = current rate of rate cell i (for a Type 1–A or Type 1–B rate adjustment) or rate from most recent Type 1–A rate

adjustment for rate cell i (for a Type 1–C rate adjustment)
Vi = volume of rate cell i

(d) *Volumes*—(1) *Obtaining Volumes from billing determinants.* The volumes for each rate cell shall be obtained from the most recent available 12 months of Postal Service billing determinants.

(2) *Permissible adjustments.* The Postal Service shall make reasonable adjustments to the billing determinants to account for the effects of classification changes such as the introduction, deletion, or redefinition of rate cells. The Postal Service shall identify and explain all adjustments. All information and calculations relied upon to develop the adjustments shall be provided together with an explanation of why the adjustments are appropriate.

(3) *Basis for adjustments.* Whenever possible, adjustments shall be based on known mail characteristics or historical volume data, as opposed to forecasts of mailer behavior.

(4) *Adjustment for deletion of rate cell when alternate rate cell is not available.* For an adjustment accounting for the effects of the deletion of a rate cell when an alternate rate cell is not available, the Postal Service should adjust the billing determinants associated with the rate cell to zero. If the Postal Service does not adjust the billing determinants for the rate cell to zero, the Postal Service shall include a rationale for its treatment of the rate cell with the information required under paragraph (d)(2) of this section.

(e) *Treatment of rate incentives.* (1) Rate incentives may be excluded from a percentage change in rates calculation. If the Postal Service elects to exclude a rate incentive from a percentage change in rates calculation, the rate incentive shall be treated in the same manner as a rate under a negotiated service agreement (as described in § 3010.24).

(2) A rate incentive may be included in a percentage change in rates calculation if it meets the following criteria:

(i) The rate incentive is in the form of a discount or can be easily translated into a discount;

(ii) Sufficient billing determinants are available for the rate incentive to be included in the percentage change in rate calculation for the class, which may be adjusted based on known mail characteristics or historical volume data (as opposed to forecasts of mailer behavior); and

(iii) The rate incentive is a rate of general applicability.

■ 16. Revise § 3010.24 to read as follows:

§ 3010.24 Treatment of volume associated with negotiated service agreements and rate incentives that are not rates of general applicability.

(a) Mail volumes sent at rates under a negotiated service agreement or a rate incentive that is not a rate of general applicability are to be included in the calculation of percentage change in rates under § 3010.23 as though they paid the appropriate rates of general applicability. Where it is impractical to identify the rates of general applicability (*e.g.,* because unique rate categories are created for a mailer), the volumes associated with the mail sent under the terms of the negotiated service agreement or the rate incentive that is not a rate of general applicability shall be excluded from the calculation of percentage change in rates.

(b) The Postal Service shall identify and explain all assumptions it makes with respect to the treatment of negotiated service agreements and rate incentives that are not rates of general applicability in the calculation of the percentage change in rates and provide the rationale for its assumptions.

■ 17. In § 3010.26, revise the section heading and paragraphs (b) and (e) to read as follows:

§ 3010.26 Calculation of unused rate adjustment authority for Type 1–A and Type 1–B rate adjustments.

* * * * *

(b) When notices of Type 1–A or Type 1–B rate adjustments are filed 12 months apart or less, annual unused rate adjustment authority will be calculated. Annual unused rate adjustment authority for a class is equal to the difference between the annual limitation calculated pursuant to § 3010.21 or § 3010.22 and the percentage change in rates for the class calculated pursuant to § 3010.23(b)(1).

* * * * *

(e) Unused rate adjustment authority generated under this section lapses 5 years after the date of filing of the notice of rate adjustment leading to its calculation.

* * * * *

§§ 3010.27 and 3010.28 [Redesignated as §§ 3010.28 and 3010.29]

■ 18. Redesignate §§ 3010.27 and 3010.28 as §§ 3010.28 and 3010.29.

■ 19. Add new § 3010.27 to read as follows:

§ 3010.27 Calculation of unused rate adjustment authority for Type 1–C rate adjustments.

(a) For a notice of Type 1–C rate adjustment, unused rate adjustment authority for a class is calculated in two steps. First, the difference between the annual limitation calculated pursuant to § 3010.21 or § 3010.22 for the most recent notice of Type 1–A or Type 1–B rate adjustment and the percentage change in rates for the class calculated pursuant to § 3010.23(b)(2) is calculated. Second, the unused rate adjustment authority generated in the most recent Type 1–A or Type 1–B rate adjustment is subtracted from that result.

(b) Unused rate adjustment authority generated under paragraph (a) of this section lapses 5 years after the date of filing of the most recent notice of Type 1–A or Type 1–B rate adjustment.

(c) Unused rate adjustment authority generated under paragraph (a) of this section for a class shall be added to the unused rate adjustment authority generated in the most recent notice of Type 1–A rate adjustment on the schedule maintained under § 3010.26(f). For purposes of § 3010.28, the unused rate adjustment authority generated under paragraph (a) of this section for a class shall be deemed to have been added to the schedule maintained under § 3010.26(f) on the same date as the most recent notice of Type 1–A or Type 1–B rate adjustment.

(d) Unused rate adjustment authority generated under paragraph (a) of this section shall be subject to the limitation under § 3010.29, regardless of whether it is used alone or in combination with other existing unused rate adjustment authority.

■ 20. Add § 3010.30 to read as follows:

§ 3010.30 De minimis rate increases.

(a) The Postal Service may elect to file a Type 1–A notice of rate adjustment as a *de minimis* rate increase if:

(1) For each affected class, the rate increases contained within the notice of a Type 1–A rate adjustment do not result in the percentage change in rates for the class equaling or exceeding 0.001 percent; and

(2) For each affected class, the sum of all rate increases included in *de minimis* rate increases since the most recent Type 1–A, Type 1–B, or Type 3 rate adjustment that was not a *de minimis* rate increase does not result in the percentage change in rates for the class equaling or exceeding 0.001 percent.

(b) No unused rate adjustment authority will be added to the schedule of unused rate adjustment authority maintained under § 3010.26(f) as a result of a *de minimis* rate increase.

(c) No rate decreases may be taken into account when determining whether rate increases comply with paragraphs (a)(1) and (2) of this section.

(d) In the next notice of a Type 1–A or Type 1–B rate adjustment for a class that is not a *de minimis* rate increase:

(1) The annual limitation shall be calculated as if the de minimis rate increase had not been filed; and

(2) For purposes of calculating the percentage change in rates, the current rate shall be the current rate from the *de minimis* rate increase.

(e) The Postal Service shall file supporting workpapers with each notice of *de minimis* rate increase that demonstrate that the sum of all rate increases included in *de minimis* rate increases since the most recent Type 1–A, Type 1–B, or Type 3 notice of rate adjustment that was not *de minimis* does not result in a *percentage* change in rates for the class equaling or exceeding 0.001 percent.

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2014–13649 Filed 6–11–14; 8:45 am]

BILLING CODE 7710–FW–P

FEDERAL REGISTER

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Part III

The President

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Presidential Documents

Title 3—

The President

Presidential Determination No. 2014–10 of June 2, 2014

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the ''Act''), I hereby determine that it is necessary, in order to protect the national security interests of the United States, to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act.

You are authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the *Federal Register.*

This suspension shall take effect after the transmission of this determination and report to the Congress.

THE WHITE HOUSE,
Washington, June 2, 2014

[FR Doc. 2014–13958
Filed 6–11–14; 11:15 am]
Billing code 4710–10

Presidential Documents

Presidential Determination No. 2014–11 of June 4, 2014

Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012

Memorandum for the Secretary of State[,] the Secretary of the Treasury[, and] the Secretary of Energy

By the authority vested in me as President by the Constitution and the laws of the United States, after carefully considering the report submitted to the Congress by the Energy Information Administration on April 24, 2014, and other relevant factors, including global economic conditions, increased oil production by certain countries, and the level of spare capacity, I determine, pursuant to section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012, Public Law 112–81, and consistent with prior determinations, that there is a sufficient supply of petroleum and petroleum products from countries other than Iran to permit a significant reduction in the volume of petroleum and petroleum products purchased from Iran by or through foreign financial institutions.

I will continue to monitor this situation closely.

The Secretary of State is authorized and directed to publish this memorandum in the *Federal Register.*

THE WHITE HOUSE,
Washington, June 4, 2014

[FR Doc. 2014–13959
Filed 6–11–14; 11:15 am]
Billing code 4710–10

Presidential Documents

Memorandum of June 9, 2014

Helping Struggling Federal Student Loan Borrowers Manage Their Debt

Memorandum for the Secretary of the Treasury[, and] the Secretary of Education

A college education is the single most important investment that Americans can make in their futures. College remains a good investment, resulting in higher earnings and a lower risk of unemployment. Unfortunately, for many low- and middle-income families, college is slipping out of reach. Over the past three decades, the average tuition at a public four-year college has more than tripled, while a typical family's income has increased only modestly. More students than ever are relying on loans to pay for college. Today, 71 percent of those earning a bachelor's degree graduate with debt, which averages $29,400. While most students are able to repay their loans, many feel burdened by debt, especially as they seek to start a family, buy a home, launch a business, or save for retirement.

Over the past several years, my Administration has worked to ensure that college remains affordable and student debt is manageable, including through raising the maximum Pell Grant award by nearly $1,000, creating the American Opportunity Tax Credit, and expanding access to student loan repayment plans, where monthly obligations are calibrated to a borrower's income and debt. These income-driven repayment plans, like my Pay As You Earn plan, which caps a Federal student loan borrower's payments at 10 percent of income, can be an effective tool to help individuals manage their debt, and pursue their careers while avoiding consequences of defaulting on a Federal student loan, such as a damaged credit rating, a tax refund offset, or garnished wages.

While my Administration has made significant strides in expanding repayment options available to borrowers and building awareness of income-driven repayment plans, more needs to be done. Currently, not all student borrowers of Federal Direct Loans can cap their monthly loan payments at 10 percent of income, and too many struggling borrowers are still unaware of the options available to them to help responsibly manage their debt.

Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

Section 1. *Expanding the President's Pay As You Earn Plan to More Federal Direct Loan Borrowers.* Within 1 year after the date of this memorandum, the Secretary of Education shall propose regulations that will allow additional students who borrowed Federal Direct Loans to cap their Federal student loan payments at 10 percent of their income. The Secretary shall seek to target this option to those borrowers who would otherwise struggle to repay their loans. The Secretary shall issue final regulations in a timely fashion after considering all public comments, as appropriate, with the goal of making the repayment option available to borrowers by December 31, 2015.

Sec. 2. *Improving Communication Strategies to Help Vulnerable Borrowers.* By December 31, 2014, the Secretary of Education shall develop, evaluate, and implement new targeted strategies to reach borrowers who may be struggling to repay their Federal student loans to ensure that they have the information they need to select the best repayment option and avoid

future default. In addition to focusing on borrowers who have fallen behind on their loan payments, the Secretary's effort shall focus on borrowers who have left college without completing their education, borrowers who have missed their first loan payment, and borrowers (especially those with low balances) who have defaulted on their loans to help them rehabilitate their loans with income-based monthly payments. The Secretary of Education shall incorporate data analytics into the communications efforts and evaluate these new strategies to identify areas for improvement and build on successful practices.

Sec. 3. *Encouraging Support and Awareness of Repayment Options for Borrowers During Tax Filing Season.* By September 30, 2014, the Secretary of the Treasury and the Secretary of Education shall invite private-sector entities to enter into partnerships to better educate borrowers about income-based repayment plans during the tax filing season in 2015. Building off of prior work, the Secretaries shall further develop effective ways to inform borrowers about their repayment options during the tax filing season in 2015, as well as through personalized financial management tools.

Sec. 4. *Promoting Stronger Collaboration to Ensure That Students and Their Families Have the Information They Need to Make Informed Borrowing Decisions.* By September 30, 2014, the Secretary of Education, in consultation with the Secretary of the Treasury, shall develop a pilot project to test the effectiveness of loan counseling resources, including the Department of Education's Financial Awareness Counseling Tool. The Secretary of Education shall convene higher education experts and student-debt researchers to identify ways to evaluate and strengthen loan counseling for Federal student loan borrowers. Additionally, the Secretaries shall collaborate with organizations representing students, teachers, nurses, social workers, entrepreneurs, and business owners, among others, to help borrowers represented by these organizations learn more about the repayment options that are available to them in financing their investment in higher education and managing their debt, and to provide more comparative, customized resources to those borrowers when possible.

Sec. 5. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Education is hereby authorized and directed to publish this memorandum in the *Federal Register.*

THE WHITE HOUSE,
Washington, June 9, 2014

[FR Doc. 2014–13961
Filed 6–11–14; 11:15 am]
Billing code 4000–01

Presidential Documents

Notice of June 10, 2014

Continuation of the National Emergency With Respect to the Actions and Policies of Certain Members of the Government of Belarus and Other Persons To Undermine Belarus's Democratic Processes or Institutions

On June 16, 2006, by Executive Order 13405, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, manifested in the fundamentally undemocratic March 2006 elections, to commit human rights abuses related to political repression, including detentions and disappearances, and to engage in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority.

The actions and policies of certain members of the Government of Belarus and other persons continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on June 16, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond June 16, 2014. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13405.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

THE WHITE HOUSE,

June 10, 2014.

[FR Doc. 2014–13963

Filed 6–11–14; 11:15 am]

Billing code 3295–F4

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H.R. 724/P.L. 113–109
To amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles. (June 9, 2014; 128 Stat. 1170)

H.R. 1036/P.L. 113–110
To designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the ''National Park Ranger Margaret Anderson Post Office''. (June 9, 2014; 128 Stat. 1171)

H.R. 1228/P.L. 113–111
To designate the facility of the United States Postal Service located at 123 South 9th Street in De Pere, Wisconsin, as the ''Corporal Justin D. Ross Post Office Building''. (June 9, 2014; 128 Stat. 1172)

H.R. 1451/P.L. 113–112
To designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the ''Staff Sergeant Nicholas J. Reid Post Office Building''. (June 9, 2014; 128 Stat. 1173)

H.R. 2391/P.L. 113–113
To designate the facility of the United States Postal Service located at 5323 Highway N in Cottleville, Missouri as the ''Lance Corporal Phillip Vinnedge Post Office''. (June 9, 2014; 128 Stat. 1174)

H.R. 2939/P.L. 113–114
To award the Congressional Gold Medal to Shimon Peres. (June 9, 2014; 128 Stat. 1175)

H.R. 3060/P.L. 113–115
To designate the facility of the United States Postal Service located at 232 Southwest Johnson Avenue in Burleson, Texas, as the ''Sergeant William Moody Post Office Building''. (June 9, 2014; 128 Stat. 1178)

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Sandia Pueblo Settlement Technical Amendment Act (June 9, 2014; 128 Stat. 1185)

H.R. 1726/P.L. 113–
20 To award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers. (June 10, 2014; 128 Stat. 1187)

H.R. 3080/P.L. 113–121

Water Resources Reform and Development Act of 2014 (June 10, 2014; 128 Stat. 1193)

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